

LAKE LURE TOWN COUNCIL MEETING PACKET

Tuesday, August 13, 2024
5:00pm



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

II.
AGENDA ADOPTION

TOWN OF LAKE LURE
TOWN COUNCIL REGULAR MEETING

Tuesday, August 13, 2024 at 5:00 p.m.
Lake Lure Municipal Center



Agenda

I. Call to Order

- A. Pledge of Allegiance and Invocation

II. Agenda Adoption

III. Mayor's Communication

IV. Town Managers Communication

- A. Monthly Report – Page 6
- B. Review Actions Taken at the July Work Session and Action Meeting
 - Budget Amendment #373 for Geodesic for Washburn Tank
 - Budget Amendment #374 for Water SCADA System
 - Budget Amendment #375 for Belt Press
 - Amendment #1 to LaBella Task 17-Water System Consolidation
 - LaBella Task 23-Wastewater Pumping Station (WWPS) Bypass System
 - Award of Morse Park Improvements Bid to Odom Engineering
 - Approval of the plan to purchase five (5) single sided sandblasted wood signs (with 6" x 6" posts) with a white background and the Town Logo to replace the existing signs that are in need of repair.

V. Council Liaison Reports and Comments

VI. Public Comments

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, ewillette@townoflakelure.com at least one hour prior to the meeting.

VII. Consent Agenda

- A. Approval of the July 9, 2024 Regular Town Council Minutes and the July 24, Work Session and Action Meeting Minutes. – Page 13
- B. Waiver Request for Lake Lure Artists Show and Sale. – Page 32

C. Waiver Request HNGO Fall Arts and Crafts Festival. – Page 33

VIII. Unfinished Business

IX. New Business

A. Update on the Short Term Rental Advisory Board – Page 36

B. Resolution No. 24-08-13 Accepting Water AIA State Reserve Grant Offer – Page 37

C. Request Appeal to Notice of Violation (NOV-2024025) – Page 50

D. Request to Extend Lake Structure Condemnation Order (NOV-2024022) – Page 53

E. Resolution No. 24-08-13A Accepting Lead Service Line (LSL) Funding Offer – Page 56

F. Capital Project Ordinance No. 24-08-13 for Lead Service Line Inventory Project – Page 69

X. Closed Session

In accordance with G.S. 143-318.11(a) (6) for the purpose of discussing personnel matters.

XI. Adjournment

**III.
MAYOR'S
COMMUNICATIONS**

IV.
TOWN MANAGER'S
COMMUNICATIONS



Town Manager Report July 2024

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

Public Services – The Public Service Department has successfully completed their operations to keep the Town running as smoothly as possible. Routine maintenance has been completed throughout the month, such as, but not limited to, Meter Reading, Meter Installs, Water Leaks, Locates, Bulk Trash Pickup, Work Orders, Facility Maintenance, Wastewater Samples, and Dam, Wastewater Treatment Plant and Hydro Plant Maintenance.

Top accomplishments/project updates:

- Reformed and repaired all culverts on Boy's Camp Road.
- Went through all Town maintained roads and cleaned culverts.
- Removed 9 trees that fell across roads.
- Performed 12 pavement patches around Town.
- Completed approximately 70 requested North Carolina 811 locates
- Repaired 7 water leaks thru out the water system.
- Replaced all motor brushes on Hydro Turbines 1&2
- Repaired a major leak on Private sewer line leading to Manhole #46
- Started GIS Mapping for our land and lake-based sewer system
- Finished onsite Lead and Copper Study for water system
- Repaired multiple water line breaks in downtown system due to over pressurization.

Community Development – Director Williams reports another active month for community development. The department issued 40 permits for the month of July. This includes 20 Zoning, 2 Lake Structure, 9 Land Disturbance Permit, and 4 Vacation Rental Operators. The department also completed final inspection and issued certificates of completion for 17 zoning or lake structure permits.

Top accomplishments/project updates:

- Of 20 zoning permits issued in July, worth noting that 10 were new single family home projects.

- Zoning and Planning Board reviewed and approved a preliminary subdivision plat for a 9 parcel subdivision between Quail Ridge Road and Kings Road although that approval has been stayed pending an easement settlement affecting access to the property.
- Board of Adjustments conducted quasi-judicial reviews of property owner appeal of staff decision regarding construction of an accessory structure storage shed without a permitted primary structure. The appeal was denied and recommended for Zoning and Planning Board consideration for ordinance change.
- Lake Structure Appeals Board conducted quasi-judicial review of a variance application to modify the shoreline stabilization requirement a property with an existing seawall. Was approved with conditions.
- Continued working with Tillman Construction (for AT&T) on the cell tower project. Project is still moving toward construction start.
- Bears and garbage, especially with Vacation Rentals, continues to be an issue and ongoing focus, utilizing communications with rental property owners and ordinance enforcement.

Fire / Emergency Management –It was still a busy month in July. The department responded to **56** fire/medical/rescue calls throughout the month. Firefighters completed **354** Hours of Training this month. Partial list of accomplishments:

- Provided stand-by assistance for Independence Day festivities.
- Assisted and/or responded to two drowning calls.
- Held a planning meeting to prepare for the Lake Lure Olympiad.
- Completed a dive operation for a sewer line inspection with Public Works.
- Held check-ins on the divers working on the reservoir drain valve installation.

Police – The Police Department has been busy with a large amount of traffic on the roads, lake, beach, and at events. July was especially busy with Independence Day events and a very busy beach season. Reserve officers have been instrumental in assisting the crew on the weekends and when needed for the reservoir drain project. A total amount of 84 lake patrol hours were documented.

Top accomplishments:

- One of the longest chases occurred this month when officers assisted McDowell County which began the chase of a Ford Ranger. As they came into our area, LLDAP officers took over the chase that lasted about 18 minutes, finally ending with the truck going off the roadway. The passenger escaped, but officers arrested the driver. Narcotics were involved and this case is still under investigation with possible further charges.
- Officers have had several calls this month concerning wildlife (Bears) in yards and around trash receptacles. Officers help educate the public on these calls in not only preventive ways to secure household garbage, but as well as how help keep bears from returning.

- There were several calls concerning parking on Boys Camp Road as well as half off the roadway by the Flowering Bridge.

Parks, Recreation & Lake – The Parks, Recreation, and Lake Department had a busy month of July. There have been several interviews held for the Parks, Recreation, and Lake Coordinator position.

Top Accomplishments:

- Utilized a total of **127 volunteer hours, valued at \$2,540**
- Completed lake debris clean up.
- Assisted Stott Construction with installation of dredging pipe to prepare for hydraulic dredging to begin in early August.

Finance – Revenues and Expenditures Reports for a bimonthly report will be provided at the August work session. As in prior fiscal years and recent accounting periods, revenues tracked for the last accounting period as projected and departments always do well in monitoring expenditures in individual line items in the departmental budgets. There may be accruals for expenditures and revenues (same as last prior year) due to the audit reporting beginning for 23-24 fiscal year. These will remain until final trial balances are determined and audited from prior year audit.

- The Town continues to have a strong financial position with an unreconciled bank balance of approximately \$9,300,000 for all funds other than special revenue (the Dam Fund). The dam fund is showing a balance of \$12,300,000.00 after significant expenditures related to the valve addition are continuing to be posted.
- Analysis and research to various components of the purchasing, invoicing, and vendor system continues. This effort is being made to generate cost savings, eliminate replication and overall efficiency.
- Audit items to be reviewed are decreasing and the Auditors are still conducting some early wrap up procedures. Sampling is still occurring along with accounting procedure clarification. The Local Government Commission declared no action to be taken in regards to the audit since a strong basis was provided that reasonable steps and reviews are occurring to conclude the annual financial review.
- The bi annual LGC report was filed before the July deadline providing the cash condition of Town.
- The annual Powell Bill Street listing report (with input from Mike Williams) and the Powell Bill expenditure report was filed on behalf of the Town in order to secure funding for street paving funds for this fiscal year.

Communications – Communications Director Krejci continues her community outreach along with progress in all areas. There were 37 news articles published on

the town's website. Additionally, 2,101 individuals received town news via hyperlink. There were 35,000 website users in July. The Town of Lake Lure also has 21,536 followers on Facebook as of the end of the month.

Top Highlights:

- Researched and coordinated order for new Town Welcome Signs. Administered ongoing communication to the public as it related to the water outage and boil advisory.
- Completed ongoing coordination of the FEMA HHPD Grant assignments and reports.
- Website and Social Media Management:
 - 15% increase in Website Users (35K) over the same time period in 2023 with 37 news posts in 7/24.
 - 8% increase in Facebook Followers (21,462) over the same time period in 2023, with 31 posts in 7/24.

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. In addition, the installation of the Dam valves continues to be underway and making progress.

Highlights:

- Chartered a Short Term Rental Advisory Board to make recommendations to Town Council regarding STR related policies.
- Awarded a dredging contract to Stott Construction, Inc. Stott will begin hydraulically dredging in the beginning of August.
- Awarded the Morse Park Improvements project bid to Odom Engineering.
- Amended LaBella Task 17 (Water System Consolidation) to include the addition of a Pressure Reducing Valve to lower pressure from the Firefly Cove well/tank system feeding into the Firefly Cove community, the incorporation of a fail-safe protection into the feed from the (now to be lowered) Firefly Cove community system in order to minimize potential for catastrophic pressure conditions to enter the Downtown system, the previous addition of a Pressure Reducing Valve between the Island Creek Tank and the 80-System, and redirection of the 80-downtown interconnection location.
- Approved LaBella Task 23 for wastewater pumping station bypass system.
- Approved LaBella Task 21 for dredging permitting. The permitting will allow the Town to mechanically dredge on a larger scale.
- Held a positive meeting with DEQ to discuss the status of the sewer replacement project.

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, ewillette@townoflakelure.com, at least one hour prior to the meeting.

VII

CONSENT AGENDA

- A. Approval of the July 9, 2024 Regular Town Council Minutes and the July 24, Work Session and Action Meeting Minutes.

- B. Waiver Request for Lake Lure Artists Show and Sale.

- C. Waiver Request HNGO Fall Arts and Crafts Festival.



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, July 9, 2024, 5:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

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

William Morgan, Jr., Town Attorney
Olivia Stewman, Town Manager
Dean Lindsey, Public Services Director
Michael Williams, Community Development Director
Laura Krejci, Communications Director

ABSENT:

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 Commissioner Patrick Bryant led the invocation.

Mayor Carol Pritchett called the meeting to order. Commissioner Patrick Bryant led the invocation and everyone stood and recited the Pledge of Allegiance.

II. APPROVE THE AGENDA

Commissioner Jim Proctor motion to add item number 10 made a motion to approve the agenda, as presented. Commissioner Patrick Bryant seconded and all voted in favor.

III. MAYOR'S COMMUNICATIONS

Mayor Pritchett thanked all individuals in attendance.

Mayor Pritchett presented Proclamation No. 24-07-09 Honoring the Excellent Responsiveness and Proficient Life-Saving Actions of Miss Callie Cobb. She commended Miss Cobb for being able to use all of the skills she learned with her Lifeguard and CPR Certifications in saving the life of a young boy recently. She presented Miss Cobb with the proclamation and beautiful red roses. The audience gave her a standing ovation.

Mayor Pritchett read the following proclamation.

WHEREAS On Saturday, June 15, 2024, Miss Callie Cobb was serving as a lifeguard at the Lake Lure Beach; and

WHEREAS In performing her duties, she scanned the water from her lifeguard stand and observed a child floating face down in the water; and

WHEREAS Miss Cobb took immediate action by blowing her whistle, requesting that 911 be called, and quickly responding to the child to offer assistance; and

WHEREAS Miss Cobb demonstrated bravery and professionalism when she took immediate action in a life threatening situation; and

WHEREAS; Without hesitation Miss Cobb quickly ran to the water and swam to the child, bringing him back to the shore where she successfully performed CPR, a lifesaving procedure which saved the child's life that day; and

WHEREAS; Miss Cobb was serving in her first lifeguard position, she demonstrated proficiency with her lifeguard and CPR certifications when it mattered the most; and

NOW THEREFORE; I, Mayor Carol C. Pritchett, proclaim on behalf of the Lake Lure Town Council and the citizens of the Town of Lake Lure, hereby present this proclamation to express our sincere appreciation as we honor and recognize Miss Callie Cobb for her life saving actions.

PROCLAIMED this the 9th day of July, 2024.

IV. TOWN MANAGER COMMUNICATIONS

Town Manager Olivia Stewman shared the following highlights from the monthly Departmental Reports.

- **Public Services:** Despite being short-staffed, the Public Service Department has successfully completed their operations to keep the Town running as smoothly as possible. Routine maintenance has been completed throughout the month, such as, but not limited to, Meter Reading, Meter Installs, Water Leaks, Locates, Bulk Trash Pickup, Work Orders, Facility Maintenance, Wastewater Samples, and Dam, Wastewater Treatment Plant and Hydro Plant Maintenance. Top accomplishments/project updates:
 - Ensured proper water runoff and flood prevention by cleaning all ditches in Zone D, from the Dam to Young's Mountain
 - Continued efforts to beautify the Town's roads and provide a smooth driving surface by paving all of Young's Mountain Rd and performed 15 pavement patches around Town
 - Braved great heights to clean the gutters at Town Hall
 - Showing great ingenuity, strength and sheer hustle the Public Services staff came together to remove all the furniture from three offices at Town Hall and haul it off to the Public Works building
 - Sprang into action to fix a failing culvert at the Chimney Rock Baptist Church ensuring the safety of that property
 - Completed approximately 70 requested North Carolina 811 locates
 - With great skill and expertise the Public Services Department removed a fallen tree from a sanitary sewer manhole located on the lake
 - Unrelentingly repaired multiple water leaks
 - Meticulously located and mapped Town of Lake Lure power meters
 - Assisted with the installation of new cameras at the spill gates and wastewater treatment plant to assure the security of Town property
- **Community Development:** Director Williams reports another active month for community development. The department issued 32 permits for the month of June. This includes 12 Zoning, 5 Lake Structure, 4 Land Disturbance Permit, and 11 Vacation Rental Operators. Top accomplishments/project updates:
 - Zoning and Planning Board conducted a review of KML Investments, LLC's Special Use Permit package regarding a 2,940sf office building with two office spaces and open area for storage. The board reviews site treatment, building design, relationship of building to site and neighborhood character and other considerations reasonably affecting the appearance of the proposed project. The board approved a recommendation to the Board of Adjustments for approval.

- Board of Adjustments conducted quasi-judicial reviews of two variance requests. First was to reduce setbacks and other an increase in the maximum building height. Both were approved as presented. The board also reviewed the Special Use Permit package for the 2,940sf office building to be located within the Commercial General district that had been recommended for approval by Zoning & Planning. The board approved the Special Use Permit.
- Lake Structure Appeals Board had no new business in June.
- Continued working with Tillman Construction (for AT&T) on the cell tower project. It is still under review of the FCC and construction held pending their release.
- Our college intern has helped our department with GIS mapping projects including zoning and protected mountain ridge mapping and continues researching street right of way information. This has been/will be a great collection of information for permitting and public use. She has also worked with public works on sewer and other infrastructure mapping including physical collection of data points, recording information and mapping.
- We are also working on office space planning in preparation for a staff addition that would require a work space, and means to make the space more functional for our use. Fire / Emergency Management –It was still a busy month in June. The department responded to 45 fire/medical/rescue calls throughout the month. Firefighters completed 198 Hours of Training this month. Partial list of accomplishments:
 - Ensured that the fire boat was operational after being out of commission for various months.
 - Assisted and/or responded to two drowning calls.
 - Held a firefighter training class at Sunny View VFD.
 - Assisted public works with major water leaks on Boys Camp Road and Memorial Highway.
 - Held check-ins on the divers working on the reservoir drain valve installation.
 - Completed an orientation for a new part-time employee.
- **Police Department:** The Police Department has been busy with a large amount of traffic on the roads, lake, beach, and at events. There were several significant calls this month. One officer left the Town to work for another agency, but the Town has hired a new officer who will join the crew contingent upon all required paperwork being approved. Top accomplishments:
 - An officer was involved in a chase with a motorcycle after the rider sped past him while the officer was running radar. A chase ensued from our town into Polk County at which time our officer lost site of the motorcycle rider. The rider continued until he attempted to take a turn, losing control and hit two pickup trucks. He was pronounced dead at the scene.

- Our Dive Team was called to assist in a missing swimmer in Rutherfordton. Corporal Collins assisted in retrieving the body of a young male.
- The Lake boating traffic has kept officers busy, as well as with patrolling the waters. We're thankful that we're able to depend on our Reserve Officers to assist us, especially on the weekend where the road traffic is heavy as well as well as boating traffic on the lake.
- We're in the process of getting our Radar Trailer out and about. Using this, especially in the downtown area where the speed limit slows to 25mph will help drivers slow down as pedestrians meander getting to the lake area.
- The Intermediate Certificate is given by the North Carolina Criminal Justice Education and Training Standards Commission to officers for their years of service and their continued education and training. We're thrilled to announce Officer Kortney Burrell received hers this month. Parks, Recreation & Lake – With Ms. Dana Bradley being the new Parks, Recreation, and Lake Director, Town staff has been holding interviews for the Parks, Recreation, and Lake Coordinator position. A seasonal position has also been advertised. Director Bradley provided exemplary oversight of the Parks, Recreation, and Lake Department. Partial list of notable activities: Top Accomplishments:
 - Utilized a total of 144 volunteer hours, valued at \$2,880
 - Completed lake debris clean up.
 - Completed a buoy reset following Marine Commission's approval of the new buoy plan.
 - Replaced and enhanced signage for multiple areas in the Town. 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. There are accruals for expenditures and revenues still listed on the budget and detail reports. These will exist until final trial balances are determined and audited from prior year audit. The Town continues to have a strong financial position with an unreconciled bank balance of approximately \$9,900,000 for all funds other than special revenue (the Dam Fund). The dam fund is showing balance at \$12,800,00.00 after significant expenditures related to the valve addition have now posted.
- **Finance:** With the addition of the Financial Administrative Associate, has once again added analysis and research to various components of the purchasing, invoicing, and vendor system. This effort is being made to generate cost savings, eliminate replication, and overall efficiency.
- Audit items to be reviewed are decreasing and the Auditors are conducting some early wrap-up procedures. Sampling is still occurring along with

accounting procedure clarification. It is estimated that all audit items will be submitted with the month of July.

- **Communications:** Communications Director Krejci continues her community outreach along with progress in all areas. There were 38 news articles published on the town's website and 2,071 were sent by hyperlink. There were 35,000 website users in June. The Town of Lake Lure has 21,462 followers on Facebook as of the end of the month. Top Highlights:
 - Coordinated the Flag Day Ceremony with the Police and Fire Departments.
 - Administered ongoing communication to the public as it related to the water outage and boil advisory.
 - Completed the Annual Report to document Town accomplishments over the past year.
 - Website and Social Media Management: 71% increase in Website Users (35K) over the same time period in 2023 with 38 news posts in 6/24, and an 8% increase in Facebook Followers (21,462) over the same time period in 2023, with 54 posts in 6/24.
- **Manager / Clerk / Admin Summary:** June was a busy month including an array of staff, council, and board meetings and ever-changing day-to-day operations. In addition, the installation of the Dam valves continues to be underway and making progress. Highlights:
 - The FY 24-25 budget was adopted on June 11, 2024. In addition, the FY 24-25 land use, general use, and utility fee schedules were adopted, along with the FY 24-25 salary grade schedule.
 - Created a solution to handling compensatory time issues, which will be more beneficial in tracking overtime and will be more satisfactory to auditors.
 - Passed the 2025 lake drawdown schedule which will take place from January 1, 2025 to March 15, 2023.
 - Opened bids for dredging operations, Morse Park improvements, and sludge management belt press. Staff is recommending award of bid to Stott Construction, Inc. for dredging operations, a review team is finishing up on determining a recommendation for Morse Park improvements, and LaBella Associates is reviewing the bids for the sludge management belt press.
 - Along with the Community Development, some of the administrative department hosted a career camp at Town Hall for the Lake Lure Classical Academy.
 - Kat Canant, Laura Krejci, and others prepared for the Lake Lure Flag Retirement Ceremony, which had a wonderful turn out.
 - Two vacant positions were filled including a public works utility maintenance technician and a police officer. Staff is continuing to hold interviews for the Parks, Recreation, and Lake Coordinator position.

Additionally, the new budget included two additional public works utility maintenance technicians, a new member for the Community Development Department, and a seasonal Parks, Recreation, and Lake maintenance technician.

- Met with Odom Engineering to begin the process for the work force housing conceptual design plan.
- We received notification that 177 Tryon Bay, which we had previously demolished, went to auction and at this time one party has placed a bid for \$102,000. There is a 10 day response period until it is final.

V. COUNCIL LIAISON REPORTS & COMMENTS AND BOARD PRESENTATIONS
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The following updates were provided by the Commissioners who serve as Board Liaisons.

- **ABC Board:** The Board met and the store is doing well. The store had a record sales day last month.
- **Board of Adjustments/Lake Structure Appeals Board:** The Boards did meet and there was nothing new to report as most of the information was included in the Town Manager's report.
- **Lake Advisory Board (LAB):** Met and they are reviewing the Lake Use Regulations in preparation for the next Marine Commission Meeting.
 - The watercraft under 10 horsepower has increased with the changes in the regulations last year.
 - Even a boat with a trolling motor needs to be registered in NC.
 - The Board updated the Buoy Plan and recommended a change from 97 buoys down to 62 buoys with some new strategic placements.
 - The Buoy Plan provides a barrier for simmers and motorized boats.
 - The buoys have been relocated based on the plan that was passed in June 2024.
 - Fae Nectar is working on a plan to have four boats in the near future.
 - Monitoring the non-motorized boat use.
 - Police have given 43 warnings so far this season.
- **Zoning and Planning:** The last meeting was held on 6/18/24. There were two new items presented which were approved for new businesses on Memorial Highway.
- **Parks and Recreation Board:** The Board met 7/8/24.
 - A discussion was held on the new design for the entry signs as you come into Lake Lure. These ideas will be presented at the Town Council Work Session later this month.

- There were 144 reported volunteer hours which does not include the hours from Conserving Carolina, the Flowering Bridge, and the work that was recently done at Weed Patch Mountain Trail.
- If anyone would like to participate in Trail Maintenance you can meet the crew on 7/11/24 at 8AM on Weed Patch and/or 7/18 at 9AM at Buffalo Creek.
- The Olympiad will be held on August 9, 10 and 11. This is the 20th anniversary.
- On 7/18 the Board will meet to work on the recommendations for updating the Comprehensive Plan to include all the progress that has been made with our Lake Lure Parks and Trails since the plan was last updated.

Mayor Pritchett thanked everyone who serves on the Town Boards.

VI. PUBLIC COMMENT

Mayor Carol C. Pritchett invited the audience to speak.

The Public was invited to speak. Please keep comments limited to three minutes or less. Comments may also be submitted in writing to the town clerk, ewillette@townoflakelure.com, at least one hour, and prior to the meeting.

- Ms. Debbie Warren from 138 Yacht Island Road came forward and announced that the Olympiad will be held in 30 days on August 9, 10, and 11. This is the 20th anniversary and over 100 volunteers come together to support the event. The number of participants have doubled this year and they are expecting over 1,000 participants, family, and friends. Ms. Warren thanked the town staff for their support of the events.

VII. CONSENT AGENDA

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

- A. Approval of the June 11, 2024 Regular Town Council Meeting Minutes, the June 24, 2024 Special Town Council Meeting Minutes, and the June 26, 2024 Work Session and Action Meeting Minutes

B. Resolution No. 24-07-09A Amending the Lake Lure Steering Committee
Establishing Resolution

WHEREAS, Resolution No. 21-02-08 was duly adopted by the Town Council of Lake Lure, North Carolina on February 8, 2022, for the purpose of creating a Lake Lure Steering Committee; and

WHEREAS, in following with the current procedures, regulations and policies, changes have been recommended.

NOW, THEREFORE BE IT RESOLVED, the Town of Lake Lure Steering Committee Establishing Resolution is hereby amended a follows:

SECTION ONE. Section 2 (C) is hereby amended as follows: (C) Parks and Recreation Board. Whomever is the current chair of the Parks and Recreation Board shall also serve as the chair for the on the Lake Lure Steering Committee.

SECTION THREE. This resolution shall be effective upon adoption.

Commissioner Scott Doster made a motion to approve the resolution as presented Mayor Pro-Term David DiOrio Seconded and all voted in favor.

IX. UNFINISHED BUSINESS

No Unfinished Business

X. NEW BUSINESS

A. Resolution No. 24-07-09 Chartering a Short Term Rental Advisory Board

Town Manager Olivia Stewman addressed the board - Town Council will charter a Short Term Rental Advisory Board. This would help with regulating short-term rentals appropriately, as they remain prevalent in the community. Resolution No. 24-07-09 chartering a Short Term Rental Advisory Board details the objectives, rules, and make-up of the Board.

Commissioner Patrick Bryant made a motion to adopt resolution No.: 24-07-09, Commissioner Scott Doster seconded.

X. NEW BUSINESS

B. Consider Approval of New Street Signs

Town Manager Olivia Stewman addressed the board - There are various street signs within Town limits that are in need of replacement. Town Code states that, "street signs and post shall be of aluminum construction to resist corrosion. Signs shall be green with white reflective letters. Letters shall be minimum of 3⁵/₈ inches tall with minimum of one-half inch stroke letters. Optional color signs may be considered by town but shall have white letters." Town staff is recommending replacement of signs on Town maintained streets with black signs including white letters and the Town's logo. Staff also recommends the eventual replacement of all town street signs, but due to budgeting purposes this will be done within phases.

Commissioner Scott Doster made a motion to approve the new powdered cover paint signs as presented, Mayor Pro-Term David DiOrio Seconded and they all voted in favor.

X. NEW BUSINESS

C. Consider Award of Dredging Bid and Approval of Dredging Agreement

Town Manager Olivia Stewman addressed the board - The Town has been in the process of advertising for bids for dredging services. After the initial advertisement, the Town received one bid and re-advertised in accordance with general statutes. The Town received one bid during the second advertisement phase. This bid comes from Stott Construction, Inc. In order to proceed with dredging operations, Town staff recommends the award of bid and approval of the dredging agreement with Stott Construction.

Commissioner Patrick Bryant made a motion to approve the award for dredging and the dredging agreement, Commissioner Scott Doster seconded and they all voted in favor.

X. NEW BUSINESS

D. Pickle Ball Camp Rental Request

Laura Krejci addressed the board - The Town of Lake Lure has received a request from local Pickleballers for rental of the Pickelball Courts for a two day (2 hours

per day) camp in July. The date is to be determined if the event is approved. The instructor is a certified Pickleball Coach with Pickleball Coaching International, Joe Balboni. He has insurance with \$2 million in coverage. He and his wife have a home in the area but live elsewhere. The Pickleball Camp would be for about 8 students and would be for locals only. The Events Team met 6/28/24 and would like to find a way to support this request. The courts have not been rented out for an event previously. The Events Team recommends charging the same fee as the rental for Town Hall which is \$100 for 4 hours. The Events Team recommends approval of this event and rental as a trial. The Parks, Recreation, and Lake Director concurs with monetizing the courts whenever possible. If approved, the dates/times of the event would be posted at the courts one week prior to the camp for community awareness. The Town Rental Agreement has been updated with the inclusion of the Tennis/Pickleball Courts as an option. If the trial is successful, the Tennis/Pickleball Court rental fee would be presented as an addition to the Fee Schedule and the Town Rental Agreement. A recommendation was made to ensure that signage is provided in advance of the camp to ensure others are aware of the dates of the camp.

Commissioner Jim Proctor made a motion to approve the Pickleball camp with the rental of the pickle ball courts, Commissioner Patrick Bryant seconded and all voted in favor.

X. NEW BUSINESS

E. Consider Amendment of Rental Policy

Town Manager Olivia Stewman addressed the board - The Town of Lake Lure has received a request from local Pickleballers for rental of the Pickelball Courts. The Parks, Recreation, and Lake Director concurs with monetizing the courts whenever possible. The Town Rental Agreement has been updated with the inclusion of the Tennis/Pickleball Courts as an option. The updated Rental Agreement has been reviewed and approved by Town Attorney, William Morgan. In reviewing the Rental Agreement, some clarification regarding the references to approvals for the use of Alcohol were recommended. The related ordinance states the following: The town manager and chief of police may jointly grant a permit allowing consumption of either malt beverages, unfortified wine, fortified wine, spirituous liquor and/or mixed beverages for special events on town property and the permit shall be in writing and describe the location, type of beverage to be served and the date and hours in which the operation of this article shall be temporarily suspended for said special event. If a party applies for a permit and the permit is denied by the town manager and/or chief of police, the denial may be appealed to the town council. The current Rental Agreement

references obtaining Town Council Approval for the use of Alcohol in Town Hall. This is not necessary according to the ordinance noted above.

Commissioner Scott Doster made a motion to approve the updated rental agreement with the proposed changes, Mayor Pro-Term David DiOrio seconded and all voted in favor.

X. NEW BUSINESS

F. Consider Approval of Library Services Agreement

Town Manager Olivia Stewman addressed the board - The Rutherford County Library System would like to hold a monthly bookmobile stop in Morse Park. This would take place on the fourth Friday of each month from 3:30 p.m. To 5:00 p.m. while the farmer's market is taking place and 3:30 p.m. to 4:30 p.m. all other months. The Rutherford County Library System has provided the Town with a Library Services Agreement to proceed with the bookmobile stop events.

Commissioner Jim Proctor made a motion to approve the library service agreement Commissioner Patrick Bryant seconded and all voted in favor

XI. Close Session

G. In accordance with G.S. 143-318.11(a) (3) for attorney-client privilege or legal claims, Town Council entered into Closed Session.

Commissioner Scott Doster made a motion to enter into closed session in accordance with G.S.143-318.11(a) (3) for attorney client privilege or legal claims. Mayor Pro-term David DiOrio seconded and the all voted in favor.

XII. ADJOURNMENT

With no further business, Commissioner Patrick Bryant made a motion to adjourn the meeting at 6:22 p.m. Commissioner Jim Proctor seconded and the motion carried 4-0.

ATTEST:

Elba Willette, Town Clerk

Mayor Carol C. Pritchett



MINUTES OF THE LAKE LURE TOWN COUNCIL WORK SESSION AND ACTION MEETING HELD WEDNESDAY, July 24, 2024, 8:30 A.M. AT THE LAKE LURE MUNICIPAL CENTER

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

William Morgan, Jr., Town Attorney
Olivia Stewman, Town Manager
Stephen Ford, Finance Director
Dean Lindsey, Public Services Director
Michael Williams, Community Development Director
Mike Dydula, Project Manager
Laura Krejci, Communications Director

ABSENT:

I. CALL TO ORDER

Mayor Carol C. Pritchett called the meeting to order at 8:30 a.m. Council members led the pledge of allegiance and Commissioner Patrick Bryant led the invocation.

II. APPROVE THE AGENDA

Jim Proctor Made a motion to approve the agenda with amendments to add LaBella Task # 21 – Dredging Permitting Assistance – Individual Permits and Close Session – Bryant Seconded and all voted in favor.

III. PUBLIC COMMENT

No Public Comments

IV. Budget Amendment #373 for Geodesic for Washburn Tank

Dean Lindsey – The Town solicited proposals for procurement of the geodesic dome for the Washburn Tank. The low bid was from CST Industries, Inc. at \$59,372. The overall amount associated with Budget Amendment #373 is \$65,000.

Commissioner Patrick Bryant made a Motion to approve Item # 373 Commissioner Scott Doster seconded, and all voted in favor.

V. Budget Amendment #374 for Water SCADA System

Dean Lindsey – During the previous budget, Town Council approved Budget Amendment #366 for the water SCADA system and related water system consolidation. The SCADA system will be used as an automation tool to operation the water system. This will save the Town time on identifying water leaks, checking the levels of wells, and more. Public Services Director Dean Lindsey has re-visited this system, as it was not purchased during the last budget cycle and was not accounted for in the current budget. The overall amount associated with Budget Amendment #374 is \$250,000 which includes all elements to getting the SCADA system operational.

Commissioner Scott Doster made a Motion to approve Item # 374 Mayor Pro-Term David DiOrio seconded, and all voted in favor.

VI. Budget Amendment #375 for Belt Press

Dean Lindsey – The Town has solicited bids for the procurement of a belt press for sludge management at the Wastewater Treatment Plant. The low bid came in at \$595,130. This cost will be reimbursed using ARPA funding.

Commissioner Jim Proctor made a Motion to approve Item # 375 Commissioner Patrick Bryant seconded, and all voted in favor

VII. Proposed Amendment #1 to LaBella Task 17 – Water System Consolidation

Dean Lindsey – LaBella has been in the process of completing Task 17 for Water System Consolidation. Several delays and scope redirections have occurred due to the Town's pursuit of accurate system information, and a newly-identified additional

component design is now requested. This Amendment #1 is for additional compensation for both prior additional and newly-added effort. Amendments include: the addition of a Pressure Reducing Valve to lower pressure from the Firefly Cove well/tank system feeding into the Firefly Cove community; the incorporation of a fail-safe protection into the feed from the (now to be lowered) Firefly Cove community system in order to minimize potential for catastrophic pressure conditions to enter the Downtown system; the previous addition of a Pressure Reducing Valve between the Island Creek Tank and the 80-System; and redirection of the 80-downtown interconnection location. The total cost associated with the proposed amendment is \$15,000.

Commissioner Patrick Bryant made a Motion to approve Item # 1 to LaBella Task # 17
Commissioner Scott Doster seconded, and all voted in favor

VIII. LaBella Task 23 – Wastewater Pumping Station (WWPS) Bypass System

Dean Lindsey – made the presentation ask him for his report or copy it from the packet. The Town’s triplex wastewater pumping station (WWPS) has no simple means for bypass, and the Town desires to obtain a suitable trailer-mounted bypass pump and install means for bypassing in the event of an emergency. There is currently no substantial time period greater than 20-30 minutes during which the WWPS can be out of operation without resulting in a wastewater spill to the Broad River. This Task will result in the Town’s purchase of a suitable bypass pump, and a force main emergency bypass connection, which will also necessitate installation of a manhole or cleanout access on the existing 12-inch force main near the existing air release valve (ARV) on the Dam access road above the WWPS. LaBella will determine the pump hydraulic requirements and prepare a technical specification suitable for the Town’s procurement of a trailer-mounted suction-lift bypass pump; prepare a site layout drawing and details for the installation of the bypass pump connection near the pump station and the new manhole at the air release vault; utilize previously obtained survey data where possible; submit drawings and specifications to NCDEQ (DWI and DWR) for review and approval in anticipation of potential funding from the outstanding balance of ARPA grant funds; and support the Town during the procurement and construction process on an as needed basis. The total budget associated with Task 23 is \$20,100.

Commissioner Jim Proctor made a Motion to approve LaBella Task #23
Commissioner Scott Doster seconded, and all voted in favor

IX. Public Works

Dean Lindsey – Public Services Director Dean Lindsey has been reviewing options for the new public works building. He provided Council with an update and there was a

discussion regarding the needs of the Department and the Town as it related to the new building.

X. Review of Morse Park Improvements Bid Recommendation

Olivia Stewman - Qualification-based bids were received for Morse Park Improvements. A staff-based review team has held various meetings to discuss each of the five bids that were received initially, the review team narrowed the bids down to the top two candidates and references were contacted for both firms. The review team recommends awarding the qualification-based bids to Odom Engineering. This recommendation stems from Odom's overall qualifications, past experiences working with the Town, the familiarity of the Town's sewer moratorium, and outstanding references.

Commissioner Jim Proctor made to approve and hire Odom Engineering to work on this project Commissioner Patrick Bryant Seconded and all voted in favor.

XI. Lake Lure Signage

Laura Krejci addressed the board: The Lake Lure signs that are in place at all entries to Town need to be replaced. The signs simply say "Lake Lure – Incorporated 1927." The criteria below was shared with the Parks and Recreation Board on 7/8/24. Their recommendations are consistent with the recommendations summarized in this report. Wording: The Town logo may not have been in existence when the previous signs were made. The Town logo includes "est. 1927".

Recommendation: The recommended wording would include: "Welcome to the" followed by the Town logo which states "Town of Lake Lure". It was recommended that "North Carolina" be omitted to reduce the number of words on the sign for ease of readability. Size: There are currently 5 one sided signs located at the various entry points to Town limits. Recommendation: The recommendation is to purchase one size sign for all locations, similar to the size of the sign between Chimney Rock and Lake Lure, near The Geneva Motel. This sign is approximately 27" x 66".

Material: The existing one sided signs are currently made of some sort of wood/composite Board. Chimney Rock State Park was consulted to see what type of signs they are using. The following information was shared regarding wood and HDU signs. Sandblasted Wood Signs (CRSP preferred signage) made with cedar, long lasting exterior signage, environmentally friendly, HDU Sandblasted Foam (CRSP used in the past. Discontinued this material in the park), Made to look like sandblasted wood, Not as sturdy as wood, frequently chewed on by critters Less expensive. A number of materials were considered and researched including metal and poly metal signs. Recommendation: Sandblasted Wood Signs are recommended based on the use of these signs throughout Chimney Rock State Park

and the recommendation of the Parks and Recreation Board. Cost: The following options are presented for consideration. Proposal is for five (5) single-sided sandblasted wood signs, Existing posts will be used for one of the eight signs, New 6x6, salt-treated, painted posts with a routed-in border and post caps will be used to install, Size of sign face is 27" x 68". Lamb Signs Estimate: \$1,278.75 each plus tax (28.5" x 68") Signature Signs & Graphics Estimate: \$ 1,496.85 each plus tax (24" x 59"). Posts, Lamb Signs 6x6, salt treated, painted posts with a routed-in border and post caps \$100 per post plus tax Signature Signs. A 6x6x8 post painted with the notched in areas and black post cap would be \$161.25 plus tax each. A 6x6x8 post painted with a black post cap and trim would be \$112.50 plus tax each. Recommendation: To order the signs from Lamb Signs. Color Palette: The sign company recommended using a white background with the dark letters. The Town branding colors are included below as a reference. Recommendation: Option A below is recommended. To order five (5) single-sided sandblasted wood signs (with 6" x 6" posts) with a white background and the Town Logo to replace the existing signs that are in need of repair. Approval of the plan to purchase five (5) single-sided sandblasted wood signs (with 6" x 6" posts) with a white background and the Town Logo to replace the existing signs that are in need of repair.

Commissioner Jim Proctor made a motion to approve option A for the new town signage Commissioner Scott Doster seconded and all voted in favor.

XII. LaBella Task # 21 –Dredging Permitting Assistance - Individual Permits

Dana Bradley made the presentation – there is paperwork in the packet regarding this report. This work order is for the purpose of providing technical assistance with permitting to support mechanical dredging.

Commissioner Patrick Bryant made a Motion to approving LaBella Task # 21 phase 1 Commissioner Scott Doster seconded, and all voted in favor

XIII. Project Manager Updates

Project Manager Mike Dydula shared the following updates:

Reservoir Drain Project: Overall the project is going well. Crews are currently working on drilling activities for the 72" drain pipe and valves. A 6' - 6' hole will ultimately be made for the reservoir drain. The 72' knife gate valve has been received and is being housed with Morgan Corporation. The 60" jet flow valve is expected to arrive in September, this will be shipping from Massachusetts. Morgan Corporation will begin moving the barges off the lake on Friday 7/26/24. The remainder of the barges and equipment will be shipped out next week and the crane will be leaving on Wednesday. There are three change orders that will be forthcoming and the total cost is approximately \$25,000 Town staff are currently

reviewing with Schnabel Engineering. Temporary Launch Area in Morse Park: A plan is being developed to convert this temporary loading area to a permanent boat launch and access Town use. 177 Tryon Bay Demolition Property: There has been a second bid for the property. This latest Bid was for \$118,000. Sewer System Project: The town is working with LaBella Associates to conduct a survey of the properties from the dam downstream of the existing pump station. The owners of the Hunt property have given their permission for the survey. Dam Geophysical Assessment: This project is underway in support of the dam replacement project. Schnabel Engineering is overseeing this work. Tainter Gate Inspection: The draft report has been received and is being reviewed by staff. A separate meeting is suggested held to review the report between town staff, council and Schnabel Engineering.

XIV. Town Manager Updates

Town Manager Olivia Stewman addressed the board: Dredging: Town Council approved the award of bid with Stott Construction, Inc. at the regular July meeting. Mr. Stott signed the dredging standard agreement form the following day. Stott Construction should begin dredging operations in the near future. The Town is still working with LaBella to obtain an individual permit for dredging. Currently LaBella is working through requirements related to the Threatened & Endangered Species survey, Cultural Resources, and jurisdictional delineations for the dredge area and potential spoil locations. Lake Drawdown: At the June Work Session and Action meeting, it was determined that the 2025 Lake Drawdown would take place from January 1, 2025 until March 15, 2025. During the Drawdown, the Town will be completing sewer assessment and repairs, testing the reservoir drain valve, completing dam related inspections and maintenance, and dredging operations. Contractor construction and maintenance may also take place, but contractors must vacate the lake bed no later than March 15. Workforce Housing: Odom Engineering is currently in the process of completing the workforce housing conceptual site plan. Staffing: There are currently three vacancies including the Parks, Recreation and Lake Coordinator and two Public Services Utility Maintenance Technicians. The FY 24-25 budget included the addition of a Community Development position. Staff is working on fine-tuning the job description for this new position. The seasonal Parks, Recreation, and Lake Utility Maintenance Technician position has been filled.

XV. Close Session

Mayor Pro-Term David DiOrio made a motion to enter into closed session in accordance with G.S.143-318.11(a) (3) for attorney client privilege or legal claims. Commissioner Jim proctor seconded and the all voted in favor.

XVI. Adjournment

Commissioner Patrick Bryant made a Motion to adjourn the meeting, Mayor Pro Term David DiOrio Seconded and all voted in favor. The meeting ended at 10:57 a.m.

ATTEST:

Elba Willette, Town Clerk

Mayor Carol C. Pritchett

LAKE LURE TOWN COUNCIL
AGENDA REQUEST FORM
Meeting Date: August 13, 2024

SUBJECT: Suspension of Chapter 8 Article II: “Peddlers” of the Code of Ordinances for the Lake Lure Artists Show and Sale scheduled for October 19-20, 2024 in Town Hall.

AGENDA INFORMATION:

Agenda Location: Consent Agenda
Item Number: VII B
Department: Administration
Contact: Laura Krejci, Communications Director
Presenter: Laura Krejci, Communications Director

BRIEF SUMMARY:

In the past, the Lake Lure Artists Show and Sale has been in November. This year, the plan is to pilot holding the event on the same day as the Lake Lure Arts and Crafts Festival scheduled for October 19-20, 2024 in Town Hall. The Lake Lure Artists request a Suspension of Chapter 8 Article II: “Peddlers” of the Code of Ordinances in support of their Show and Sale.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve the Suspension of Chapter 8 Article II: “Peddlers” of the Code of Ordinances for the Lake Lure Artists Show and Sale scheduled for October 19, 2024 in Town Hall.

STAFF’S COMMENTS AND RECOMMENDATIONS:

To approve the Suspension of Chapter 8 Article II: “Peddlers” of the Code of Ordinances

LAKE LURE TOWN COUNCIL
AGENDA REQUEST FORM
Meeting Date: August 13, 2024

SUBJECT: Suspension of Chapter 8 Article II: “Peddlers” of the Code of Ordinances; Waiver of the Noise Regulation, Chapter 20 Article II; and approval for partial road closure for the Hickory Nut Gorge (HNG) Outreach 2024 Fall Lake Lure Arts and Crafts Festival scheduled for October 19-20, 2024 in front of the Arcade Building.

AGENDA INFORMATION:

Agenda Location: Consent Agenda
Item Number: VII C
Department: Administration
Contact: Matt Dolan, HNG Outreach Event Coordinator
Presenter: Laura Krejci, Communications Director

BRIEF SUMMARY:

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.)

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve the Suspension of Chapter 8 Article II: “Peddlers” of the Code of Ordinances; Waiver of the Noise Regulation, Chapter 20 Article II; and approval for partial road closure for the Hickory Nut Gorge (HNG) Outreach 2024 Spring Lake Lure Arts and Crafts Festival scheduled for May 11-12, 2024 in front of the Arcade Building.

STAFF’S COMMENTS AND RECOMMENDATIONS: To approve the following:

- 1) Suspension of Peddlers Ordinances
- 2) Wavier of Noise Ordinance
- 3) Approval of partial road closure for Bottomless Pools Road (Between Memorial Highway and Arcade Street.)

**VIII.
UNFINISHED
BUSINESS**

IX.

NEW BUSINESS

- A. Update on the Short Term Rental Advisory Board**
- B. Resolution No. 24-08-13 Accepting Water AIA State Reserve Grant Offer**
- C. Request Appeal to Notice of Violation (NOV-2024025)**
- D. Request to Extend Lake Structure Condemnation Order (NOV-2024022)**
- E. Resolution No. 24-08-13A Accepting Lead Service Line (LSL) Funding Offer**
- F. Capital Project Ordinance No. 24-08-13 for Lead Service Line Inventory Project**

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: August 13, 2024**

SUBJECT: Update on Short Term Rental Advisory Board

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: IX A
Department: Administration
Contact: Elba Willette, Town Clerk
Presenter: Olivia Stewman, Town Manager

BRIEF SUMMARY:

Last month, Town Council chartered a Short Term Rental Advisory Board to advise on regulating short term rentals appropriately, as they remain prevalent in the community. There has been a good amount of interest in the board and the Town has received 13 applications as of current. Staff recommends that Town Council review all applications received at the August 28th work session and action meeting and make appointments at the September 10th regular meeting.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

N/A

ATTACHEMENTS:

N/A

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff recommends that Town Council review all applications received at the August 28th work session and action meeting and make appointments at the September 10th regular meeting.

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: August 13, 2024**

SUBJECT: Resolution No. 24-08-13 Accepting State Reserve Grant Offer of \$150,000 for Water Infrastructure AIA

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: IX B
Department: Administration
Contact: Olivia Stewman, Town Manager
Presenter: Olivia Stewman, Town Manager

BRIEF SUMMARY:

The Town was previously notified informally that it would be offered a \$150,000 SRP funding grant for water infrastructure asset inventory and assessment. As a result, the Town approved a LaBella task order for completion of the water AIA contingent upon the official offer. The Town has now received the official offer letter. Resolution No. 24-08-13 accepts the State Reserve Grant offer of \$150,000 for water infrastructure AIA.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To adopt Resolution No. 24-08-13 Accepting State Reserve Grant Offer of \$150,000 for Water Infrastructure AIA

ATTACHEMENTS:

Resolution No. 24-08-13 Accepting State Reserve Grant Offer of \$150,000 for Water Infrastructure AIA; Grant Offer Letter; LaBella Task for Water AIA

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff recommends adoption.



March 26, 2024

William H. Perkins, Town Manager
Michael Dydula, PE, Project Manager
Town of Lake Lure
2948 Memorial Highway
Lake Lure, NC 28746

**SUBJECT: Lake Lure On-Call Professional Services
Task 20 – Water System Asset Inventory & Assessment (AIA) (rev.3)**

Dear Hank and Mike:

LaBella Associates appreciates the opportunity to continue to work with the Town of Lake Lure (Town). We hope to continue the ongoing relationship as we work with you through your various engineering needs. We have previously provided an engineering services agreement (Contract), and this work would be performed under that agreement. This proposal letter provides a scope of work and budget to provide the Task 20 deliverables as described below.

Overview

The Town has been awarded a \$150,000 grant under the NCDEQ Department of Water Infrastructure (DWI) Asset Inventory and Assessment (AIA) Program for Water Systems. This funding is specifically for the purpose of data collection and evaluation of water system assets, as described in DWI's "[Water and Wastewater Utility Evaluation Guidance Document: Asset Inventory and Assessment, Capital Cost, and Operating Cost Analyses](#)". A twenty percent (20%) local match (\$30,000) is required, bringing the total project amount to \$180,000. Ten percent (10%) of the grant amount – i.e., \$15,000 – can be applied to related equipment costs, and the Town wishes to use this portion of the funding to purchase a Ground Penetrating Radar (GPR) unit. The Town also wishes to use a portion of the project funds for staff training on GPR use, which has been quoted by one training provider at \$4,000. This leaves \$161,000 to be applied to inventory and assessment efforts, which this Scope addresses.

The Town has various sources of historically-developed information regarding their water system infrastructure, but it is not centrally collected, and is believed to be incomplete and even inaccurate in some cases. LaBella's efforts will include consolidating all available data, and performing field investigations (to the extent possible within the limitations of the budget) to develop a complete inventory of available assets.

Scope

Specifically, the proposed Work will consist of the following:

1. Data Collection & Consolidation
 - a. The Town will provide LaBella all available previously-developed maps and studies regarding water infrastructure development. LaBella will consolidate the information, working with the Town to determine which data items reflect work actually completed versus work never completed. Investigative efforts may include interviews with Town staff, review of NCDEQ files and/or interviewing prior design engineers. Any known asset condition issues will be recorded and documented.
 - b. LaBella will develop GIS (attributed) mapping of the consolidated data, outlining the service area boundary and any unserved sub-areas therein. Data gaps (missing infrastructure, missing attributes) will be identified for subsequent investigation.
2. Field Investigation
 - a. In order to fill the identified data gaps and/or correct suspected data errors, LaBella will conduct field data collection in a combination of two types of efforts:
 - i. Using the Town's Trimble GPS device (purchased under the Sewer AIA grant) and LaBella-prepared mobile data entry application, LaBella will field locate surface features which are indicative of water infrastructure locations (e.g., hydrants, valves). This will be primarily performed in 'gap' areas, but may also be performed to verify other available data, as budget allows.



1. LaBella will coordinate with Town staff to obtain hydrant flow testing in key areas which will assist in confirming line sizes and/or indicating waterline physical condition.
 - ii. LaBella will secure the services of an underground utility locator (SUE) to perform vacuum excavation (“soft digs”) at locations where pipe size and/or material are unknown or uncertain. Exposed pipe at soft digs will be visually inspected for any indications of line condition (e.g., exterior corrosion). A total of 25 locations are included in the budget. The budget also includes 10 to 12 miles of utility designation (line painting), and associated subconsultant charges (e.g., traffic control, pavement test hole repair) and travel fees.
3. Distribution System Modeling
- a. LaBella will develop a complete distribution system model (using InnoViz InfoWater Pro) based on the collected data. The model will incorporate operating conditions throughout the system in order to be able to identify areas of concern from a pressure and flow standpoint.
 - b. From runs of the model (steady-state and fireflow analysis), LaBella will identify system deficiencies and make recommendations for further actions.
4. Report:
- a. LaBella will prepare brief updates every two months while the work progresses, for inclusion in payment applications the Town may submit to DWI.
 - b. LaBella will prepare and submit a DRAFT report to the Town and DWI, that details the office and field work completed, findings and recommendations for further action. After comments are received from the Town and/or DWI, LaBella will make revisions and submit the FINAL report to both parties.

Fee & Schedule

LaBella proposes to bill office portions of the work on a Lump Sum basis, and field work on a Time and Materials basis at our standard rates, current as of the date of the charge. (All work is anticipated to be completed in 2024 – see attached 2024 Rate Schedule.) Invoices will be payable within 30 days of receipt by the Town. LaBella anticipates that the Town will make all necessary information available promptly upon request.

The budget for the scope of work described above is as follows:

<u>Lump Sum Phase Description</u>	<u>Fee</u>
1 – Data Collection & Consolidation	\$54,000
3 – Distribution System Modeling	\$40,000
4 – Report	\$21,000
<hr/>	
TOTAL PROPOSED Lump Sum Portion of Fee:	\$115,000

The Time and Materials budget includes LaBella hours and costs as well as subconsultant fees. T&M work will be identified and scheduled in an attempt to maximize the use the T&M budget to fill as many data gaps as possible.

<u>T&M Phase Description</u>	<u>Fee</u>
2 – Field investigation	\$46,000
<hr/>	
TOTAL PROPOSED T&M Budget:	\$46,000
<hr/>	
TOTAL Task 20 Budget:	\$161,000



Conclusion

Brian Houston, P.E. will continue to serve as LaBella's Program Manager for this contract, providing direction and oversight for other staff assigned to specific tasks under this contract. Other staff assigned to this contract shall have appropriate experience for the assigned task.

If this proposal is acceptable to the Town, please sign this proposal on the signature line below to authorize the scope defined in this proposal and return one copy to us. We appreciate the opportunity to continue our relationship with the Town of Lake Lure. If you have any questions or need additional information, please call me directly at (704) 941-2110.

Sincerely,
LaBella Associates, P.C.

Brian Houston, P.E.
Water/Wastewater Market Leader

Town of Lake Lure, North Carolina

By:

Authorized Signature

Title

Town manager

Date

4/11/24

This instrument has been
preaudited in the manner required
by the Local Government Budget
and Fiscal Control Act

SBF
4/11/24



NORTH CAROLINA
Environmental Quality

July 11, 2024

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

SHADI ESKAF

Director

William H. Perkins, Town Manager
Town of Lake Lure
PO Box 255
Lake Lure, NC 28746

SUBJECT: SRP Funding Offer
Lake Lure Water AIA Project
Project No. AIA-D-0286

Dear Mr. Perkins:

The Town of Lake Lure has been approved for funding assistance according to the subject funding offer. This offer is made subject to the Assurances and Conditions set forth in the Offer and Acceptance Document. Enclosed are two (2) copies of an offer-and-acceptance document, extending funding in the amount of \$150,000. Funds will not be disbursed unless this offer is accepted.

Upon your acceptance, please submit the following items via email at DEQ.DWI.FundingOffer@deq.nc.gov:

1. One (1) copy of the original offer-and-acceptance document, executed by the Authorized Representative for the project, along with the signed "Standard Conditions and Assurances" for SRP Projects. **Please retain the second copy for your files.**
2. 1.5% Fee invoice (attached) and payment.
3. A resolution (sample copy attached), adopted by the governing body, accepting the offer, and making the applicable assurances contained therein.
4. Sales Tax Certification, if applicable (attached).
5. One (1) copy of all executed service agreements and/or contracts.

All work associated with this project must be completed within the approved milestone schedule as shown on your Letter of Intent to Fund.



Once the subject project has commenced, the enclosed “AIA/MRF Disbursement Request Form” must be completed and submitted with all disbursement requests. A reference copy of the Disbursement Request Form has been enclosed for your convenience. You are free to reproduce this form should additional copies be needed. Additional information and template forms can be found on DWI’s website under the “I Have Funding – Construction and Disbursement” page. Disbursement requests should be sent to Linda Culpepper, your Viable Utility Unit Project Manager, via Laserfiche at the following link: <https://edocs.deq.nc.gov/Forms/DW-Document-Upload-Form>.

As a reminder, a memorandum requesting your federal identification number was included with the Letter of Intent to Fund. You must complete and submit this form no later than the time when you choose to submit your first request for disbursement.

On behalf of the Department of Environmental Quality, I am pleased to extend this offer of SRP funds, made available by the North Carolina Water Infrastructure Fund. Should you have any questions concerning this offer of funding, or any of the stipulations outlined in this offer package, please contact Linda Culpepper at linda.culpepper@deq.nc.gov or 919-707-9109.

Sincerely,

DocuSigned by:
Victor D'Amato
52CD62E9DA6B44F...
Victor A. D'Amato, PE
Division of Water Infrastructure, NCDEQ

Enclosures: Offer-and-Acceptance Document (2 copies)
1.5% Fee Invoice
Resolution by Applicant’s Governing Body to Accept an Offer of Funding
Sales Tax Certification Form
AIA/MRF Disbursement Request Form

CC: William H. Perkins, Jr., Town Manager; whperkins@townoflakelure.com
Brian Houston, LaBella Associates (Charlotte, NC); bhouston@labellapc.com
Heather Miller, PE, LaBella Associates (Charlotte, NC); hmiller@labellapc.com
Teresa Tripp (via DocuSign)
DWI Administrative Unit (via DocuSign)
Linda Culpepper (via DocuSign)
Matthew Rushing, EI (via DocuSign)
DEQ.DWI.FundingOffer@deq.nc.gov
FILE: SRP (Agreement Number 2000075031)



**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE**

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

Project Number:

AIA-D-0286

Town of Lake Lure

PO Box 255

Lake Lure, NC 28746

UEID:

H4V3QM6MGH87

Funding Program

Drinking Water <input checked="" type="checkbox"/>	Wastewater <input type="checkbox"/>	Total Grant Offered
Distressed <input checked="" type="checkbox"/>	Not Distressed <input type="checkbox"/>	
SRP Asset Inventory & Assessment Grant (AIA) <input checked="" type="checkbox"/>		\$ 150,000
SRP Merger/Regionalization Feasibility Grant (MRF) <input type="checkbox"/>		

Project Name:

Lake Lure Water AIA Project

Total Financial Assistance Offer:

\$ 150,000

Match Percentage (0%)*:

\$0

1.5% Fee:**

\$ 2,250

**Local government units designated as distressed are subject to 0% match requirement.*

***1.5% fee is calculated based on the grant amount.*

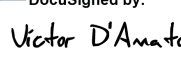
Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under State law,
- The project is eligible under State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

**Shadi Eskaf, Director, Division of Water Infrastructure
North Carolina Department of Environmental Quality**

DocuSigned by:  52GD62E9DA6B44F.....	Signed on behalf of Shadi Eskaf	7/12/2024
Signature		Date

On Behalf of (Applicant):

Town of Lake Lure

Name of Representative in Resolution:

Title (Type or Print):

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the Assurances and the Standard Conditions.

..... Signature Date	Meeting Packet Page 43 of 72
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STANDARD CONDITIONS AND ASSURANCES FOR SRP AIA GRANTS

1. The Recipient acknowledges that no disbursements will be made until the 1.5% fee has been received by the Division of Water Infrastructure (Division).
2. The Recipient acknowledges that no disbursements will be made until applicable service agreements or contracts are submitted. The description of work listed on invoices must be included in the scope of work shown on the agreements or contracts.
3. All projects must comply with North Carolina General Statute 143-64.31, Article 3D Procurement of Architectural, Engineering, and Surveying Services. Any services provided that were not selected in compliance with state requirements will be ineligible for disbursement.
4. The Recipient is responsible for paying for ineligible project costs as determined by the Division.
5. The Recipient agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records must be maintained during the construction of the project and these records must be retained and made available for a period of at least three (3) years following completion of the project.
6. Partial disbursements will be made promptly upon request, subject to adequate documentation of incurred eligible costs and grant match, and subject to the recipient’s compliance with the conditions and assurances of this grant. Requests for disbursement must be made using the Division’s disbursement form.
7. All funds provided pursuant to North Carolina General Statute 159G must be expended solely for carrying out the approved project, and an audit shall be performed in accordance with G.S. 159-34, as amended. **The Recipient must expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State.** Please note that the State is not a party to any contract(s) and the Recipient is expected to uphold its contract obligations regarding timely payment.
8. Local government units designated as distressed must complete associated requirements of statute §159G-45(b).
9. The Recipient must provide summaries of project progress every other month during the project or as otherwise directed by the Division.
10. The Recipient must provide a digital copy of the final report in a universally readable format. If a project includes updating or developing a GIS database or shapefiles, at a minimum the current utility service boundaries must be provided as a polygon shapefile, including any service gaps within the boundary.
11. The Recipient must provide an executive level summary of the work performed, any conclusions made, and the next steps to be taken as a result of this work.
12. The Recipient must provide approved minutes or a resolution confirming the final report has been presented to the recipient’s governing board.
13. A maximum of 95% of the grant will be paid prior to receipt of the documentation described in Standard Condition and Assurance Nos. 10, 11, and 12. After receipt of this documentation, the final disbursement request will be processed.

Acknowledgement of Standard Conditions and Assurances

The Recipient hereby gives assurance to the Department of Environmental Quality that the declarations, assurances, representations, and statements made by the Recipient in the Application; and all documents, amendments, and communications filed with the Department of Environmental Quality by the Recipient in support of its request for financial assistance will be fulfilled.

<p>.....</p> <p>Signature</p>	<p>.....</p> <p>Date</p>
-------------------------------	--------------------------

Date: July 11, 2024

INVOICE

NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY

Payable to: NC/DEQ-DWI

Mail to: *Attention: DWI Accountant*
Division of Water Infrastructure
1633 Mail Service Center
Raleigh, NC 27699-1633

Bill To: Town of Lake Lure
PO Box 255
Lake Lure, NC 28746

Item: 1.5 percent fee for SRP AIA Project AIA-D-0286

SRP Grant Amount: \$150,000

Fee Amount: **\$2,250**

FOR USE BY DIVISION OF WATER INFRASTRUCTURE

Deposit to Fund _____ Amount Paid _____

(Suggested Format)

RESOLUTION BY GOVERNING BODY OF RECIPIENT

WHEREAS, the North Carolina General Statutes Chapter 159G has created Asset Inventory and Assessment (AIA) grants to assist eligible units of government with meeting their water infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Reserve Grant in the amount of \$ _____ to perform an Asset Inventory and Assessment study detailed in the submitted application, and

WHEREAS, the (unit of government) intends to perform said project in accordance with the agreed scope of work,

NOW, THEREFORE, BE IT RESOLVED BY THE (GOVERNING BODY) OF THE (UNIT OF GOVERNMENT):

That (unit of government) does hereby accept the State Reserve Grant offer of \$ _____.

That the (unit of government) does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That (name and title of 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 by the Division of Water Infrastructure.

Adopted this the (date adopted) at (place), North Carolina.

(Signature of Chief Executive Officer)

Date

SALES-TAX REIMBURSEMENT CERTIFICATION FORM

(FOR FUNDING PROGRAMS IN THE DIVISION OF WATER INFRASTRUCTURE)

Applicant: _____

DWI Project Number: _____

Check If Applicant is not a unit of government under North Carolina (NC) law

If Applicant noted above is a Unit of Government in North Carolina, check the applicable box below.

Sales Tax **IS** deducted in this scenario. Please show this on the disbursement requests.

The project includes sales taxes related to the purchase of equipment or the provision of applicable services, and the unit of government will request reimbursement from the NC Department of Revenue (DOR).

Sales Tax **IS NOT** deducted in either of these scenarios.

The project includes sales taxes related to the purchase of equipment or the provision of applicable services, and the unit of government will not request reimbursement from the DOR.

The project will not include sales taxes.

(Printed Name and Title of Authorized Representative)

(Signature of Authorized Representative)

(Date)

AIA/MRF DISBURSEMENT REQUEST FORM

Division of Water Infrastructure

Project No. _____

Period Covered by this Report:

From _____

To _____

Grant Amount = _____

Match % Required = _____

Match amount = \$ _____

Match and Grant Fee are N/A for ARPA funded projects

Recipient Organization

Name: Town, City or County etc.

Payment No. _____

Address:

Page No. _____

City, State & Zip:

<i>Use additional sheets if needed. Use a "Misc." column if needed.</i>				<i>Consultant Deductions towards Match, if In-Kind or Grant Fee see below</i>
	<i>Consultant Name</i>	<i>Consultant Name</i>	<i>Consultant Name</i>	

Classification of	A	B	C	D	Total
<i>Cumulative Totals</i>					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
Total Cumulative to date	\$ -	\$ -	\$ -	\$ -	\$ -
Previously Received					\$ -
Amount Requested	\$ -	\$ -	\$ -	\$ -	\$ -

No Match

In-Kind Contribution	In-Kind Contribution, Grant Fee, and Match are N/A for ARPA funded projects	
Grant Fee		
Total Match *		\$ -
Percent Complete		

Certification

I certify that to the best of my knowledge and belief the billed costs or disbursements are in accordance with terms of the project and that this request represents the monies due which have not been previously received and that an inspection has been performed and all work is in accordance with the terms and conditions of the award.

You must check ONE of the boxes below or your payment will not be processed:

The funds requested above have already been paid to the respective vendors, consultants & contractors by the award recipient.

OR

The funds requested above have not been paid to the respective vendors, consultants & contractors. Funds received from the State will be disbursed to these entities within three (3) banking days.

Recipient

Signature of Authorized Representative

Date

Type or Print Name and Title

DWI comments



RESOLUTION NO. 24-08-13

RESOLUTION BY THE TOWN OF LAKE LURE ACCEPTING THE STATE RESERVE GRANT OFFER OF \$150,000 FOR WATER INFRASTRUCTURE AIA

WHEREAS, the North Carolina General Statutes Chapter 159G has created Asset Inventory and Assessment (AIA) grants to assist eligible units of government with meeting their water infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Reserve Grant in the amount of \$150,000 to perform an Asset Inventory and Assessment study detailed in the submitted application, and

WHEREAS, the Town of Lake Lure intends to perform said project in accordance with the agreed scope of work,

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

That the Town of Lake Lure does hereby accept the State Reserve Grant offer of \$150,000.

That the Town of Lake Lure does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That Town Manager Olivia Stewman, 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 by the Division of Water Infrastructure.

Adopted this the 13th day of August, 2024 at Lake Lure, North Carolina.

Elba Willette, Town Clerk

Mayor Carol C. Pritchett

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: August 13, 2024**

SUBJECT: Request to Appeal Notice of Violation (NOV-2024025)

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: IX C
Department: Community Development
Contact: Richard Carpenter or Mike Williams, Community Development
Presenter: Michael Williams, Community Development Director

BRIEF SUMMARY:

Development and Environmental Review Specialist Richard Carpenter issued a notice of violation (NOV-2024025) on May 18th for failure to follow the approved plans, and cut slopes that exceed our ordinance requirements. The property owner has requested to appeal the citation fine related to NOV-2024025.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve/deny the request appeal Notice of Violation (NOV-2024025).

ATTACHMENTS:

Request from Property Owner; NOV-2024025; geotechnical documentation from Gentry Engineering

STAFF'S COMMENTS AND RECOMMENDATIONS:

On 6/18/2024 it was discovered that Bill Thompson & the property owner cut a large steep slope into the town right-of-way. Per town steep slope ordinance, cut slopes must be cut at a 1 ½:1 ratio. Additionally, the property owner's original geotechnical report for the property stated that any slopes steeper than 2:1 should be designed by an engineer and stabilized. Citations of \$800 per day were assessed from 6/18 through 6/28 (excluding weekends), for a total of \$7,200. Property owner was notified from the beginning of the project that geotechnical engineering is required due to the steep slope and had submitted that engineering report as part of his December 23, 2023 zoning permit. After the issues with the cut slope adjacent to the town road, he was advised on June 19, 2024 that an additional geotechnical engineering report would be required regarding the stability of the cut slope and the engineer's opinion of what should be done to safely continue the project. Citations ceased on July 1st upon the receipt of that geotechnical analysis of the slope and the decision was made to permit the project to move forward. It is the staff's opinion that the site still has areas of concern and still does not fully meet our sedimentation & erosion control ordinance but the property owner has taken reasonable and responsible efforts to correct a bad situation. The wall abutting the large cut slope has been completed, however, the soil is not yet fully stabilized and there is still a lower wall that is in violation that has created an erosion control issue for the lake. The property owner is aware of all on-site issues and has hired additional subcontractors to bring the site into compliance. As of August 7th, 5 of the 9 fines from the NOV have been paid in the amount of \$4000. Property owner request a waiver of the remaining 4 fines in the amount of \$3,200.



NOTICE OF VIOLATION

Date of Issue: June 18, 2024

HAUSLE, THOMAS E;HARP, AMELIA L
2314 Westfield Ave.
Winston Salem, NC 27103

Re: Violation Number: NOV-2024025
Property Address: 0 Hawthorne Dr.
Property Tax ID Number: 1633719

This Notice of Violation is issued for having at the above-described property conditions that are in violation of the following sections of the Town of Lake Lure Zoning Regulations:

- a.** Sec. 22-23. (14) Required revisions. After approving a plan, if the erosion control officer, either upon review of such plan or on inspection of the job site, determines that a significant risk of accelerated erosion or off-site sedimentation exists, the erosion control officer shall require a revised plan. Pending the preparation of the revised plan, work shall cease or shall continue under conditions outlined by the erosion control officer. If following commencement of a land disturbing activity pursuant to an approved plan, the erosion control officer determines that the plan is inadequate to meet the requirements of this section, the erosion control officer may require any revision of the plan that is necessary to comply with this section.
- b.** Sec. 22-23. (15) Amendment to a plan. Applications for amendment of an erosion control plan in written and/or graphic form may be made at any time under the same conditions as the original application. Until such time as said amendment is approved by the erosion control officer, the land disturbing activity shall not proceed except in accordance with the erosion control plan as originally approved.
- c.** Sec. 22-25. (2) Graded slopes and fills. The angle for graded slopes and fills shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control devices or structures. In any event, slopes left exposed will be planted or otherwise provided with ground cover,

devices, or structures sufficient to restrain erosion upon completion of any phase of grading, within 21 calendar days. The angle for graded slopes must be demonstrated as stable. Stable is the condition where the soil remains in its original configuration, with or without mechanical constraints.

The violations were observed or existed on or before June 17, 2024.

You are hereby ordered to cease the violations and take action to provide the town with a plan to stabilize the roadway and restore the town right-of-way. NOV sent on 6/18/24 to satisfy delivery requirements.

The measures necessary to correct the violations are:

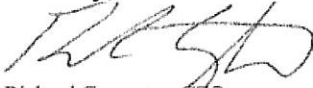
- Submit revised plans to mitigate the hazard to the town road.
- Restore the right-of-way once approval has been granted by the town.
- Pass inspection upon completion.

Failure to comply with this notice may also result in the Town taking action to have the conditions abated and the resulting costs being placed as a lien against the property. The Town may take other action as permitted by law, which may result in additional costs and/or attorney fees.

You may appeal this Notice of Violation to the Board of Adjustment within (30) days of the date of this notice. The request for an appeal must be in writing, on a form obtainable from the Town, and must state the specific nature of the appeal.

Please remember that this is an official notice, and your immediate attention to this matter is required. Thank you for your prompt attention to this matter. If you have any questions, you may contact me at (828)625-9983 ext. 107.

Sincerely,



Richard Carpenter, CZO
Development and Environmental Review Specialist

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: August 13, 2024**

SUBJECT: Request to Extend Lake Structure Condemnation Order (NOV-2024022)

AGENDA INFORMATION:

Agenda Location: New Business

Item Number: IX D

Department: Community Development

Contact: Richard Carpenter, Dev. and Environ. Review Specialist

Presenter: Michael Williams, Community Development Director

BRIEF SUMMARY:

Development and Environmental Review Specialist Richard Carpenter issued a notice of violation (NOV-2024022) on May 22nd after the town council condemned the boathouse & seawall. The property owner failed to meet the conditions of the violation & condemnation order. The property owner was given 60 days to obtain permitting and repair the offending structures, this did not occur. Additionally, the owner has had 90 days to obtain permitting & demolish the structures, after failing to repair, and has failed to complete this task. The owner was given a detailed description of the requirements being imposed within the condemnation order, and on numerous occasions through telephone & email communications.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve/deny the requested extension for repair (NOV-2024022).

ATTACHMENTS:

Request from Property Owner; NOV-2024022

STAFF'S COMMENTS AND RECOMMENDATIONS:

Throughout the condemnation process, staff have attempted to gain compliance from the property owner. The owner(s) have remained mostly silent regarding the status of the condemnation order, other than mentioning to staff they would have it handled within the timeframe. However, on 8/5/24, staff noticed the property was listed for sale and advertised a boathouse for use. Upon contacting the owner about the required demolition, the owner had zero documentation to deliver and could not prove progress has been made. Staff recommend not approving an extension to the condemnation order without physical evidence that the owner is immediately prepared to obtain permitting and initiate repairs.



NOTICE OF VIOLATION

Date of Issue: May 22, 2024

GARNER, TIMOTHY L; GARNER, ALYSON SCOTT
1111 MONTPELIER DR
GREENSBORO, NC 27410

Re: Violation Number: NOV-2024022
Property Address: 121 Anglers Way
Property Tax ID Number: 220565

This Notice of Violation is issued for having at the above-described property conditions that are in violation of the following sections of the Town of Lake Lure Zoning Regulations:

- a. Sec. 6-54. (b) The property owner shall be responsible for maintaining all lake structures covered by this article in good repair. The town shall have the authority to condemn any lake structure due to decay, disrepair, or any hazardous condition. The property owner will be given a written notice and 90 days to comply with the town council's determination. If the owner fails to appeal to the town council for a hearing or comply with their determination, council may revoke their lake structure certificate and accompanying tag (if one had been issued) and remove the structure at the property owner's expense.

The two lake structures, boathouse & seawall, were condemned by the Town Council on 5/22/2024. You are hereby ordered to repair and/or rebuild the condemned lake structures found at 121 Anglers way within 60 days or demolish the offending structures within 90 days. Permits will be required for either option.

The measures necessary to correct the violations are:

- Repair the offending structures, OR
- Demolish the offending structures completely.
- Shoreline stabilization is required regardless of option.

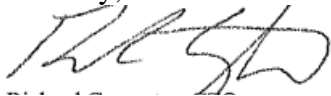
- Pass inspection upon completion.

Failure to comply with this notice may also result in the Town taking action to have the conditions abated and the resulting costs being placed as a lien against the property. The Town may take other action as permitted by law, which may result in additional costs and/or attorney fees.

You may appeal this Notice of Violation to the Town Council within (30) days of the date of this notice. The request for an appeal must be in writing, on a form obtainable from the Town, and must state the specific nature of the appeal.

Please remember that this is an official notice, and your immediate attention to this matter is required. Thank you for your prompt attention to this matter. If you have any questions, you may contact me at (828)625-9983 ext. 107.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Carpenter', written over a faint horizontal line.

Richard Carpenter, CZO
Development and Environmental Review Specialist

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: August 13, 2024**

SUBJECT: Resolution No. 24-08-13A Accepting Lead Service Line (LSL) Funding Offer

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: IX E
Department: Administration
Contact: Olivia Stewman, Town Manager
Presenter: Olivia Stewman, Town Manager

BRIEF SUMMARY:

The Town was previously notified informally that it would be offered a 100% principal forgiveness loan for the lead service line (LSL) inventory that is mandated by the federal government. The Town previously approved a task order with LaBella associates to complete the LSL inventory contingent upon official offer. In the offer letter, it states that The Town has now received the official offer letter. Resolution No. 24-08-13A accepts the lead service line replacement loan.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To adopt Resolution No. 24-08-13 Accepting State Reserve Grant Offer of \$150,000 for Water Infrastructure AIA

ATTACHEMENTS:

Resolution No. 24-08-13A Accepting Lead Service Line (LSL) Funding Offer; Funding Offer Letter; LaBella Task for LSL Inventory

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff recommends adoption.



NORTH CAROLINA
Environmental Quality

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

SHADI ESKAF

Director

July 22, 2024

Ms. Olivia Stewman, Town Manager
Town of Lake Lure
P.O. Box 255
Lake Lure, NC 28746

Subject: Lead Service Line Replacement Program
Funding Offer
Town of Lake Lure
Lead Service Line Inventory
Project No: SRF-D-LSL-0062

Dear Ms. Stewman:

The Town of Lake Lure has been approved for funding assistance according to the subject funding offer. This offer is made subject to the Assurances and Conditions attached to this document.

Upon your acceptance, please submit the following items to the Division via e-mail at DEQ.DWI.FundingOffer@deq.nc.gov:

1. One (1) copy of the original Offer and Acceptance Document executed by the Authorized Representative for the project, along with the Conditions and Assurances. **Retain a copy for your files.**
2. A resolution adopted by the governing body accepting the funding offer and the applicable Conditions and Assurances contained therein (sample of suggested format enclosed).
3. The Federal Identification Number and Unique Entity ID Number of the Recipient (UEID required for federally funded projects)
4. Sales-Tax Certification (form attached)

Please note that closing costs for the current loan are 2% of the total loan amount, which is \$20,000. Please use the attached invoice to remit payment.

The enumerated items above as well as the payment of closing fees are due before disbursements can begin. Disbursement requests are to be submitted via Laserfiche at the




Ms. Olivia Stewman, Town Manager
Town of Lake Lure
July 22, 2024
Page 2 of 2

following link: <https://edocs.deq.nc.gov/Forms/DW-Document-Upload-Form>. A reference copy of the Disbursement Request Form (also found on the DWI website) has been enclosed for your convenience.

Please note that disbursement of loan funds is contingent upon debt approval by the Local Government Commission (LGC). You may coordinate debt approval directly with the LGC by e-mail at srf@nctreasurer.com.

On behalf of the Department of Environmental Quality, I am pleased to make this funding offer. Should you have any questions concerning this offer of funding, or any of the stipulations outlined in this offer package, please contact Jason Fulton either by telephone at 828.296.4682 or by e-mail at jason.fulton@deq.nc.gov.

Sincerely,

DocuSigned by:

6300A872077B4C5...

Shadi Eskaf, Director
Division of Water Infrastructure, NCDEQ

Enclosures: Offer and Acceptance Document
Assurances & Conditions
Federal ID and UEID Number Request Memo
Resolution to Accept Funding Offer (suggested format)
Sales-Tax Certification Form (not applicable for Inventory projects)
Disbursement Request Form
Site Certification (not applicable for Inventory projects)
Capital Project Ordinance (sample)
Closing Fee Invoice

ec: Heather Miller, P.E., LaBella Associates (hmillers@labellapc.com)
Mark Hubbard, P.E., DWI (Via DocuSign)
Jason Fulton, DWI (Via DocuSign)
DWI Administrative Unit (Via DocuSign)
Carrie Shortt, DWI (Via DocuSign)
Teresa Tripp, DWI (Via DocuSign)
DEQ.DWI.FundingOffer@deq.nc.gov

DWI Agreement ID#: 2000074954 (**COM_LOX**)

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE**

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

Town of Lake Lure
PO Box 255
Lake Lure, NC 28746

Project Number: SRF-D-LSL-0062

Assistance Listing Number: 66.468
Unique Entity ID Number: H4V3QM6MGH87

Funding Program

Drinking Water	<input checked="" type="checkbox"/>	Additional Amount for Funding Increases	Previous Total	Total Offered
Stormwater	<input type="checkbox"/>			
Wastewater	<input type="checkbox"/>			
BIL-DWSRF-LSLR Fund - Repayable Loan	<input type="checkbox"/>	--	--	
BIL-DWSRF-LSLR Fund - Principal Forgiveness	<input checked="" type="checkbox"/>	--	--	\$1,000,000
State Reserve Loan	<input type="checkbox"/>			
State Reserve Grant	<input type="checkbox"/>			
State Reserve Earmark (S.L. 2023-134)	<input type="checkbox"/>			
American Rescue Plan Act - <i>Choose an item.</i>	<input type="checkbox"/>			

Project Description:

Lake Lure Lead Service Line Inventory

Total Financial Assistance Offer: \$1,000,000
Total Project Cost: \$1,000,000
Estimated Closing Fee*: \$20,000
For Loans
Interest Rate: N/A
Maximum Loan Term: N/A

**Estimated closing fee calculated based on grant and loan amount.*

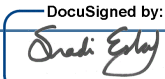
Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

**Shadi Eskaf, Director, Division of Water Infrastructure
North Carolina Department of Environmental Quality**

DocuSigned by:  6300A872077B4C5..... Signature	7/23/2024 Date
--	-------------------

On Behalf of:

Town of Lake Lure

Name of Representative in Resolution:

Title (Type or Print):

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the attached Assurances and the Standard Conditions.

Signature	Date	Meeting Packet Page 59 of 72
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APPLICABLE STANDARD CONDITIONS***Project Applicant: Town of Lake Lure****Project Numbers: SRF-D-LSL-0062**

1. **Social Authorities:** Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, The Age Discrimination Act of 1975, Section 13 of the Federal Water Pollution Control Act Amendments of 1972, and Equal Employment Opportunity (Executive Order No 11246, as amended) which prohibits activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, religion, sex, sexual orientation, gender identity, or national origin.
2. **Environmental Authorities:** National Environmental Act, National Historic Preservation Act, Archeological and Historic Preservation Act, Protection of Wetlands, Flood Plain Management, Farmland Protection Policy Act, Coastal Zone Management Act, Coastal Barriers Resources Act, Wild and Scenic Rivers Act, Endangered Species Act, Essential Fish Habitat and the Safe Drinking Water Act applicability will be determined upon submittal of an Environmental Information Document (EID) during the Engineering Report review process.
3. Acquisition of Real Property must comply with all applicable provisions of the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (PL 92-646), as amended. The applicant shall certify that it has or will have a fee simple or such other estate or interest in the site of the project, including necessary easements and rights-of-way, to assure undisturbed use and possession for the purpose of construction and operation for the estimated life of the project using a certification form provided by DEQ.
4. Specific MBE/WBE (DBE) forms and instructions are provided that are to be included in the contract specifications. These forms will assist with documenting positive efforts made by recipients, their consultants and contractors to utilize disadvantaged businesses enterprises. Such efforts should allow DBEs the maximum feasible opportunity to compete for subagreements and subcontracts to be performed. Documentation of efforts made to utilize DBE firms must be maintained by all recipients, and construction contractors, and made available upon request.
5. Debarment and Suspension, Executive Order No. 12549: Subrecipients shall fully comply with Subpart C of 2 CFR Part 180 entitled, "Responsibilities of Participants Regarding Transactions Doing Business with Other Persons," as implemented and supplemented by 2 CFR Part 1532. Recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 2 CFR Part 180, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Subrecipients may access suspension and debarment information at: <http://www.sam.gov>. This system allows subrecipients to perform searches determining whether an entity or individual is excluded from receiving Federal assistance.
6. The construction contract(s) requires the contractor to adhere to Davis Bacon and Related Acts Provisions and Procedures as listed in the Code of Federal Regulations Chapter 29 Part 5 Section 5 (29 CFR 5.5). Public Law pertaining to this is also enacted in Title 40, United States Code, Subtitle II Section 3141 through Section 3148.
7. As required by H.R. 3547, "Consolidated Appropriations Act, 2014" Section 436, Division G, Title IV, this project is subject to American Iron and Steel provisions. The State provides detailed requirements to be included in the construction contract specifications.
8. Section 603(d)(1)(E) of the Federal Water Pollution Control Act requires subject projects to develop and implement a Fiscal Sustainability Plan (FSP) for projects that involve the repair, replacement or expansion of publicly owned treatment works. Note that FSPs are not required for new treatment works. The certification provided must be submitted regarding compliance with this section of the Act.
9. Section 602(b)(14) of the Clean Water Act requires projects receiving CWSRF funding to comply with Federal engineering procurement guidelines. The State provides a certification form that must be completed prior to receiving funds for any engineering services covered under this funding offer.

10. Pursuant to 2 C.F.R. § 200.216, subrecipients cannot obligate SRF funds to: (1) procure or obtain; (2) extend or renew a contract to procure or obtain; or (3) enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services (as described in Public Law 115-232, Section 889) as a substantial or essential component of any system, or as a critical technology as part of any system.

**Note: 1 does not require anything to be submitted. 8 and 9 apply to the CWSRF only. Details on all of these conditions can be found the EPA Cross-Cutter handbook.*

ASSURANCES

Project Applicant: Town of Lake Lure Project Numbers: SRF-D-LSL-0062

1. The Applicant intends to construct the project or cause it to be constructed to final completion in accordance with the Application approved for financial assistance by the Division.
The recipient acknowledges that in the event a milestone contained in the most recent Clean Water State Revolving Fund Intended Use Plan and/or the Letter of Intent to Fund is missed, the Department of Environmental Quality will rescind this Funding Offer.
2. The Applicant is responsible for paying for the costs ineligible for SRF funding.
3. The construction of the project, including the letting of contracts in connection therewith, conforms to the applicable requirements of State and local laws and ordinances.
4. As of the acceptance of this Funding Award Offer, steps A-D in the SRF Guidance will be complete. These Assurances, likewise, incorporate the most recent version of the SRF Guidance, and the Applicant hereby certifies by accepting this Funding Award Offer that it will adhere to the subsequent steps in the SRF Guidance document. The remaining steps generally govern project design, bidding, contracting, inspection, disbursements, closeout and repayment.
5. The Applicant will provide and maintain adequate engineering supervision and inspection.
6. The recipient agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records will be maintained during the construction of the project and these records will be retained and made available for a period of at least three years following completion of the project.
7. All SRF funds loaned shall be expended solely for carrying out the approved project, and an audit shall be performed in accordance with G.S. 159-34. Partial disbursements on this loan will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the recipient's compliance with the Standard Conditions of this Award. The Applicant agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.
8. The applicant will expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State. Please note that the State is not a party to the construction contract(s) and the Applicant is expected to uphold its contract obligations regarding timely payment.
9. The applicant acknowledges that loan funds contained in this Funding Offer require approval from the North Carolina Local Government Commission before they can be disbursed.

Date: July 19, 2024

INVOICE

NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY DIVISION OF WATER INFRASTRUCTURE

Payable to: NC/DEQ-DWI

Mail to: Attention: Business Office
Division of Water Infrastructure
1633 Mail Service Center
Raleigh, NC 27699-1633

Bill to: Ms. Olivia Stewman, Town Manager
Town of Lake Lure
PO Box 255
Lake Lure, NC 28746

Item: 2% Closing Fee for SRF **Project No. SRF-D-LSL-0062**

Loan Amount: \$ 1,000,000

Closing Fee Amount: \$ 20,000

AMOUNT DUE: \$ 20,000

****PAYMENT IS DUE BEFORE PAY REQUEST SUBMITTAL ****

FOR USE OF DIVISION OF WATER INFRASTRUCTURE

Deposit to Fund _____ Amount Paid _____

FEDERAL ID & Unique Entity ID # REQUEST MEMO

TO: All Loan and Grant Recipients

SUBJECT: Federal Identification Number

Please be advised that all local government units receiving grant or loan funds from the State of North Carolina must supply their Federal Identification Number to this office upon acceptance of your loan/grant offer. Therefore, please provide the information below and return to the Division via email at DEQ.DWI.FundingOffer@deq.nc.gov.

RECIPIENT:

PROJECT NUMBER:

FEDERAL IDENTIFICATION NUMBER:

UNIQUE ENTITY ID:

RESOLUTION BY GOVERNING BODY OF APPLICANT *(Suggested Format)*

WHEREAS, the Bipartisan Infrastructure Law (BIL) of 2021 and North Carolina General Statute (NCGS) 159G have authorized the making of loans to aid eligible, drinking-water system owners in financing the cost of inventorying and replacing lead service lines; and

WHEREAS, the North Carolina Department of Environmental Quality has offered a Drinking Water State Revolving Fund – Lead Service Line Replacement (DWSRF-LSLR) loan in the amount of (INSERT dollar amount here: \$ _____) to conduct (INSERT project description here), hereafter referred to as the “Project”; and

WHEREAS, the (INSERT name of drinking-water system owner here) intends to conduct said Project in accordance with a scope of work that was approved by the North Carolina Division of Water Infrastructure.

NOW, THEREFORE, BE IT RESOLVED BY THE (INSERT NAME OF GOVERNING BODY HERE) OF THE (INSERT NAME OF DRINKING-WATER SYSTEM OWNER: “CITY OF...”, “TOWN OF...”, “COUNTY OF” and so forth):

That (INSERT name of drinking-water system owner) does hereby accept the DWSRF-LSLR loan offer in the amount of (INSERT dollar amount here: \$ _____); and

That the (INSERT name of drinking-water system owner) does hereby give assurance to the North Carolina Department of Environmental Quality that they will adhere to all applicable items specified in the standard “Conditions” and “Assurances” of the Department’s funding offer, awarded in the form of (SPECIFY here type(s) of loan or grant offered); and

That (INSERT here the name and title of your 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; and

That the (INSERT name of drinking-water system owner) has complied substantially or will comply substantially with all Federal, State and local laws, rules, regulations, and ordinances applicable to the Project, and to Federal and State grants and loans pertaining thereto.

Adopted this the (INSERT here date resolution adopted) at (INSERT place name here), North Carolina.

(Signature of Chief Executive Officer)

(Date)

SALES-TAX REIMBURSEMENT CERTIFICATION FORM
(FOR FUNDING PROGRAMS IN THE DIVISION OF WATER INFRASTRUCTURE)

Applicant: _____

Project Number: _____

Check If Applicant is not a unit of government under North Carolina law

If Applicant noted above is a Unit of Government in North Carolina, check the applicable box below.

Sales Tax **IS** deducted in this scenario. Please show this on the disbursement requests.

The construction contract was bid with sales taxes and the unit of government will request reimbursement from the DOR.

Sales Tax **IS NOT** deducted in either of these scenarios.

The construction contract was bid with sales taxes and the unit of government will not request reimbursement from the DOR.

The construction contract was bid without sales taxes

(Printed Name and Title of Authorized Representative)

(Signature of Authorized Representative)

(Date)

Capital Project Ordinance

Be it ORDAINED by the Governing Board of the (Town of Anywhere), North Carolina, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital Project Ordinance is hereby adopted.

Section 1: The Project authorized is the (construction/rehabilitation of a wastewater treatment/collection System) to be financed by (the sale of general obligation bonds/ARRA loan /federal loan/state loan / state grants and reserves).

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the board resolution, loan documents and the budget contained herein.

Section 3: The following amounts are appropriated for the project:

Engineering	\$ 120,000
Land	90,000
Construction	<u>1,440,000</u>
	<u>\$ 1,650,000</u>

Section 4: The following revenues are anticipated to be available to complete this project:

Federal/ARRA Loan	\$ 1,100,000
Proceeds from general Obligation Bonds	\$ 500,000
Transfer from Wastewater treatment capital Reserve	\$ 20,000
	<u>\$ 1,650,000</u>

Section 5: The finance officer is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations. The terms of the bond resolution also shall be met.

Section 5: Funds may be advanced from the General Fund for the purpose of making payments as due. Disbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7: The finance officer is directed to report, on a quarterly basis, on the financial status of each project element in section 3 and on the total grant/loan revenues received or claimed.

Section 8: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this board.

Section 9: Copies of this capital project ordinance shall be furnished to the clerk to the Governing Board, and to the Budget Officer and the Finance officer for direction in carrying out this project.

Duly adopted this __ day of _____ 201__.

Signature, (Authorized Rep)

(Seal)

Attest: _____
Signature (Town Clerk)

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: August 13, 2024**

SUBJECT: Capital Project Ordinance No. 24-08-13 for Lead Service Line Inventory Project

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: IX F
Department: Administration
Contact: Olivia Stewman, Town Manager
Presenter: Olivia Stewman, Town Manager

BRIEF SUMMARY:

A requirement to accept the lead service line inventory project funding offer, the Town must adopt a capital project ordinance.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To adopt Capital Project Ordinance No. 24-08-13 for Lead Service Line Inventory Project

ATTACHEMENTS:

Capital Project Ordinance No. 24-08-13 for Lead Service Line Inventory Project

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff recommends adoption.

Capital Project Ordinance No. 24-08-13
Lead Service Line Inventory Project

Be it ORDAINED by the Town Council of the Town of Lake Lure, North Carolina, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital Project Ordinance is hereby adopted.

Section 1: The Project authorized is the Lead Service Line Inventory to be financed by BIL-DWSRF-LSLR fund principal forgiveness loan.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the board resolution, loan documents and the budget contained herein.

Section 3: The following amounts are appropriated for the project:

Tabletop Evaluation	\$ 45,000
Customer Input Solicitation	\$10,000
Field Investigations	<u>\$225,000</u>
Inventory Report to NCDEQ	<u>\$20,000</u>
	<u>\$ 300,000</u>

Section 4: The following revenues are anticipated to be available to complete this project:

BIL-DWSRF-LSLR Fund – Principal Forgiveness	\$ 1,000,000 or actual expenditures-whichever is less
	<u>\$ 1,000,000</u>

Section 5: The finance officer is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations. The terms of the bond resolution also shall be met.

Section 5: Funds may be advanced from the General Fund for the purpose of making payments as due. Disbursement requests should be made to the grantor agency in an orderly and timely manner. Section 7: The finance officer is directed to report, on a quarterly basis, on the financial status of each project element in section 3 and on the total grant/loan revenues received or claimed.

Section 8: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this board.

Section 9: Copies of this capital project ordinance shall be furnished to the clerk to the Governing Board, and to the Budget Officer and the Finance officer for direction in carrying out this project.

Duly adopted this 13th day of August, 2024.

Elba Willette, Town Clerk

Mayor Carol C. Pritchett

X.
CLOSED SESSION

*In accordance with G.S. 143-318.11(a) (6) for
the purpose of discussing personnel matters.*

X.

ADJOURNMENT