

LAKE LURE TOWN COUNCIL REGULAR MEETING PACKET

Tuesday, February 8, 2022



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

TOWN OF LAKE LURE

Town Council Regular Meeting

Tuesday, February 08, 2022 - 5:00 PM

Lake Lure Municipal Center



Agenda

I. Call to Order

II. Agenda Adoption

III. Mayor's Communications

IV. Town Manager's Communications

V. Council Liaison Reports and Comments

VI. Public Comment

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

VII. Consent Agenda

- A. Approval of the January 11, 2022 Regular Meeting Minutes and the January 26, 2022 Special Meeting Minutes
- B. Suspension of Chapter 8 Article II: "Peddlers" of the Code of Ordinances and Waiver of the Noise Regulation, Chapter 20 Article II, for Hickory Nut Gorge (HNG) Outreach 2022 Spring Lake Lure Arts and Crafts Festival
- C. Budget Amendment #321
- D. Budget Amendment #322

VIII. New Business

- A. Federal Communications Commission (FCC) Ownership Disclosure Information Approval
- B. Public Services Administrative Technician Position
- C. Resolution No. 21-02-08 Creating a Tourism Development Authority (TDA) Steering Committee
- D. Lake Lure Advisory and Statutory Board Handbook

E. Buffalo Creek Park Parking Expansion

IX. Closed Session

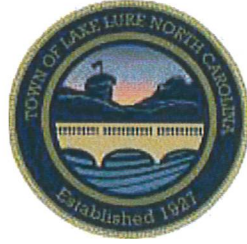
A. *In accordance with G.S. 143-318.11(a) (6) for the purpose of discussing personnel matters.*

X. Adjournment

III
Mayor's
Communications

IV

Town Manager's Communications



Town Manager / Town Clerk January Report – Completed February 4, 2022

Below are the January highlights from the various departments.

Public Services – It was a busy month for the Public Services Department. The Public Works team successfully coordinated and prepared for the first snow storm of the year and received outstanding compliments from the community. In the following weeks the town will onboard a new full-time Hydro Utilities Supervisor to help in overseeing all operations at the hydro facility. The manhole rehabilitation is going according to schedule. As a result, Director Dean Lindsey requested to begin increasing the lake level to normal operating levels, and council approved. Below are the top three accomplishments for Public Works and for Hydro/Dam/WWTP:

Public Works

- Water line from Anglers Way to Lake BLVD was completed
- Chip and Seal completed on Burnt Ridge
- Continued progress from CTS on the sealing of the manholes in the Lake.

Hydro

- Opened and drained penstock for inspection
- WWTP Chemical room upfit progress report was completed. Installing tanks, wall board, and plumbing for our process.
- Turbines have been being served during the drawdown and so far, all inspections have shown positive results.

Community Development – There were 13 certificates of zoning compliance issued in January. The department issued three land disturbance permits. Additionally, 14 certificates of occupancy were issued and 11 lake structure permits were issued within the month. All community development statistics can be found in the department report. Top projects/activity updates:

- **Sedimentation into Lake/Water Quality Concerns; sub watershed 5-Grey Logs Cove and the Highlands Subdivision** – Director Michael Williams made a site visit to Highlands to follow up on current state of issues and violations. Found continued slope, storm water control, and road failures. The department is working on brining re-establishing enforcement proceedings.
- **Lake Structure Tag Maintenance Program** – Community Development is continuing to process the results of inspections that were completed in November.
- **Town Park / Cell Tower Project** – The lease agreement has been executed and the department is now waiting for the zoning permit.

Fire / Emergency Management – The Lake Lure Fire Department completed 237 total hours of training during the month of January. The department responded to 26 fire, medical, and rescue calls. Additionally, 43 burn permits were issued. For the majority of the month, calls remained steady, but there was a notable increase during the winter storm in which the Fire and Emergency Management worked diligently to ensure the safety of the community. An array of accomplishments can be found in the full fire and emergency services department reports. Three notable accomplishments:

- Completed AEMT in-service training.
- Successfully completed air-pac servicing and annual inspection at both the Lake Lure Fire Department and the Fairfield Mountain Volunteer Fire Department.
- Administered an agility test for an applicant, hired the applicant to fill the vacancy, and held new hire orientation.

Police – Chief Humphries and Lake Lure Police Officers had 258 total police activities for the month of January and a full break-down of this total can be found in the Police Department Report. Four citations were issued and zero arrests were made. Top three accomplishments:

- Officers received their list of classes for 2022 in-service training and have begun completing several of the classes.
- Officer Dill’s researched body cameras and their components such as cloud storage. He spoke with several other agencies and reported his findings to Chief Humphries. The department’s current body cameras have reached their life span and parts are no longer made to repair them. The new procedure would allow cloud storage, making access for district attorneys easier during trial.
- Chief Humphries attended the Annual Chiefs Conference in Cherokee.

Parks, Recreation & Lake – Director Dean Givens and Parks & Trails Coordinator Dana Bradley have provided oversight of and have accomplished various projects and day-to-day operations, which can be found in the department report. The Department also has various projects underway including walkway pavers in front of the beach, new seawall at the gazebo, and launching a new permitting software through RecDesk. Givens and Bradley also continue to complete police in-service training. Coordinator Bradley facilitated a total of 46.5 volunteer hours for the month of January. Three notable projects/activities updates:

- Dredging – 2022 Dredging Grant has been approved.
- Secured funding for the Buffalo Creek Park parking lot
- Deepwater Launch – still waiting on the approval of one final permit

Finance – Finance Director Sam Karr is continuing to work alongside Assistant Finance Director Stephen Ford. The Town is 59 percent into the fiscal year and has spent 48.12 percent of the general fund budget. A various budget amendments were approved by Council in January. With updated numbers, the town has spent 36.36 percent of the W/S fund budget. Director Karr reported that property tax revenues are continuing to flow in and a large check is expected by the end of February. Director Karr reported that town expenditures continue to be on the pro-rata estimates in all funds. Top three updates from finance:

- The Town received a \$637,500 check from NC DEQ Dredging grant for work completed this past calendar year.
- The arrival of the new calendar year has seen large amounts zoning permits and Vacation Rental fees issued out this month, and the Town has sold over \$36k in Boat Permits and are renting out our slip rentals too (collected over \$91k this month).
- Continuing weekly sessions with NC Office of State Budget in trying to secure our \$18.5 million Dam Grant, which is predicted to be received by early March.

Communications – Communications Specialist Krejci has provided details and statistics regarding website, social media, communications, grants, and events/community outreach in the Communications Department Report. Top projects/activities in the categories noted above:

- **Website/Social Media** – Continuously working to inform citizens of town news, events, announcements, etc. via the town website and Facebook page. In January, Specialist Krejci responded to 25 website inquires, four online work orders, and 17 online facility reservations. The town’s Facebook page has had a seven percent increase in followers since compared to January 2021. Overall, the post reach for the month equated to 49,396.
- **Communications** – Specialist Krejci has worked with town staff to draft a document highlighting 2021 accomplishments. Krejci has also worked diligently to provide crucial information in the areas of Everbridge and winter weather, lake levels and overview of projects taking place during the drawdown, community events, and other information that is helpful to the community and those who reside in the community. The new illuminated signage is expected to arrive next month.
- **FEMA Grants** – Communications Specialist Krejci continues to apply for FEMA and ARP grant funding, while administering and coordinating with finance and other entities to manage existing grant rewards. The 2020 FEMA HHPD Grant project is projected to be completed this month and Krejci is working with Finance NC DEQ DSO for FEMA reimbursement of \$121,000 once the final receipts are received. For the second 2020 FEMA HHPD grant, Specialist Krejci has submitted quarterly update of work plan to NC DEQ DSO. Lastly, FEMA and Schnabel Engineering have scheduled a conference to discuss the details regarding the FY2021 FEMA HHPD Grant.
- **Events / Community Outreach** – Specialist Krejci has been developing a rough draft of the standard operating procedures to ensure a streamlined and coordinated event planning and permitting process, which she will review with various other staff. Krejci has been working closely with the Carolina Climbers Coalition to help coordinate the Rumble 2022 event which has been approved for March 4-6, 2022. Plans to hold a round table are still in the works, as is holding a communications meetings with realtors.

Administration – Below is an abbreviated summary as to where we are on a few ongoing or upcoming projects:

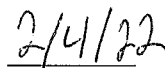
- Manhole rehabilitation is continuing to progress towards completion with the remainder of the project taking place as the lake level rises.
- The Design-Build Contract with Ruby Collins in partnership with LaBella Associates was approved by Town Council and signed.
- Town staff is continuing to work towards obtaining the town's state funding and SRF loan funding.
- A hydroelectric plant penstock warranty inspection was successfully completed, with only minor warranty maintenance needed.
- I have obtained preliminary budget information from each department head and will be working with the Finance Department throughout the budgeting process.
- The Special Order by Consent (SOC) has been approved by the North Carolina Environmental Management Commission. It is still awaiting signatures.

Manager's November Activities

- Attended a meeting with Schnabel Engineering and LaBella Associates, January 4
- Participated the interview process for the Hydro Utilities Supervisor, January 6
- Attended meeting regarding the overview of the Public Services Department, January 7
- Join various other individuals for a penstock tour, January 7
- Prepared for and clerked a regular ABC Board meeting, January 10
- Prepared for, participated in, and clerked a regular Town Council meeting, January 11
- Hosted staff meeting, January 12
- Met with other members of the Town Emergency/Crisis Communication team in regard to the upcoming winter storm, January 13
- Maintained contact with staff during the winter storm and aftermath, January 15-21
- Participated in a meeting for the purpose of discussing GLS Design-Build Contract with Ruby Collins and LaBella Associates, January 18
- Attended a Legislative Breakfast at the Tryon Equestrian Center, January 24
- Prepared for, Participated in, and clerked a special Town Council meeting, January 26
- Joined Director Dean Lindsey, Engineer Kurt Wright, and members of DEQ Asheville offices in a tour of the completed manholes, January 28
- Participated in a tri-weekly meeting regarding infrastructure schedule update with LaBella Associates, January 31



 Interim Town Manager



 Date



Name: Andrea Ogle

Department: Public Works

REPORT DATE:

January 31, 2022

PREPARED FOR:

Town Manager

I. ACCOMPLISHMENTS

- 1. Water line from Anglers Way to Lake BLVD completed**
- 2. Chip and Seal completed on Burnt Ridge**
- 3. Continued progress from CTS on the sealing of the manholes in the Lake**

II. FOLLOW UP

- 1. Complaint about the entrance of Ridge RD from a renter of Kathleen Hutchinson on 114 Hummingbird RD.**
- 2. Sealing the manholes by CTS**
- 3. Erosion control on both ends of the new waterline. Anglers Way to Lake BLVD.**

III. OTHER

1-1 Through 1-5-2022 read water meters until completion. 1-5-22 Met with Ken Appling about boring for the water line from Anglers Way across the Lake to Lake BLVD.

1-6-22 Fixed the areas at the treatment plant that needed grading and gravel. Worked on the Case backhoe until we got it running.

1-7-2022 Completed Decembers monthly report, sent to Town Manager and Dean Lindsey. Put another load of gravel at the treatment plant. Went and looked at a complaint from Kathleen Hutchinson 114 Hummingbird RD about the entrance of Ridge RD. Will follow up. Possibly get Mike Williams to direct us on the direction to take with a response to the way the RD was built.

1-10-2022 Cleaned up the metal on the top of the hill. Helped/learned EDMR reporting.

1-11-2022 CMMS demo with Rich Hunter. Passed cloudy water orders to Chuck. Checked on a complaint from 174 Laurel Lane that said there was a possible water leak/water standing. We found nothing. Also went to access the water leak in Sunset Reserve at lot #17. Went and got the equipment

needed and went ahead and fixed the leak. Checked the complaint from cutaway. Added it to the list to clean the ditches at the bottom of the road.

1-12-2022 Went out to 121 Edwards Point and dug out the top of the manhole and marked it so that CTS can locate it and seal it. Met with lead man from CTS about manhole #44 off of Fisher Court to make sure it's not beyond repair. It's not, they will coat it. Got the scrap metal out of the shop and added it to the truck full of metal from the top of the hill. Cleaned out the culvert head at the bottom of Anglers Way RD.

1-13-2022 Took the load of metal to Collins in Forest City. Turned the check over to Dean Lindsey. Removed all of the snowflakes all throughout town.

1-14-2022 Met with Chris Stott about the chip and seal on Burnt Ridge RD. He's starting this morning on the 200ft of repair. Let Laura K. know there may be delays on Burnt Ridge so she could put it out to the public. We got all of the vehicles full of fuel, all of the plows on the trucks, both spreaders on the trucks, and the chainsaws ready for the inclement weather headed our way. Checked 295 North Shore, Michael Hammond called in about a leaking sewer line. House is not being used right now, put repair on the list for next week.

1-15-2022 Saturday ... Inclement Weather. Pre-chatting roads. Worked on snow removal (plowing) and helping emergency personnel with anything they needed throughout the night.

1-16-2022 Continued snow removal on all town roads throughout town and helping emergency personnel get to people. Sent Laura K. updates throughout the inclement weather.

1-17-2022 Holiday ... Everybody from public works came in to continue snow removal to make roads clear.

1-18-2022 Everybody worked on widening roads throughout town and clearing/widening the intersections of all roads. Responded to calls from people requesting help in certain areas, i.e. re-plow an icy area, spread salt for traction.

1-19-2022 Cleared/widened the edges of Old Sand Branch RD. Cleared as much ice off of the top of Island Creek RD as we could.

1-20-2022 Lead pump at pump station was on fail. Reset it and made sure it was running as it should. Met with Dale Shields about the water line from Anglers Way to Lake Blvd. He is going to give us a quote.

1-21-2022 Went and picked up the toolbox for the shop. Met with Dale Shields and he gave us his price for dig the trench for the water line, help us place the waterline and cover it back up. Drove the backhoe down to the treatment plant so they can use it to unload the chemical tanks when they get there.

1-24-2022 Looked at broken sewer pipe at 395 Tryon Bay. Contacted Jennifer so she can contact the homeowner to let them know it needs to be fixed. Worked on getting the necessary permissions from

land owners to dig the water line in on their properties and then called Dale Shields so he could get started on it.

1-25-2022 Unloaded the chemical barrels at the treatment plant. Took the waste water samples to Asheville while they were there working on the gates at the dam.

1-26-2022 Took water and waste water samples to Asheville while they continued to work on the gates at the dam. Checked the culvert pipe on Boys Camp to make sure the storm water had cleaned it out like we planned, it looks just like we had planned. While we were there we redirected water from where it was hitting the bank to prevent some future erosion. Checked on the guys that are digging the trench for the water line on Anglers Way.

1-27-2022 Went out on the boat to look at manhole #22. It's extremely broken due to a fallen tree. Going to remove it and in its place put a stand pipe. Dale Shields called and said they were ready to place the water line @ Anglers Way. Took them the water line. We fixed the leak on the sewer line @ 295 North Shore.

1-28-2022 Worked on this report, ordered 2 barricades and 24 28" traffic cones and 6 cart path signs. Dale Shields is done with the water line on Anglers Way across to Lake BLVD. We will go back next week and put some mulch down on the Anglers Way side and put some fill dirt and some erosion control of some sort on the Lake BLVD side to prevent erosion on both sides. Brought the back hoe back to the shop.

1-31-2022 Two Brothers started work on placing the 2 manholes in Morse Park. Started reading water meters.



NAME: DEAN LINDSEY

Department: HYDRO/DAM/WWTP

REPORT DATE:

CLOSE OUT MONTH:

PREPARED FOR:

01 February 2022

January 2021

Town Manager

I. REVENUE

Top 5 Months of Revenue

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

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

July	392,317 KWH	\$33,765.71
August	435,040 KWH	\$32,829.40
September	519,541 KWH	\$42,545.78
October	802,011 KWH	\$46,696.27
November	736,857 KWH	\$42,270.62
December	57,942 KWH	\$1845.37
January	0	0
February		
March		
April		
May		
June		
TOTAL:		\$199,953.15

II. GENERATOR RUN TIMES & LAKE LEVELS

Generator # 1 (Small Unit) = 0 Hours

Generator # 2 (Big Unit) = 0 Hours

Minimum Recorded Lake call in Level = Drawdown

Max Gate Opening = Drawdown

III. SIGNIFICANT WEATHER EVENTS & RAIN ACCUMULATION

- **None**

IV. SCHEDULED MAINTENANCE AND IMPROVEMENTS

- **Continued Cleaning at WWTP to remove obsolete items.**
- **Prepping parts for WWTP Mixer motor and gearbox project.**
- **WWTP Chemical room upfit progress report. Installing Tanks, Wall Board and plumbing for our process.**
- **Opened and Drained Penstock for inspection in January.**
- **Painting of Hydro plant in progress**
- **Turbines are being serviced during lake down. So far, all inspections are showing positive results.**



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

DEPARTMENT:
 Community Development



REPORT DATE: February 1, 2022 (reporting period 1/1-1/31/22)

PREPARED FOR: Town Manager/Town Council

I. REOCCURRING WORK ACTIVITIES

1. Zoning Administration/Code Enforcement

Certificate of Zoning Compliance Issued	13
Certificates of Zoning Compliance Denied	0
Certificates of Occupancy Issued.....	14
Vacation Rental Operating Permits Issued.....	3
Permanent Sign Permits Issued (0) Temporary (0)	0
Complaints Logged	1
Complaints Investigated	1
Notices of Violation Issued	0
Civil Penalties Issued	0
Stop Work Orders Issued.....	0
Improperly Posted Address Notifications Issued	0
Abandoned/Dilapidated Structures Cases Open..... (0 closed by demo)...	0
Z&P Hearings Processed.....	0
BOA Hearings Processed.....	1
Demolition Permits Issued	0
VROPs Active to Date.....	455

2. House/Modular/Heavy Load Moves Through Town..... 0

3. Environmental

Land Disturbance Permits Issued.	3
Complaints Logged	0
Complaints Investigated	0
Stop Work Orders Issued.....	0
Floodplain Development Permits Issued.....	5

4. Lake Structures/Shoreline Stabilization

Lake Structure Permits Issued	11(including 5 left off Dec report)
Shoreline Stabilization Permits Issued	4(including 3 left off Dec report)
LSAB Hearings Processed	1

5. Subdivision Administration

Preliminary Plat:	0
Final Plat	0

Minor Subdivisions: 0
 Exempt Plat Reviews: 0
 Lots Approved 0

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

Plats Reviewed: 0
 Plats Approved: 0

II. PROJECTS UPDATE

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

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

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

Update: 1/13/22-CDD Director made site visit to Highlands to follow up on current state of issues and violations. Found continued slope, storm water control and road failures. Working on bringing re-establishing enforcement proceedings.

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

As this program has not been enforced in over 20 years, some lake structures have not been maintained, resulting in potentially hazardous conditions. In an effort to ensure all lake structures built or installed over the Town's lake property, the Community Development Department has been asked to restart the enforcement of the lake structures tag program. The department is working with the Town's attorney to ensure all elements of this program align with state regulations and can be restarted, as well as evaluating how to develop a sustainable means of monitoring/enforcing the program. As staff are not qualified to inspect the structural integrity of structures, a qualified professional (engineer) will have to perform the inspections. **Update:** Reinstating the program with focus on 1) communicating Town's ownership of Lake where structures stand, 2) communicating the responsibility of Lake Structure owners to maintain those structures in good repair, and 3) Town will begin periodic inspections of structures, including having certified engineering inspections and utilize those professional opinions as a basis for enforcement of the existing Lake Structure regulations. We are negotiating a contract with LaBella to conduct inspections and provide written opinion of structure compliance with Town's Regulations. Inspections will begin during this year's drawdown. **Update:** No contract with LaBella/working on referral-based enforcement of Town's existing Lake Structures requirement that property owners maintain their lake structures in good repair and not create a "hazardous condition". Referrals will come from LaBella's engineers as they conduct Sewer Modification inspections, general public complaints/referrals, and staff referrals based on "float-by" inspections of all lake structures. The staff referrals will be based on inspections done by a selected team of staff and structural review-qualified inspectors. During September-October, we will conduct visual inspection from boat of all lake structures, creating new digital image file of existing structures, and identifying structures that appear to be less than structurally sound and not in compliance with Town requirements. Property owners of those identified structures will be notified of their need to either correct those structural hazards or provide professional certification that the structure is structurally sound and should not be considered a hazard. The other component of the program is communication of the Town's right, as owner of the lake, to require that property owners of structures built on the lake do maintain their structures in good, safe repair or potentially lose their right to maintain a structure on the Town's property. This will be a significant change after many years of very limited enforcement of that requirement but should greatly enhance the safety and enjoyment of the lake for our community as we go forward. **Update:** Have begun CDD inspections of lake structures by boat. Compiling current photo record of each structure and evaluating each structure using a program checklist. Checklist uses a visual inspection assessment ranking of 1) "Excellent Condition" (like new/no obvious damage), 2) "Good Condition" (minimal signs of wear or damage/decay), 3) "Poor Condition" (missing/damaged boards, decay, not an immediate health/safety hazard), or 4) "Bad Condition/Hazard" (damage, disrepair and/or decay that may constitute a hazard). Structures identified with "Poor Condition" will receive a notice of advisement that their structure may soon require repairs or action in order to continue to meet the Town's requirement of maintaining structures built on the Town-owned lake in good repair. Structures identified with "Bad Condition/Hazard" will be notified that they are being referred to an outside evaluator to make a recommendation as to whether *immediate* action may be necessary in order to meet the "Good Repair" requirement. **Update:** CDD completed visual inspections from boat of all lake structures within "first priority area" (Phase 1 of Town's Sewer Project), and took structure photos. Working on post-inspection communications to property owners and follow-up inspections of about 5 properties containing structures identified as potentially "Bad Condition/Hazard". Also working on cataloging lake structure photos. **Update:** **Continued processing of inspection results.**

Town Park/Cell Tower Project: CDD working with AT&T and their design/construction partners on potential tower, with plan to site it within a planned park/campground development. A proposed 70' X 100' lease area, containing a 50' X 70' fenced tower site has been surveyed and marked. AT&T has recommended a 199' monopole tower based upon the signal effectiveness that our community needs, while keeping the tower under the 200' FAA's required lighting height. AT&T/contractor have also agreed to an engineered tower design that would have a fall-zone of no more than 75', creating the opportunity for safe placement within a smaller setback. The Zoning and Planning Board

has recommended that the Boys Camp Road site be rezoned from the previous zone (Chimney Rock Village's "Commercial Business" Zone) to Town's "Government Use" Zone. This will be presented to the Town Council on November 9th. We will also present a Master Plan revision to include both the park and tower and a text amendment relating to the fall-zone setback at that same meeting. We are also working on a potential lease agreement between the tower owner and the Town that could provide valuable funding for the park project. Potential project completion/tower operation could be mid-2022. **Update:** Public Hearing and Town Council decision scheduled for 11/9/21 for 1) Zoning and Planning Board reviewed and prepared recommendation to Town Council to zone Boys Camp Road site as Government Use and 2) to adopt the Proposed Master Plan prepared by Parks and Recreation Department which combines the planned public park and tent camping area with the tower. Presented to Town Council as 11/9/21 agenda items for public hearing and Council review/vote. **Update:** Town Council approved Master Plan with park and tower, zoning text amendment to address fall-zone setbacks for towers and rezoning of Boys Camp parcel to GU (Government Use). Met with contractor and tower applicants to refine lease proposal for submission to Town Council for approval (tentatively at December 14 meeting). Working with contractor to finish zoning permits for review and approval. **Update:** Just received Option & Lease Agreement and associated documents for signatures from the Town. These are in follow-up to CDD and William Morgan's review. **Update: 2/1/22 – lease agreements executed. Just waiting for actual zoning permit.**

III. OTHER

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

1) Other Projects

- a. Working with Public Works, Police Chief, Fire Chief and Communications to develop checklist approach to reviewing and permitting Special Events/Vendors/Tents applications. Also same group regarding Road Closure/Heavy Load Transports approval process.
- b. Reviewing ordinances and our interpretations to identify (and potentially improve) ambiguities or unintentional hardships to the public or Town.
- c. Working on sorting out issues and questions regarding the use of the Lodge at Lake Lure's Conditional District rezoning of that parcel. As of 2/1/22, the property has been purchased with plans to operate the lodge and restaurant as a legal, non-conforming use. Purchaser also plans to add a boathouse with a maximum of 3 slips/moorings. The Conditional Rezoning is still valid but would require property owner to meet several significant contract conditions in order to exercise the previously approved expansion plans. Consequently, the new owner is currently planning to operate as has been historically operated, without expansion.

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



Mike Williams, CZO, CFM
Community Development Director



Name: Dustin Waycaster

Department: Fire

REPORT DATE:

February 1, 2022

PREPARED FOR:

Town Manager

I. ACCOMPLISHMENTS

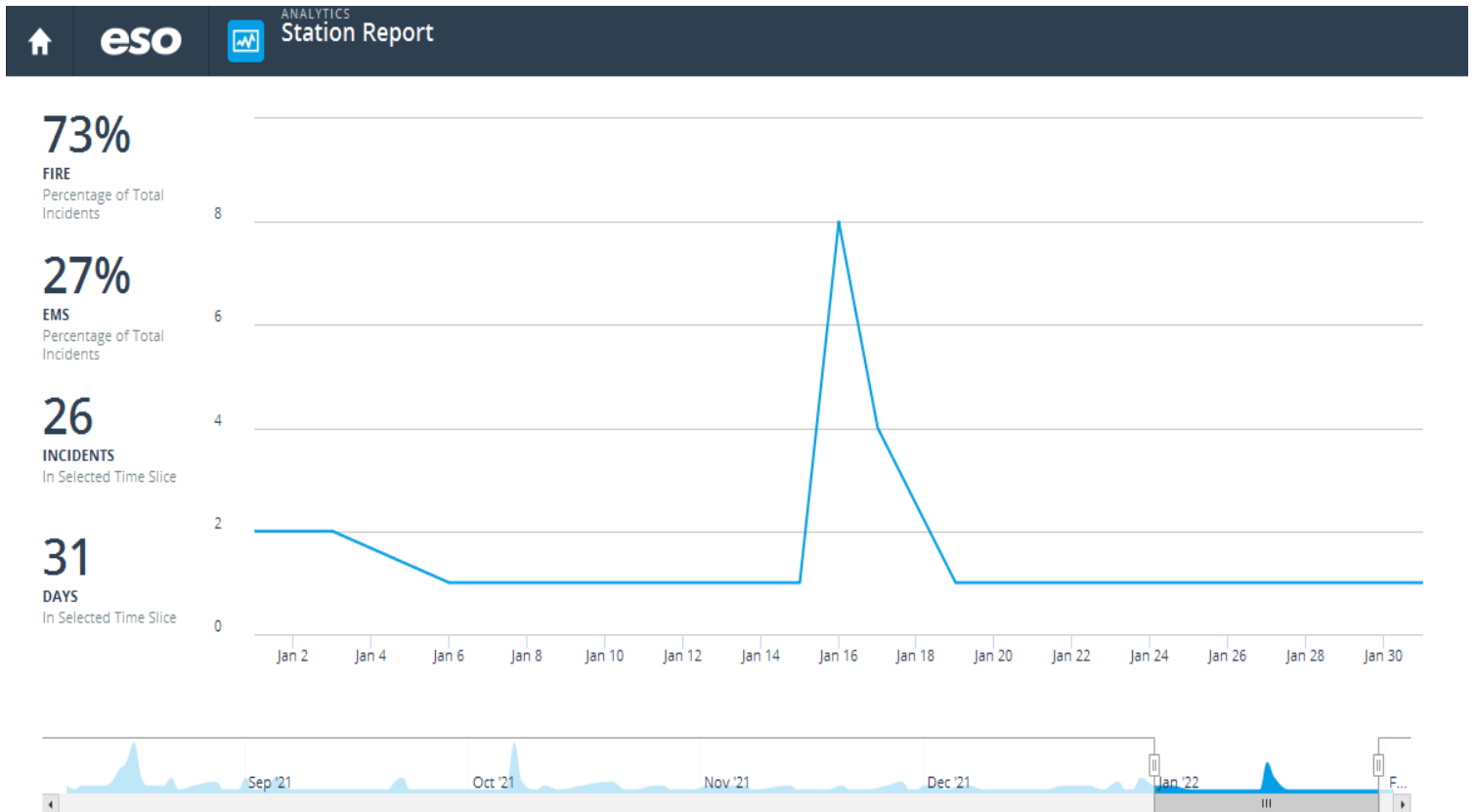
- 1-1 Polar Plunge stand-by. Powerline down on Buffalo Shoals.
- 1-2 Filed December Fire Reports. Inventoried Medical supplies.
- 1-3 Setup agility test for new applicant. Tree down on Island Creek Rd. Rescue Truck Tires rotated.
- 1-4 Worked on heater that is out of service in the Fire truck Bay area. Assisted Lake Lure PD with trooper Horton Funeral Preparations. Fire Boat Maintenance and Check.
- 1-5 Medication Checks on Medical Bag.
- 1-6 County EMRT meeting. Assisted the County with the Debriefing for Trooper Horton.
- 1-7 Inspection at LLCA of the new classrooms.
- 1-8 Medical call on Washburn Rd.
- 1-9 Dive gear Maintenance
- 1-10
- 1-11 Structure Fire Starling Way (Bills Creek). Washed, cleaned, and returned all equipment used on Structure Fire.
- 1-12 AEMT in-service training. Staff Meeting
- 1-13 Agility test for applicant. Winter storm planning meeting. Training Meeting with Bills Creek fire.
- 1-14 Air-pac Servicing and annual Inspection at Fairfield Mnt VFD and also at Lake Lure Fire. State Roster verification.
- 1-15 Medical call Haverns Point. Inspected Snow Chains for the winter storm. Went ahead and chained some reserve trucks.
- 1-16 Winter Storm come in received about 9.5" of snow. Run calls that were snow related.
- 1-17 Repaired Chains on the Trucks that were chained. Ran snow related calls.
- 1-18 Two calls for service. Public assist on Wandering Ln. Public Assist Washburn Rd.
- 1-19 Vista Apartment Medical call. Trying to get a battery for the Fire Boat. Batteries are not available.
- 1-20 Started new training records for 2022.
- 1-21 Hire employee to fill the vacancy.
- 1-22 Tree Down Village Rd.
- 1-23
- 1-24 New Hire orientation. Disposed of condemned Gear.

- 1-25 Lifting assistance Rumbling Bald Rd.
- 1-26 Serviced the Town's Fire extinguishers. Driver Training.
- 1-27 Wrote 4 different burn permits.
- 1-28
- 1-29 Fire Alarm Allen Dr.
- 1-30 Two Burn Permits
- 1-31 Stand-by Mutual aid to Columbus Fire Department.

II. FOLLOW UP

1. Lake Lure Fire had **237** total hours of training for the month of January.
2. Lake Lure Fire ran 26 Fire/Medical/ Rescue calls
3. Wrote 43 Burn permits.

OTHER





NAME: SEAN HUMPHRIES

Department: LAKE LURE POLICE DEPT

REPORT DATE:

CLOSE OUT MONTH:

PREPARED FOR:

2/1/2022

January 2022

Town Manager

I. ACCOMPLISHMENTS

- 1. Officers received their list of classes for 2022 In Service Training and have begun completing several of those classes already.**
- 2. Officer Dill's researched body cameras and their components such as cloud storage. He spoke with several other agencies and reported his findings to Chief Humphries. The department's current body cameras have reached their life span and parts are no longer made to repair them. The new procedure would allow cloud storage, making access for District Attorneys easier during trial.**
- 3. Chief Humphries attended the Annual Chiefs Conference in Cherokee.**

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

0	Breaking/Entering/Larcenies	9	Traffic Stops
4	Citations	4	Warning and Verbal Citations
2	Suspicious Person(s)	1	Accidents
0	Total Arrests	37	Business Checks
0	Lake – Patrols/Permit Checks	0	Lake – Total Hours Patrolling
0	Lake – Verbal Warning	0	Lake – Warning/Citation
13	Alarm Activations	2	Domestic/Disturbance/Disorderly Conduct
2	Assist Fire / EMS	6	School Patrol/School Event Patrol

Citations – Cumulative Total of Citations: (Hard Copies) (1 Citation may include 2 charges: (1) Driving while License Revoked, (2) Speeding, (3) Other Misdemeanor/Infractions

Charges Total: 6

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

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

Charges Total: 0

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

Activity Log Event Summary (Cumulative Totals)

Lake Lure Police

(01/01/2022 - 01/31/2022)

Accident	1	Alarm activation	13
Animal Complaint	2	Assist EMS	1
Assist Fire Department	2	Assist Other Department	4
Assist other Lake Lure Officer	8	Assist Subject	1
Attempt to Locate	1	Call by Phone	4
Careless and Reckless Driving	1	Chase	1
Citation	4	Disturbance	1
Domestic Trouble	1	Escort	1
Extra Patrol	72	Follow up Investigation	2
Foot Patrol	17	In Office Work	22
Investigate Suspicious Vehicle	3	Larceny Report	1
Meet with Subject	3	Motorcycle Visual Straight Pipe Check	1
School Patrol	3	Series of Business Checks	37
Shots Fired	1	Speak With Subject	3
Special Event Patrol (School,Town,Chamber...)	3	Stationary Patrol	2
Stranded Motorist	6	Suspicious Person(s)	2
Take Out A Warrant	1	Traffic Control	1
Traffic Stop	9	Training	5
Vehicle Maintenance	11	Verbal Warning	1
Warning Citation	4	Welfare Check	2

Total Number Of Events: 258



Dean Givens; Parks, Recreation, and Lake Director

DEPARTMENT: Parks, Recreation, and Lake

REPORT DATE:

PREPARED FOR:

January 31, 2022

Town Manager

I. ACCOMPLISHMENTS

Current Parks, Recreation, and Lake Projects:

1. Boy's Camp Rd. Campground – <i>New master plan has been adopted</i>	2. Luremont Trails – <i>Trail scouted; permits filed; Plan approved by Parks and Rec. Board, legal opinion received; waiting on legal decision</i>	3. Marina Phase II and Amphitheater Funding – <i>Working with TDA/ Rutherford Bound to keep projects moving forward</i>
4. Monetization Schedule for P&R Assets and Facilities – <i>New ideas being considered</i>	5. Updating Parks and Recreation Open Space Plan – <i>Working with Ed Dittmer and Moe Bay on updates</i>	6. Morse Park Walking Path Expansion Grant – <i>To expand the pavement back to town hall</i>
7. Morse Park Master Plan update which includes the design of the amphitheater and additional parking – <i>New plan has been adopted</i>	8. Replacement of boardwalk/seawall at the gazebo – <i>In progress</i>	9. Buffalo Creek Park parking lot expansion – <i>Funding obtained; working on plans to begin installation</i>
10. Permit for Filling in Half of Pond in Morse Park – <i>Permits denied</i>	11. Deep Water Launch – <i>Waiting on final approval</i>	12. Finishing the paver walkway from the small beach house to the big beach house – <i>In progress</i>
13. Island Creek spoils site	14. Non-motorized Boat Ramp Replacement – <i>Complete</i>	15. 2022 Dredging Grant – <i>Approved</i>

PR&LD ACTIVITIES:

1. Oversee daily operations for Parks, Rec, & Lake
2. Attended multiple staff/public meetings
3. Attended multiple project meetings
4. Worked on multiple projects
 - Deepwater Launch – Waiting on last permit
 - Walkway pavers in front of beach – Underway
 - New seawall at gazebo – Underway
 - Mining permit – Waiting on permitting
 - Police in-service training 2022 – Completed 18 hrs.
 - New permitting software – RecDesk
 - Replacing boat ramp at the ABC Store parking area – Completed
 - Dredge spoils area preparation

PR&TC ACTIVITIES:

1. Secured funding for the Buffalo Creek Park parking lot
2. Entered in marina boat slip renewals into the spreadsheet
3. Moved slip renters requesting different slips
4. Continued filing the commercial applications
5. Sent out commercial model applicant approval letters
6. Continued training with LLPD
7. Continued updating the Parks, Recreation, and Lake Department Standard Operating Procedures
8. Began training on new permitting software - RecDesk
9. Organized a Dittmer Watts workday on 1/11 to remove dead trees – 6 volunteers; 18 volunteer hours
 - a. Next workday planned for 2/22 at 8 am
10. Cancelled the Buffalo Creek Park workday due to snow; trail is in great shape with no reported trees down
 - a. Next workday planned for 2/15 at 8 am
11. Organized a Weed Patch Mountain workday on 1/11 and 1/12 to remove dangerous trees – 4 volunteers; 22 volunteer hours
 - a. Next workday planned for 2/9 at 8 am
12. Planned upcoming trail maintenance days and recruited volunteers to help
13. Checked Buffalo Creek Park, Dittmer-Watts Nature Trails, and Weed Patch Mountain for damage
14. Utilized volunteer to collect water samples from streams – 1 volunteer; 6.5 volunteer hours
15. Utilized a total of **46.5 volunteer hours**
16. Attended several meetings

P&R Maintenance Activities:

1. Took down Christmas decorations
2. Removed snow from Morse Park and marina walkway
3. Removed a dangerous tree from Weed Patch Mountain trail
4. Trimmed trees in front of Town Hall
5. Performed regular ground maintenance activities at all areas
6. Cleaned parks, boat ramp, and marina
7. Sprayed playground equipment and picnic tables with bleach

Lake Activities:

1. Lake will begin to refill on February 1

1. FOLLOW UP

1. Open Space Plan: Will continue working with Ed Dittmer and Moe Bay to update the Open Space Plan
2. Luremont Trail: Plan has been approved by Parks and Recreation Board; legal opinion received; working on next steps
3. Naming Rights Policy: Continuing to gather information for Naming Rights Policy for Town properties
4. Lake Lure Trails: Work days held on Lake Lure trails each month to ensure they are properly maintained

2. OTHER

1. Marina Slips Available: 0
 - i. Resident Waiting List: 40
 - ii. Non-resident Waiting List: 48

Town of Lake Lure

Monthly Financial Summary Report as of: 1/31/2022

59%



Revenues in excess of Expenditures

General Fund					General Fund					General Fund	
Revenues:	Annual Budget:	Month To Date:	Annual To Date:	Y-T-D % Collected	Expenditures:	Annual Budget:	Month To Date:	Annual To Date:	Y-T-D % Spent	Annual Budget	Month To Date
Taxes	\$ 4,429,782	\$ 835,783	\$ 3,649,770	82.39%	Governing Body	\$ 58,550	\$ 2,267	\$ 21,620	36.93%	\$ -	\$ 1,077,600
State Shared Revenues	\$ 2,642,810	\$ 769,632	\$ 1,804,582	68.28%	Administration	\$ 1,068,654	\$ 62,416	\$ 627,355	58.71%		
Lake & Tours	\$ 708,800	\$ 42,498	\$ 203,226	28.67%	Central Services	\$ 114,120	\$ 8,246	\$ 57,798	50.65%		
Beach & Marina	\$ 418,500	\$ 91,379	\$ 284,879	68.07%	Police	\$ 875,906	\$ 66,039	\$ 477,448	54.51%		
*Miscellaneous Revenues	\$ 176,267	\$ 8,968	\$ 43,300	24.57%	Fire	\$ 912,946	\$ 195,670	\$ 510,450	55.91%		
Land Use Fees	\$ 46,961	\$ 6,445	\$ 36,202	77.09%	Sanitation	\$ 229,400	\$ 19,198	\$ 132,925	57.94%		
Loan Proceeds	\$ 502,000	\$ -	\$ -	0.00%	Public Works	\$ 536,101	\$ 37,013	\$ 320,402	59.77%		
Transfers	\$ 420,428	\$ -	\$ -	0.00%	Economic Development	\$ 98,264	\$ 10,954	\$ 50,640	51.53%		
Total:	\$ 9,345,548	\$ 1,754,705	\$ 6,021,959	64.44%	Community Development	\$ 225,166	\$ 21,615	\$ 113,126	50.24%		
*Miscellaneous Revenues					Beach and Marina	\$ 17,500	\$ -	\$ 7,879	45.02%		
Interest, Beer & wine, Fire Tax,ABC					Golf	\$ 106,000	\$ 145	\$ 86,525	81.63%		
Facilities Rentals,Grants,Sale of					Parks,Rec.,Lake	\$ 1,371,691	\$ 40,009	\$ 834,343	60.83%		
Assets, Misc., Town Promo, Copies					Capital Outlay	\$ 1,369,100	\$ 92,768	\$ 717,610	52.41%		
Recycling Collections					Debt Service	\$ 395,939	\$ 73,917	\$ 253,864	64.12%		
Received-Not Posted Yet					Non Governmental	\$ 157,500	\$ -	\$ 158,584	100.69%		
					Transfers	\$ 1,600,000	\$ -	\$ -	0.00%		
					DAM/Watershed	\$ 208,711	\$ 46,848	\$ 126,094	60.42%		
					Contingency Reserve	\$ -	\$ -	\$ -	#DIV/0!		
					Total:	\$ 9,345,548	\$ 677,105	\$ 4,496,663	48.12%		

Water & Sewer Fund					Water & Sewer Fund					Water & Sewer Fund	
Revenues:	Annual Budget:	Month To Date:	Annual To Date:	Y-T-D % Collected	Expenditures:	Annual Budget:	Month To Date:	Annual To Date:	Y-T-D % Spent	Annual Budget	Month To Date
Water & Sewer charges	\$ 1,620,000	\$ 156,164	\$ 962,270	59.40%	Water	\$ 91,500	\$ 2,558	\$ 57,135	62.44%	\$ -	\$ (288,134)
Taps & Connection fees	\$ 10,000	\$ -	\$ 4,715	47.15%	Sewer	\$ 688,800	\$ 354,114	\$ 696,093	101.06%		
Interest & Transfer Fees	\$ 7,750	\$ -	\$ 6,921	89.30%	Capital Projects	\$ 1,041,500	\$ 88,656	\$ 93,056	8.93%		
Water Tank Rental	\$ 12,360	\$ 1,030	\$ 7,210	58.33%	Debt Service	\$ 127,685	\$ -	\$ 3,224	2.52%		
Transfer from Fund Balance	\$ 686,500	\$ -	\$ 183,888	26.79%	Transfer to Fund	\$ 387,125	\$ -	\$ -	0.00%		
Total:	\$ 2,336,610	\$ 157,194	\$ 1,165,004	49.86%	Total:	\$ 2,336,610	\$ 445,328	\$ 849,508	36.36%		

Hydro Electric					Hydro Electric					Hydro Electric	
Revenues:	Annual Budget:	Month To Date:	Annual To Date:	Y-T-D % Collected	Expenditures:	Annual Budget:	Month To Date:	Annual To Date:	Y-T-D % Spent	Annual Budget	Month To Date
Power Generation	\$ 400,000	\$ -	\$ 200,172	50.04%	Operations	\$ 377,525	\$ 67,069	\$ 249,451	66.08%	\$ -	\$ (67,069)
Interest	\$ 325	\$ -	\$ 48	14.77%	Transfer to General Fund	\$ -	\$ -	\$ -			\$ (63,071)
FEMA Reimbursement	\$ -	\$ -	\$ -	#DIV/0!	Transfer to Silt Fund Reserve	\$ -	\$ -	\$ -	#DIV/0!		
Transfer from Fund Balance	\$ -	\$ -	\$ -	#DIV/0!	Cap. Outlay/Special Proj.	\$ 22,800	\$ -	\$ 13,840	60.70%		
Total:	\$ 400,325	\$ -	\$ 200,220	50.01%	Total:	\$ 400,325	\$ 67,069	\$ 263,291	65.77%		

Cash & Investment Position	American Rescue Plan- CSLRF	Capital Funds	Comments / Items of note
United Bank		Balance to Date	
General Fund \$ 5,840,728	1/2 Trance \$183,888	Capital Res. Fund \$ 651,740	
Water & Sewer \$ 1,356,075	Transferred to W/S Fund(Manhole Reb.)	Silt Res. Fund \$ 64,265	
Includes Low Pressure		Marina Brdwa \$ 3,442	
Hydro \$ (308,506)	Second half of trance will arrive in May 2022.	Bridge Pres. Fund \$ 75,000	
Total: \$ 6,888,297			
NC Capital Management Trust			
General (Cash) \$ 181,657			
Water& Sewer \$ 3,825			
Hydro \$ 51,801			
Total: \$ 237,283			
Total Cash and Investments: \$ 7,125,580			

Name: Laura Krejci

Department: Communications\Events\Grants

REPORT DATE: JANUARY 31, 2022

PREPARED FOR: TOWN MANAGER

I. WEBSITE ANALYTICS

- a. **Town News:** The following articles were posted this month with the latest articles appearing first. A listing of these titles with hyperlinks was emailed to 1,489 citizens, along with a link to the Town Calendar.

[Special Town Council Meeting Summary 1/26/22](#)

[Rumble 2022](#)

[Lake Levels - Drawdown Schedule, Accomplishment and Plans for Refilling the Lake](#)

[On A Clear Day...You Can See Forever in Lake Lure](#)

[Town Council Meeting Summary from 1/11/22](#)

[It's Snowing in Lake Lure - Though it May Just Be A Dusting...](#)

[Wind Advisory Friday, 1/28/22 at 7PM Through Sat., 1/29/22 at 4PM](#)

[Chances Are...We May See More Snow on Friday](#)

[Town Board Vacancies - We Need You!](#)

[Get Free At-Home COVID-19 Tests](#)

[1/27/22 COVID-19 Update](#)

[COVID TESTING TOMORROW 1/25/2022](#)

[Special Town Council Meeting 1-26-22](#)

[Crystal Clear Lake Lure](#)

[Lovely Lake Lure in Snow](#)

[HAZARDOUS WEATHER OUTLOOK](#)

[DELAYED OPENING - PLEASE PREPARE - ICE & SNOW FRIDAY](#)

[PATCHY BLACK ICE EXPECTED TO DEVELOP FRIDAY MORNING ON UNTREATED ROADWAYS](#)

[Town Hall Open 8AM - 5PM on Thursday, 1-20-22](#)

[Please Plan For Additional Snow This Week](#)

[More Snow Forecasted This Week](#)

[Town of Lake Lure, NC Updates for 1/19/22](#)

[LAKE LURE ROAD UPDATE: ICY CONDITIONS REMAIN ON ALL TOWN ROADS](#)

[Beware of a Black Ice - Use Caution if Driving](#)

[Lake Lure's Izzy Updates for 1-17-22 & 1-18-22](#)

[Trash Pick-Up 1-17-22 & 1-18-22](#)

[Lake Lure's Izzy Update 1-17-22](#)

[Honoring Martin Luther King, Jr.](#)

[A Power Update From Duke Energy 1-16-22 @ 6:30](#)

[LAKE LURE'S IZZY UPDATE 1/16/22 @ 6 PM](#)

[LAKE LURE'S IZZY UPDATE 1/16/22 @ 3 PM](#)

[Duke Energy Update: Winter Weather Preparations](#)

[LAKE LURE'S LATEST FROM IZZY](#)

[WINTER STORM WARNING REMAINS IN EFFECT UNTIL 8 AM EST MONDAY](#)

[URGENT - WINTER WEATHER ALERT](#)

[Are You Ready for a Winter Storm?](#)

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

[Hazardous Weather Outlook 1/15-17/22](#)

[Brief Delays Due To Road Work - Burnt Ridge Road](#)

[Recycling Christmas Trees](#)

[Coffee for Veterans](#)

[Weed Patch Mountain Workday Tuesday, 1/25/22](#)

[2022 Lake Lure Dam Penstock Inspection](#)

[Buffalo Creek Park Workday](#)

[1/4/22 COVID-19 Update](#)

[COVID TESTING TOMORROW 1/5/2022](#)

[Dittmer-Watts Nature Trail Workday](#)

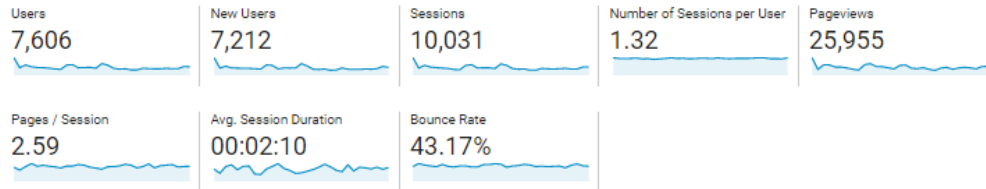
['Hidden gem' Lake Lure listed as one of hottest real estate markets for 2022!](#)

I. WEBSITE

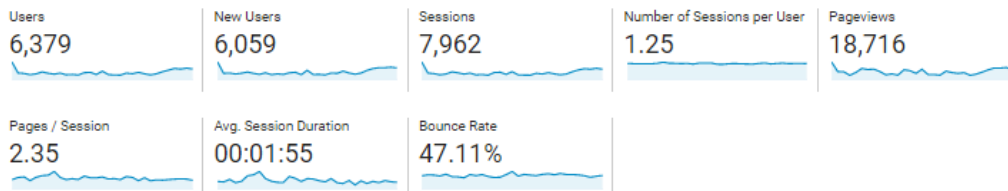
b. Website Analytics:

1) **Website Inquiries:** Responded timeline to 25 website inquiries, 4 online work orders and 17 online facility reservations.

2) **Monthly Statistics: January 2022**



Monthly Statistics: December 2021



























II. FACEBOOK UPDATES

















- Followers: As of 1/31/22, the Town has 17,484 followers, a 7% increase over 1/31/21.**
- Post reach:** Post reach in January 2022 was 49,396. The highest post reach over 29,000 this month.
- The following posts were made in December 2021:** Note the post reach and engagement.

	FREE COVID-19 TESTS AND VACCINES AVAILABLE: The Rutherford County Health... Mon, Jan 31	Post Reach 1058	Engagement 6		Wind Advisory Friday, 1/28/22 at 7PM Through Saturday, 1/29/22 at 4PM: The National Weather... Fri, Jan 28	Post Reach 1341	Engagement 24
	Town Board Vacancies - We Need You! The Town of Lake Lure, NC has a board vacancy for each of... Sun, Jan 30	Post Reach 1682	Engagement 68		Get Free At-Home COVID-19 Tests: Every home in the U.S. is eligible to order #4 free at-home... Thu, Jan 27	Post Reach 764	Engagement 32
	Lake Levels and Plans for Refilling Lake Lure: Last year a decision was made to lower the lake for a 5... Sat, Jan 29	Post Reach 13293	Engagement 1085		1/27/22 COVID-19 Update: There have been (344) Total Positive COVID-19 Cases in the Lake Lure... Thu, Jan 27	Post Reach 1543	Engagement 56
	Lake Lure Town Council Meeting Summary from 1/11/22: January's Regular Town Council Meeting... Sat, Jan 29	Post Reach 601	Engagement 26		Chances Are - We May See More Snow in Lake Lure on Friday: Please prepare for a chance of... Thu, Jan 27	Post Reach 4105	Engagement 409
	On A Clear Day... You Can See Forever in Lake Lure: It's a gorgeous clear Saturday in Lake... Sat, Jan 29	Post Reach 2366	Engagement 119		Special Town Council Meeting Mon, Jan 24	Post Reach 0	Engagement --
	It's Snowing in Lake Lure - Though it may just be a dusting: If you haven't already, look out your... Fri, Jan 28	Post Reach 7549	Engagement 808		Weed Patch Mountain Trail Workday Mon, Jan 24	Post Reach 0	Engagement --

II. FACEBOOK UPDATES

	COVID TESTING TOMORROW 1/25/2022 The Rutherford County Health Department will be...	Post Reach 1801	Engagement 18		AREAS OF BLACK ICE EXPECTED TO CAUSE TREACHEROUS ROAD CONDITIONS THIS MORNING...	Post Reach 1925	Engagement 69
	Crystal Clear Lake Lure: What a gorgeous day to visit the Town of Lake Lure, NC! Our snow is...	Post Reach 4332	Engagement 320		Town of Lake Lure, NC Updates: All Town roads have been plowed by crews, at least once today...	Post Reach 3072	Engagement 181
	Lovely Lake Lure in Snow: We received a light dusting of snow overnight in the Town of Lake...	Post Reach 28969	Engagement 5166		Town of Lake Lure, NC Trash Pick-Up: The Town of Lake Lure provides weekly curbside...	Post Reach 3360	Engagement 112
	HAZARDOUS WEATHER OUTLOOK FOR LAKE LURE: Snow continues in the Town of Lake...	Post Reach 2707	Engagement 177		LAKE LURE'S IZZY UPDATE 1/17/22: Beware of black ice, hazardous roads and the wind...	Post Reach 5235	Engagement 311
	DELAYED OPENING - PLEASE PREPARE FOR ICE AND SNOW TODAY: The Town of Lake Lure, ...	Post Reach 3412	Engagement 192		Town Hall will be closed today but Town of Lake Lure, NC First Responders are always on duty...	Post Reach 1565	Engagement 55
	PATCHY BLACK ICE EXPECTED TO DEVELOP EARLY FRIDAY MORNING ON UNTREATED...	Post Reach 2674	Engagement 122		Martin Luther King Jr. Day is observed each year on the third Monday in January. MLK Day is...	Post Reach 1366	Engagement 34
	Employment Opportunity - Utility Maintenance Technician I: The Town of Lake Lure, NC is seeking...	Post Reach 2745	Engagement 83		A Power Update From Duke Energy 1-16-22 @ 6:30 PM: We have had a very good day today...	Post Reach 2719	Engagement 116
	Town Hall will be operating under regular business hours from 8:00 AM until 5:00 PM today, Thursda...	Post Reach 1928	Engagement 52		LAKE LURE'S IZZY UPDATE 1/16/22 @ 6 PM - WINTER STORM WARNING REMAINS IN EFFECT...	Post Reach 2055	Engagement 110
	Town of Lake Lure, NC Forecast - Please plan for additional snow and possible ice later this week...	Post Reach 4307	Engagement 406		LAKE LURE'S IZZY UPDATE 1/16/22 @ 3 PM - WINTER STORM WARNING REMAINS IN EFFECT...	Post Reach 3907	Engagement 357
	Beautiful Snowy Scene in the Town of Lake Lure, NC: If you venture out, beware of black ice...	Post Reach 2678	Engagement 164		LAKE LURE'S LATEST FROM IZZY BASED ON THE NATIONAL WEATHER SERVICE UPDATE...	Post Reach 8169	Engagement 787
	Town of Lake Lure, NC Updates for 1/18/22 & 1/19/22: In accordance with Rutherford County offices...	Post Reach 3187	Engagement 123		Winter Weather Update Sunday, 1/16/22 at 7:00 AM: Traveling is not recommended. Town roads...	Post Reach 8012	Engagement 695
	LAKE LURE ROAD UPDATE: ICY CONDITIONS REMAIN ON ALL TOWN ROADS - EXPECTED TO...	Post Reach 2594	Engagement 128		WINTER STORM WARNING REMAINS IN EFFECT UNTIL 8 AM EST MONDAY...Special thanks to...	Post Reach 2085	Engagement 62

II. FACEBOOK UPDATES

	Duke Energy Update: Winter Weather Preparations: With forecasts calling for potential... Sat, Jan 15	Post Reach 2531	Engagement 67		Reminder for the Lake Lure Town Council Meeting 1/11/22 at 5:00: Please join us for the regular To... Tue, Jan 11	Post Reach 645	Engagement 14
	WINTER WEATHER ALERT - Winter Weather Warning: The following information is from the National... Sat, Jan 15	Post Reach 3314	Engagement 188		FREE COVID TESTING TOMORROW, 1/11/2022: The Rutherford County Health... Mon, Jan 10	Post Reach 1951	Engagement 64
	Brief Delays Due To Road Work - Burnt Ridge Road: The Town of Lake Lure, NC will be performing... Fri, Jan 14	Post Reach 1098	Engagement 9		Employment Opportunity - Hydroelectric Utilities Supervisor: The Town of Lake Lure, NC is... Mon, Jan 10	Post Reach 1637	Engagement 44
	Register Today For Emergency Notifications: The Town of Lake Lure, NC utilizes Everbridge, an... Fri, Jan 14	Post Reach 1695	Engagement 83		Regular Town Council Meeting Mon, Jan 10	Post Reach 0	Engagement --
	Preparing for a Winter Storm: The Town of Lake Lure, NC is preparing for a winter storm in... Fri, Jan 14	Post Reach 5276	Engagement 366		2022 Lake Lure Dam Penstock Inspection: One of the important projects completed during this... Mon, Jan 10	Post Reach 3450	Engagement 449
	Hazardous Weather Outlook 1/13/22 from the National Weather Service: This Hazardous... Thu, Jan 13	Post Reach 3690	Engagement 200		1/4/22 COVID-19 Update: There have been (298) Total Positive COVID-19 Cases in the Lake Lure... Tue, Jan 4	Post Reach 1920	Engagement 89
	Recycling Christmas Trees: If you have not already disposed of your Christmas tree, there is a... Wed, Jan 12	Post Reach 1707	Engagement 160		COVID TESTING TOMORROW 1/5/2022: There will be FREE drive-thru COVID testing conducted... Tue, Jan 4	Post Reach 1641	Engagement 59
	1/11/22 COVID-19 Update: There have been (309) (+11) Total Positive COVID-19 Cases in the... Tue, Jan 11	Post Reach 1801	Engagement 65		Buffalo Creek Park Workday Mon, Jan 3	Post Reach 0	Engagement --

III. COMMUNICATIONS UPDATES

- 2021 Accomplishments:** Have drafted this document and await input from one department and one contractor before the document is shared with all for input. Goal is to finalize this in February 2022 for publication.
- Everbridge:** There was one emergency notification for Winter Weather in January 2022. There have been 30 additional Everbridge registrants this month for a total of 1,069.
- Illuminated Signage:** The new illuminated sign is expected to arrive in February. Worked closely with the Public Services Director to plan for the new sign which will a cement foundation and electricity.
- Mountain Breeze article:** Working with the Mayor to produce her bi-monthly article for the March/April edition.
- NC Governor's Advisory Council on Film, Television, and Digital Streaming:** Awaiting a copy of the footage for our own use. Sent a follow up note to the producer to see where she was on the documentary. She is hopeful to have a screening here by March 2022.
- Lake raising/project overview:** The Lake raising schedule and project summary has been widely publicized reaching over 16,000 on Facebook alone.
- Chamber Collaboration:** Have participated in meetings with the Chamber to plan strategies to expand visitors to the area in the winter months. The plan is to focus on the fact that we are open in the winter months, celebrate, nature, outdoor activities, and mindfulness opportunities. The group discussed having a key focus each month. We will also celebrate A Taste of the Gorge to give restaurants an opportunity to highlight their menus and to offer specials to get people in the doors.

IV. Grants

1. FEMA High Hazard Potential Dam (HHPD) Grants:

A. 2020 FEMA HHPD grant: The 2020 grant application was approved for the reservoir drain design. The town was officially awarded \$121,000 for this project though the funds do not transfer until completion of the project. The total project cost is **\$185,710**. The town must contribute 35% (**\$64,998.50**) to support completion of this project. The FEMA HHPD grant contract was reviewed and approved by the town attorney and signed and forwarded to NC DENR.

Update 1/31/22: Project is projected to be completed this month. Will work with Finance and NC DEQ DSO for FEMA reimbursement of \$121,000 once the final receipts are received and paid.

B. Second 2020 FEMA HHPD grant: Completed a proposal for a **conceptual design of a replacement for the Lake Lure Dam**. The total cost of this project is **\$58,568**. This grant opportunity requires a 35% match. The town must contribute **\$20,498.80** to support completion of this project, if awarded the remaining **65% (\$38,070.20)**.

Update 1/31/22: Submitted quarterly update of the workplan to NC DEQ DSO.

C. FY2021 FEMA HHPD grant: The grant application for this year was submitted 6/11/21. I worked closely with Schnabel Engineering to submit this application for the field investigation to support the dam reconstruction of the replacement dam. The cost was estimated at 1.3 million. FEMA grants awards in NC are expected to be in the \$100 – 120,000 range for this opportunity per NC DEQ DSO.

Update 11/30/21: We were advised by the NC DEQ DSO that we could expect a grant in the amount of \$150,000 for this project. Worked with the contractor to revise the proposal to include the first phase of this work. The new work order was drafted for \$231,000, based on a pending grant of \$150,000. Await final confirmation from NC DEQ DSO regarding the firm amount of the Award as they later advised that they were still calculating the amount of the awards

Update 12/31/21: We were advised by the NC DEQ DSO that we could reapply for a \$300,000 grant to support this project. Contacted the contractor and revised the proposal which was required in 24 hours. Met the deadline.

- The cost of the investigation planning and the initial field investigations (i.e., additional topographic surveys, geologic mapping, and geophysical surveys) is about \$250,000. (This is the project that is in the current version of work order #9.)
- The next step after that is the installation of the temporary access road/bridge, which is about an additional \$400,000.
- Breaking up the installation of the temporary access road/bridge into multiple pieces is not possible. The town will pay a total of about \$652,000 to get to a point where we can reasonably stop. Submitted revised proposal and await formal grant approval so the work order can be signed.
- The total cost for the field investigations is \$1,400,000 for drilling, field testing, lab testing, and reporting.

Update 1/31/22: NC DEQ DSO is questioning the use of FEMA funds for the replacement of the dam vs rehabilitation of the dam, though this has been discussed throughout the grant process in every proposal since the decision was made 2/1/21. A conference call has been scheduled with FEMA to discuss the project in detail with Schnabel Engineering.

2. **NC ARP Grant Funding:** Working with Finance to determine edibility for applying for these ARP funds.

V. EVENTS/COMMUNITY OUTREACH

1. **Event Permits and Processes:** Have developed a rough draft of the standard operating procedures to ensure a streamlined and coordinated event planning and permitting process. Will review draft COP with other staff for input including Community Development, Fire Department/Emergency Management, and Police.
2. **Rumble 2022:** Working with Carolina Climbers Association to help coordinate the upcoming event March 4-6, 2022. The Parks and Recreation Board Members will have a tent with materials for climbers and visitors.
3. **Round Table:** Await confirmation from Town Council to plan and coordinate the next Round Tables sessions in 1st quarter 2022.
4. **Communications Meeting with Realtors:** Awaiting dates and points of contact from Doug Kelly to schedule the realtor's forum.

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 Town Clerk Olivia Stewman via the following email address: ostewman@townoflakelure.com

VII

Consent Agenda

- A. Approval of the January 11, 2022 Regular Meeting Minutes and the January 26, 2022 Special Meeting Minutes
- B. Suspension of Chapter 8 Article II: “Peddlers” of the Code of Ordinances and Waive of the Noise Regulation, Chapter 20 Article II, for Hickory Nut Gorge (HNG) Outreach 2022 Spring Lake Lure Arts and Crafts Festival
- C. Budget Amendment #321
- D. Budget Amendment #322



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, JANUARY 11, 2022, 5:00 P.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 Clerk / Interim Town Manager

ABSENT: N/A

I. CALL TO ORDER

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

II. APPROVE THE AGENDA

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

III. MAYOR'S COMMUNICATIONS

Mayor Carol C. Pritchett welcomed all, expressed appreciation for those in attendance, and recognized the unity that has been present within the community.

IV. TOWN MANAGER COMMUNICATIONS

Interim Town Manager Olivia Stewman announced that the 2022 Dam Penstock Inspection was successfully completed with need for minor warranty work, but overall the inspection went well. Interim Manager Stewman recognized town staff's hard work.

V. COUNCIL LIAISON REPORTS & COMMENTS

Commissioner Scott Doster reported the activities of the Zoning and Planning Board and Utilities Advisory Board

Commissioner David DiOrio reported the activities of the Lake Advisory Board.

Commissioner Jim Proctor reported the activities of the ABC Board.

Commissioner Patrick Bryant reported the activities of the Parks and Recreation Board.

V. PRESENTATIONS

A. CHAMBER OF HICKORY NUT GORGE

Teri Coutu, President of the Chamber of Hickory Nut Gorge, presented on behalf of the organization and displayed important statistics, financials, and future events.

VII. PUBLIC COMMENT

Mayor Carol C. Pritchett invited the audience to speak.

Denise Badillo, 560 Crestview Drive, Summerville, SC, expressed concern regarding a resident in the community in which her property in the Town of Lake Lure is located.

There were no further comments from the public.

VIII. CONSENT AGENDA

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

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

- A. Approval of the December 14, 2021 Regular Meeting Minutes
- B. Budget Amendment #320
- C. Carolina Climber Coalition Camping Waive and Access to Town Hall Request
- D. Ordinance No. 22-01-11 – Capital Project Ordinance

IX. UNFINISHED BUSINESS

There was no unfinished business to discuss.

X. NEW BUSINESS

A. LABELLA TASK ORDER 11 – HORIZONTAL DIRECTIONAL DRILLING (HDD) PROJECT

Commissioner DiOrio explained that LaBella Associates is looking to advance the design of the sewer system since the town's engineering report has been approved and funds are forthcoming. DiOrio noted that the main setback at this time is the ongoing global supply-chain issues. Commissioner DiOrio noted that the first plan of action was to initial install the sewer access valve but it has been negatively affected by supply-chain issues and thus the contractors are looking at alternative parts of the project that can be complete before the valve installation. Commissioner DiOrio explained that Horizontal Directional Drilling is key component of the project that can be done prior to valve installation and LaBella Task 11 allows LaBella to begin the design of the HDD project.

Commissioner DiOrio made a motion to approve LaBella Task Order 11. Commissioner Doster seconded and the motion carried 4-0.

XI. CLOSED SESSION

Commissioner DiOrio made a motion to go into closed session in accordance with G.S. 143-318.11(a) (6) for the purpose of discussing personnel matters and in accordance with G.S. 143-318.11(a) (3) for the purpose of discussion attorney client privilege. Commissioner Doster seconded and the motion carried 4-0.

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

Commissioner Proctor made a motion to return to open session. Commissioner Bryant seconded and the motion carried 4-0.

XII. ADJOURN THE MEETING

With no further business, Commissioner Doster made a motion to adjourn the meeting at 7:50 p.m. Commissioner Bryant seconded and the motion carried 4-0.

ATTEST:

Olivia Stewman,
Town Clerk

Mayor Carol C. Pritchett



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD WEDNESDAY, JANUARY 26, 2022, 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 Clerk / Interim Town Manager

ABSENT: N/A

I. CALL TO ORDER

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

II. APPROVE THE AGENDA

Commissioner Proctor made a motion to adopt the agenda with an amendment to address the item IV requesting to raise pond to regular operating levels beginning on February 1, 2022 prior to entering item III closed session. Commissioner DiOrio seconded the agenda, as amended. The motion carried 4-0.

III. LAKE LEVEL

Commissioner DiOrio explained that the projects scheduled for this drawdown period are on track and that the town can proceed to begin raising the lake level beginning February 1st. Commissioner DiOrio noted that contractors had been told that the lake would stay at the lowest drawdown level until January 31st. Commissioner DiOrio also noted that the only operational limitation is one foot per day in suggested by engineers to reduce stress loading on the dam.

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Commissioner DiOrio made a motion to approval the request to raise pond to regular operating levels beginning on February 1, 2022. Commissioner Proctor seconded and the motion carried 4-0.

IV. CLOSED SESSION

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

During closed session, Council discussed matters regarding attorney client privilege and property acquisition.

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

V. DBIA CONTRACT

Commissioner DiOrio explained that the contract is in the form of design-build (DB), as the Council, town staff, and engineers determined that this is the appropriate route during prior meetings. Commissioner DiOrio continued to explain that the approved and signed DB contract provides authorization and allows the town to begin unlocking state funds. Commissioner DiOrio noted that the contract has the incentives that are worth mentioning: a cautionary that the savings, if efficiencies have been detected, will be split between the town and the contractor 70/30 and all savings will essentially go back to Lake Lure because the 30 percent savings going back to the contractor will still be used for the project, and each phase will include a memo of production document that details what is going in the lake, prices, etc. Additionally, Commissioner DiOrio explained that Ruby Collins will be responsible for identifying advanced procurement and the Town can look into local contractors for specific parts of the project.

Commissioner DiOrio recommended the approval of the DBIA contract. Attorney William Morgan noted that there are some blank exhibits that do not yet exist but it is fine to approve it and fill in information at a later date. Commissioner Proctor recommended a motion to approve the DBIA contract and authorize the town manager and mayor to fill in blanks at a later date.

Commissioner DiOrio made a motion to approve the DBIA contract and authorize the town manager and mayor to fill in blanks at a later date. Commissioner Doster seconded and the motion carried 4-0.

VI. VALVE PROCUREMENT

Commissioner DiOrio explained that Schnabel Engineering is asking to move forward with a Request for Qualifications (RFQ) for Valve Procurement and noted both the RFQ process and the price of the valve being about 1.3 or 1.2 million dollars. Commissioner DiOrio explained that the State Revolving Fund (SRF) funding comes with a stipulation that the valve would have to be American made, which would double the price. Commissioner DiOrio recommended buying the valve using a portion of the \$16 million state funding.

Commissioner DiOrio made a motion to allow Schnabel to proceed with a Request for Qualifications for valve procurement. Commissioner Proctor seconded and the motion carried 4-0.

Finance Director Sam Karr explained that certain boxes must be checked in order to access the \$16 million including a scope of work, budget statement, and that the valve will be included. Director Karr also noted that the scope of work will include measurable, timeline, and other items in which the Schnabel can help the town in providing. Commissioner DiOrio noted that the procurement and installation of the valve will be included as well as field investigation, permitting, surveying, and possible land procurement and that the Town will work with Schnabel to complete all necessary steps. Director Karr noted that these are the final step to tapping into funds.

VII. TABLE TOP EXERCISE DISCUSSION

Fire Chief Dustin Waycaster explained that the Town must host an Emergency Management tabletop exercise, which a classroom setting exercise that includes all key players that would respond during an emergency situation and is often funded by NC Emergency Management. Chief Waycaster noted that lot of towns participate in tabletop exercises incorporated with the county. Lake Lure's role would be planning and prep, warning, evacuations. Chief Waycaster explained that the objective is to determine measure preparedness, how to respond, how to recover, and hazard mitigation. Chief Waycaster stated that plans have already been created but the tabletop exercise gives the chance to enact on the plans in place and allows for reflections and improvements.

Mayor Pritchett explains completing a tabletop exercise could likely positively influence the town budget.

Commissioner Doster asked how often such exercise would take place. Chief Waycaster explained that the preliminary one with many agencies is the main one, but other will take place in the future as well.

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Commissioner DiOrio noted that Schnabel may add to emergency plan and new safety feature in the dam will play a factor.

Commissioner DiOrio provided an example regarding FEMA and floodplains which can impact sewer system height requirements. DiOrio continued to explain that Dam Safety has explained shortfalls in current dam and a tabletop exercises provide dam safety confidence and safety net.

Commissioner DiOrio made a motion to approve Chief Waycaster to proceed with a Request for Proposal (RFP) for a tabletop exercise. Commissioner Doster seconded and the motion carried 4-0.

VIII. STEERING COMMITTEE

Commissioner Bryant explained that Parks and Recreation Board and Rutherford County TDA are vital to tourism and partnership needs to be strengthened. Commissioner Bryant noted that a creation of a Steering Committee will be essential in efficiently determine the allocation of TDA funds which are sometimes matching funds.

Mayor Pritchett explained that the Steering Committee would need to be an Advisory Board and that council can regulate most advisory board's makeup. Mayor Pritchett continued to explain that the committee was suggested by Don Cason and noted that most municipalities in the region have a steering committee and they are a combination of players such as manager, staff, elected, TDA, parks and recreation board members, community members from different parts of town, etc. Mayor Pritchett the town council will approve of the charter of the board prior to creation.

Commissioner Bryant recommended that the town should have Attorney William Morgan look into how other communities work through this process of creating a steering committee advisory board for the purpose of fund management for tourism development.

Commissioner DiOrio made a motion to approve the creation of the charter of the steering committee and bring it back to town council for approval. Commissioner Bryant seconded and the motion carried 4-0.

IX. ADVISORY BOARD ORGANIZATION

Mayor Pritchett explained that council will discuss the functions, organization, and other aspects of the Board and discuss the general topics of advisory boards today. Mayor Pritchett also provided background that UNC SOG offers training course regarding working relationships between council and advisory boards and some discussion will be discussed based on an article which was created from the results of a prior class.

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Commissioner DiOrio noted that this allows for reflection regarding if boards are working properly and noted that some of the board rules and functions are NC General Statute. Commissioner DiOrio noted that a key factor for the council members is working as a liaison between council and citizens. DiOrio explained that board meetings can work as policy making suggestions before issues go before council.

The council agreed that a healthy rotation should be present in boards so viewpoints are refreshed and that a point of discussion should be structure between chair, vice chair, and the board. Commissioner DiOrio noted that commissioners should have an idea of what advisory boards are doing and that council as the liaison for have healthy dialog regarding goals, which should be documented at least annually. DiOrio mentioned that ideal policy making involves goals, research, votes, and implementation. DiOrio also recommended the possibility of an orientation for new board members, mostly with chairs, upon appointment.

Mayor Pritchett expressed her support for orientation and emphasized the importance in order for clear understanding of expectations and responsibilities. Mayor Pritchett noted that the chair runs the board and not the council liaison, so chairs should have a solid training and understanding. Mayor Pritchett also noted that another goal would be to diversify the boards in order to be truly representatives of the community.

Commissioner Bryant noted the solidification of the clerk to the boards. Interim Manager and Town Clerk Olivia Stewman explained current delegation of clerking boards. Commissioner Proctor noted that in the past some board used clerks that were not staff members which has worked. Mayor Pritchett noted that boards should have individual discussions regarding an appropriate clerk.

Commissioner DiOrio noted that he would like viewpoints on the following: more frequent rotations of chairs/alternates/others, codification of charters, etc. Commissioner Proctor expressed his approval of an orientation for boards and liaisons. Mayor Pritchett noted that term limits will no longer expire in December due to council changeover and will likely be extended to the New Year. The Council agreed to work on framework for orientations and chairs should be aware and active in creating the descriptions, frameworks, and other aspects using the charter. Commissioner DiOrio stated that he will establish guideline for basis, and board liaisons and chairs will work on framework of their designated boards. Commissioner DiOrio noted that the guideline will be provided to chairs by the end of January.

DiOrio motioned that council create a guideline for charter review for advisory boards. Commissioner Bryant seconded and the motion carried 4-0.

X. ADJOURNMENT

Commissioner Doster motioned to adjourn the meeting. Commissioner Proctor seconded and all voted in favor. The meeting was adjourned at 10:36 a.m.

At 10:37 a.m. Commissioner Doster made a motion to rescind the adjournment. Commissioner Proctor seconded and the motion carried 4-0.

Commissioner Proctor made a motion to recess tomorrow, January 27, at 8:30 a.m. for the purpose of going into closed session in accordance with G.S. 143-318(a) (6) for the purpose of discussing personnel matters. Commissioner Doster seconded and the motion carried 4-0.

ATTEST:

Olivia Stewman,
Town Clerk

Mayor Carol C. Pritchett

**LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: February 8, 2022**

SUBJECT: Suspension of Chapter 8 Article II: “Peddlers” of the Code of Ordinances and Waiver of the Noise Regulation, Chapter 20 Article II, for Hickory Nut Gorge (HNG) Outreach 2022 Spring Lake Lure Arts and Crafts Festival

AGENDA INFORMATION:

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

BRIEF SUMMARY: In the past, Town Council has suspended Chapter 8 Article II: “Peddlers” of the Lake Lure Code of Ordinances and waiver of the Noise Ordinance, Chapter 20 Article II, for the Hickory Nut Gorge Outreach events being held on Town property. HNG Outreach is requesting suspension of Chapter 8 Article II: “Peddlers” of the Code of Ordinances and wavier of the Noise Ordinance, Chapter 20 Article II for the 2022 Spring Lake Lure Arts and Crafts Festival. The festival will feature onsite displays, children’s area, live music, and local food. The event serves as the major fundraiser for HNG Outreach. HNG Outreach is a nonprofit organization that provides pantry and outreach services to low-income families throughout the Gorge.

Note that HNG Outreach has submitted permits for an Entrainment Permit and Permits for Fabrice Structures.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To approve the suspension of Chapter 8 Article II: “Peddlers” of the Code of Ordinances and Waiver of the Noise Ordinance, Chapter 20 Article II for the HNG Outreach’s 2022 Spring Lake Lure Arts and Crafts Festival to be held on Memorial Day Weekend, May 28-30, 2022.

ATTACHEMENTS: Chapter 8 Article II: “Peddlers”; Chapter 20 Article II: “Noise Regulation”

STAFF’S COMMENTS AND RECOMMENDATIONS: Chapter 8 Article II of the Code of Ordinances prohibits the sale of merchandise or other items within the corporate limits of the town. The suspension of the ordinance for these specific dates allows the HNG Outreach to promote sales at their event. Waiver of the Noise Ordinance, Chapter 20 Article II allows the event to provide music and announcements throughout the event.

(2) Lake operations located on Buffalo Shoals Road, Lake Lure, N.C.

(d) Appropriate decals or signs indicating that firearms are prohibited within, shall be conspicuously displayed at each entrance by which the general public can access the municipal buildings specified in subsections (b) and (c) of this section. Decals or signs shall not be posted at or on municipal properties not identified herein, or where no prohibitions exist.

(e) If this section or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given separate effect and to that end the provisions of this section are declared to be severable. All ordinances or parts of ordinances in conflict with this section are hereby repealed.

(f) This section shall be effective immediately upon adoption by majority vote of the town council. (Code 1989, § 84.04; Ord. of 6-14-2016)

Secs. 20-5—20-26. Reserved.

ARTICLE II. NOISE REGULATION*

Sec. 20-27. Scope.

This article shall apply to all sound, sound vibration, and noise originating within the corporate limits of the town. Nothing in this article shall be construed to limit or prevent the town or any person from pursuing any other legal remedies for damages or the abatement of noises in the town. (Code 1989, § 84A.01)

Sec. 20-28. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Amplified sound means any sound or noise, including the human voice, that is increased in volume or intensity by means of mechanical and/or electrical power.

Construction means the erection, repair, assembly, alteration, landscaping, or demolition of any building or building site.

Decibel (dB) means a unit for describing the amplitude of sound, equal to 20 times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micronewtons per square meter.

Motorized vehicle means any vehicle, as defined in G.S. 20-4.01(49), including, but not limited to:

- (1) Excursion passenger vehicles as defined in G.S. 20-4.01(27)e.
- (2) Common carriers of passengers as defined in G.S. 20-4.01(27)d.
- (3) Motorcycles and mopeds as defined in G.S. 20-4.01(27)h and j.

***State law reference**—Authority to regulate noises, G.S. 160A-184.

- (4) Truck tractors as defined in G.S. 20-4.01(48).
- (5) Farm tractors as defined in G.S. 20-4.01(11).

Noise disturbance means any sound or noise which:

- (1) Endangers or injures the health or safety of humans or animals;
- (2) Endangers or injures personal or real property; or
- (3) Disturbs a reasonable person of normal sensitivity or interferes with normal human activity.

Except as otherwise provided herein, a sound will be considered a noise disturbance if it exceeds the decibel level thresholds established by zoning district and time of day.

Person means any individual, association, firm, partnership, corporation, or business entity.

Sound means any disturbance of the air or other medium that is detectable by the unaided human ear or which produces vibrations detectable by reasonable persons of normal sensitivity.

Sound level meter means an ANSI standard S1.4 Type 0, I or II class instrument which includes a microphone, amplifier, RMS detector, integrator or time average (LEQ as defined below), output meter, and weighting network used to measure sound pressure levels.

(Code 1989, § 84A.02)

Sec. 20-29. General regulation.

Except as allowed in this article, no person shall willfully engage in any activity within the town, whether on private or public property, which activity produces or constitutes a noise disturbance on occupied neighboring premises or public area.

(Code 1989, § 84A.03)

Sec. 20-30. Exceptions.

Sound or noise associated with the following are excepted from the application of this article:

- (1) Construction activity performed by an agency of government, provided that all equipment is operated in accordance with manufacturer's specifications and is equipped with all noise-reducing equipment in proper condition;
- (2) Construction or repair work and regulated activities of utilities regulated by the state utilities commission;
- (3) Construction activities associated with home improvements between the hours of 7:00 a.m. and 9:00 p.m. Monday through Sunday;
- (4) Lawnmowers and turf management equipment operated between the hours of 6:00 a.m. and 9:00 p.m. when operated in accordance with manufacturer's specifications and with all standard noise reducing equipment in place and in proper condition;
- (5) Refuse collection vehicles operating during daylight hours;
- (6) Safety signals, warning devices, emergency pressure relief valves, and church bells;

- (7) Outdoor entertainment events only to the extent authorized in a special event permit issued by the town;
- (8) Regularly scheduled athletic events at town parks, athletic facilities, and public or private schools;
- (9) Film and video production activities for which permits have been issued by the town, provided all equipment such as generators are properly muffled;
- (10) Lawful fireworks;
- (11) Properly equipped aircraft operated in accordance with applicable federal rules and regulations; and
- (12) Governmental emergency vehicles and firearms in the course of the performance of official duties.

(Code 1989, § 84A.04)

Sec. 20-31. Decibel standards—Generally.

It shall be presumed that a noise disturbance in violation of this article has occurred whenever any noise or sound is projected from one property in the town onto another or onto a public area if such sound, measured in accordance with section 20-32, exceeds the following decibel standards. The zoning classification of the property where the sound originates will be used to determine which standards apply.

- (1) Residential districts R-2, R-4, L-1, M-1, S-1 and the various R-1 districts:
 - a. 7:00 a.m. to 11:00 p.m.: 65 dBA.
 - b. 11:00 p.m. to 7:00 a.m.: 55 dBA.
- (2) Resort, commercial and all other zoning districts:
 - a. 7:00 a.m. to 11:00 p.m.: 65 dBA.
 - b. 11:00 p.m. to 7:00 a.m.: 55 dBA.

(Code 1989, § 84A.05)

Sec. 20-32. Decibel standards—Method of measurement.

Except as qualified by section 20-34, when measuring vehicular noise, this section describes acceptable methods and techniques for the measurement and reporting of noise for the purpose of determining compliance with the allowable noise levels listed in section 20-31.

- (1) *Measurement location.* Measurement of sound shall be made at any point beyond (outside) the property line of the property where the noise originates; provided, however, when sound is measured on town property, the point of measurement shall be at least 50 yards from the property line of the property where the sound originates.
- (2) *Calibration.* All sound level measuring devices shall be calibrated by a certified agency, at a minimum once each year.
- (3) *Sound level meter.* Sound level measurement shall be made with a sound level meter using the A-weighting scale, set on "slow" response.

- (4) *Use of sound level meters.* Sound level meters shall be at least Type II meeting American National Standard Institute (ANSI S1.4-1983) requirements. Persons using the sound level meters shall be trained in sound level measurement and the operation of sound level measurement equipment.
- (5) *Measurement procedures.* The following procedures shall be followed to obtain representative sound level measurements:
 - a. Measurement location shall be at least three feet above the ground and not more than ten feet above ground.
 - b. Measurement shall be taken with line of sight to the noise source if possible.
 - c. Measurements shall be made with the sound level meter set for "A" weighting and "slow" response.
- (6) *Data documentation.* A record of all sound level measurements shall be completed and signed by the person making the measurements. The record sheet should include the following:
 - a. Date.
 - b. Time of measurement.
 - c. Location (street address if possible).
 - d. Noise source.
 - e. Make, model and serial number of sound level meter and the date of last certification/calibration.
 - f. Field calibration results.
 - g. Name of complainant (if provided).

(Code 1989, § 84A.06)

Sec. 20-33. Quiet hour prohibitions.

In addition to the general prohibition set forth in section 20-29, the following quiet hours are established that further restrict noise-generating activities in order to support the community's expectation of a quiet sleeping period. The following activities are prohibited:

- (1) Construction activities associated with home improvements between the hours of 9:00 p.m. and 7:00 a.m. Monday through Sunday.
- (2) Lawnmowers and turf management equipment operated between the hours of 9:00 p.m. and 6:00 a.m.
- (3) With the exception of construction activities associated with home improvements, which are addressed in subsection (1) of this section, the excavation, grading and/or the erection demolition, alteration or repair of any building or other structure within 500 feet of a residential district as established pursuant to chapter 36, between the hours of 7:00 p.m. and 7:00 a.m. Monday through Saturday, except by permit from the town manager when, in his opinion, such work will not adversely affect other persons. Following the issuance of such a permit, if the town

manager shall determine that the building operations are adversely affecting others, he shall be authorized to modify or revoke the permit. The town manager may permit emergency work in the preservation of public health or safety at any time.

- (4) Operation of outdoor amplified music or public address systems between the hours of 11:00 p.m. and 7:00 a.m.
(Code 1989, § 84A.07)

Sec. 20-34. Vehicular noise.

The following shall be prohibited as a public nuisance under this article:

- (1) Operation of any motor vehicle so as to cause the tires to squeal or screech unnecessarily.
- (2) Operation within the town limits any type of motor vehicle that exceeds a measured noise level of 92 decibels on the sound meter when measured 20 inches from the exhaust pipe at a 45-degree angle while the engine is operating at idle.
- (3) Operation of any motor vehicle of any size and regardless of the year of manufacture that meets one or more of the following criteria:
 - a. It is not equipped with an adequate muffler in constant operation, free of defects and modifications, that prevents the escape of any excessive or unusual noise;
 - b. It has a muffler system that is equipped with a straight pipe exhaust system (regardless of the presence of baffles);
 - c. It has a hollow core muffler;
 - d. It has a muffler that is labeled for off-road course competition use;
 - e. It has a muffler system that has a cut-out, bypass, or similar device designed or so installed so that it can be used continually or intermittently to bypass or otherwise reduce or eliminate the effectiveness of a muffler or muffler system;
 - f. It has a muffler system that has been modified in a manner which will amplify or increase the noise emitted by the exhaust.
- (4) Operation of any motor vehicle within the town limits so as to make any unreasonably loud noise that results from any one or more of the following actions by the operator:
 - a. Misuse of acceleration or braking power that exceeds tire traction limits, sometimes known as "burn-outs," "burning rubber," "laying down rubber" or "peeling rubber."
 - b. Excessive acceleration or deceleration while in motion where there is no emergency need.
 - c. Racing or revving of engines by manipulation of the accelerator, gas pedal, or carburetor in applying fuel to the engine in a greater amount than is necessary whether the vehicle is either in motion or standing still.

- d. Use of an engine braking system which is in any way activated or operated by the compression of the engine of any motor vehicle or any part thereof, except in cases of emergency for the protection of persons and/or property. Such braking systems are commonly referred as compression brakes or jake brakes.

(Code 1989, § 84A.08)

Sec. 20-35. Animal noises.

Animal noise may constitute a noise disturbance even though they do not exceed the decibel levels established in section 20-31. Accordingly, the keeping of any dog which by prolonged or habitual barking, howling or whining or any other animal that frequently or for long periods of time makes noises which disturb the comfort or repose of any persons in the vicinity shall constitute a noise disturbance.

(Code 1989, § 84A.10)

Sec. 20-36. Non-exclusivity.

Nothing in this article shall be construed to prevent or limit any person from seeking any remedy available in law or equity for activities that are or may be subject to regulation by this article, or from pursuing said remedy simultaneously with proceedings under this article, nor shall any of the procedures specified herein be a condition precedent to the initiation of any legal action.

(Code 1989, § 84A.10)

Sec. 20-37. Enforcement.

(a) Violations of the provisions of this article shall be subject to the criminal and civil penalties set forth in section 1-10. In addition to the penalties set forth therein, second or subsequent violations of the provisions of this article by the same person for the same activity occurring within one year of the first such violation shall be subject to civil penalties per section 1-10 as follows:

<i>Violation</i>	<i>Penalty</i>
First violation	\$50.00
Second violation	\$100.00
Third violation	\$200.00
Fourth or subsequent violation, per offense	\$300.00

(b) In addition to the penalties provided for in the table in subsection (a) of this section, the town may enforce the provisions of this chapter by appropriate equitable remedies.

(c) This article may be enforced by the town police department and by other employees of the town as designated by the town manager. Employees of an animal control agency working under contract with the town for the enforcement of animal control ordinances and who have been designated by the chief of police may enforce the provisions of this chapter relating to animals and animal noises.

(Code 1989, § 84A.11)

ARTICLE I. IN GENERAL

Secs. 8-1—8-18. Reserved.

ARTICLE II. PEDDLERS

Sec. 8-19. Peddling prohibited.

(a) No person or itinerant merchant shall sell or offer for sale produce, merchandise, or other items of personal property or engage in the general business of peddling within the corporate limits of the town. The sale of produce, merchandise, and other items of personal property, and in general the carrying on of business of peddling from stands and other temporary structures, trucks, cars, or other vehicles, constitutes a nuisance and is dangerous to the health and safety of the citizens of the town.

(b) Nothing contained herein shall prevent property owners from conducting yard sales on their own property, as long as said yard sales are not held more frequently than one day per month.
(Code 1989, § 61.10; Ord. of 4-10-2018)

Sec. 8-20. Exemptions.

The following are exempt from the provisions of this article:

- (1) The circulation of petitions for signature or lawful distribution of advertising materials, flyers, or materials expressing views on political, social or religious matters.
 - (2) The lawful promotion or expression of views concerning political, social, religious and other like matters.
 - (3) The selling or offering for sale of goods, wares, merchandise, food, periodicals or services by bona fide members or representatives of charitable, religious, civic, educational or fraternal organizations, and who receive no compensation of any kind for their services, and such sale or offering by children under the age of 18 years who are students in a public or private school for school activities.
 - (4) The solicitation of contributions or pledges thereof for bona fide nonprofit organizations.
 - (5) The selling or delivery of goods to business establishments.
- (Code 1989, § 61.20; Ord. of 4-10-2018)

Sec. 8-21. Penalty.

Violation of this article shall be a misdemeanor and punishable on conviction by a fine not exceeding \$50.00 or by imprisonment not exceeding 30 days, or both, as provided in G.S. 14-4.
(Code 1989, § 61.90; Ord. of 4-10-2018)

Secs. 8-22—8-45. Reserved.

**LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION**

Meeting Date: February 8, 2022

SUBJECT: Replace heater in service bay at the Fire Department that failed last week.

AGENDA INFORMATION:

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

BRIEF SUMMARY: Old heater in the vehicle bay went out and will need to be replaced. Fire Dept. has only \$1,200 in building repair budget and turnkey replacement is \$3,700.00.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Approve

FUNDING SOURCE: Fund Balance

ATTACHMENTS: BA and copy of invoice.

STAFF'S COMMENTS AND RECOMMENDATIONS:

Approve. BA#321.

**TOWN OF LAKE LURE
BUDGET AMENDMENT**

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

Department: Fire

Purpose: Replace heater in bay area at the fire department. Heater has substantial age and will need to be replaced rather than repaired.

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

Line Item	Account Number	Amount Decrease	Amount Increase	Amended Budget
351	10-434000		\$3,700	\$8,700

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

Account Name: **Transfer From Fund Balance**
Account Number: **10-398604**
Amount: **\$3,700**

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

Finance Officer

Date

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

Adopted this _____ day of _____, 2022.

**LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION**

Meeting Date: February 8, 2022

SUBJECT: The Special Order of Consent agreement entered with NC DEQ agrees to pay an up-front penalty in the amount of \$9,721.

AGENDA INFORMATION:

Agenda Location: Consent
Item Number: D
Department: Sewer
Contact: Sam Karr
Presenter: Sam Karr

BRIEF SUMMARY: The town has entered an agreement with NC DEQ under a SOC to pay an up-front penalty in the amount of \$9,721.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Approve

FUNDING SOURCE: Water/Sewer Fund Equity

ATTACHMENTS: BA and copy of SOC Agreement.

STAFF'S COMMENTS AND RECOMMENDATIONS:

Approve. BA#322.

**TOWN OF LAKE LURE
BUDGET AMENDMENT**

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

Department: Sewer

Purpose: To pay up-front penalty under SOC agreement with NC DEQ.

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

Line Item	Account Number	Amount Decrease	Amount Increase	Amended Budget
355	53-71400		\$9,721	\$29,721

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

Account Name: **Transfer From Water/Sewer Fund Equity**

Account Number: **53-398602**

Amount: **\$9,721**

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

Finance Officer

Date

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

Adopted this _____ day of _____, 2022.

VIII

NEW BUSINESS

- A. Federal Communications Commissioner (FCC) Ownership Disclosure Information Approval
- B. Public Services Administrative Technician Position
- C. Resolution No. 21-02-08 Creating a Tourism Development Authority (TDA) Steering Committee
- D. Lake Lure Advisory and Statutory Board Handbook
- E. Buffalo Creek Park Parking Expansion

**LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: February 8, 2022**

SUBJECT: Permission to List Council Members on FCC Form Under Ownership Disclosure Information

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: A
Department: Administration
Contact: Dean Lindsey, Public Services Director
Presenter: Dean Lindsey Public Services Director

BRIEF SUMMARY:

RECOMMENDED MOTION AND REQUESTED ACTIONS: To permit the names of Council members to be listed on FCC Form under Ownership Disclosure Information

ATTACHEMENTS: FCC Form Ownership Disclosure Information Section

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends that Council permit the names of Council members to be listed on FCC Form under Ownership Disclosure Information.

Ownership Disclosure Information

7	Customer/Lessee to list the names of the Mayor and all Council Members below, as well as verify citizenship and ownership interests in any entity regulated by the FCC. Such ownership must be disclosed where a mayor/council member owns 10% or more, directly or indirectly, or has operating control of any entity subject to FCC regulation. If any answer to Ownership question is Yes, or any answer to Citizenship question is No, provide an attachment with further explanation.		
		US Citizen?	Ownership Disclosure?
	Mayor:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Council Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Council Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Council Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Council Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Council Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Council Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Council Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Council Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Council Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Alien Ownership Questions (if the answer is Yes, provide an attachment explaining the circumstances)

8	1) Is the Customer/Lessee a foreign government or the representative of any foreign government?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Basic Qualification Information

9	1) Has the Customer or any party to this application had any FCC station authorization, license, or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license or construction permit denied by the Commission?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	2) Has the Customer or any party to this filing, or any party directly or indirectly controlling the Customer or any party to this filing ever been convicted of a felony by any state or federal court?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	3) Has any court finally adjudged the Customer or any party directly or indirectly controlling the Customer guilty of unlawfully monopolizing or attempting to unlawfully monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement, or any other means or unfair methods of competition?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Customer/Lessee Certification Statements

10	1) The Customer/Lessee agrees that the Lease is not a sale or transfer of the license itself.	<input type="checkbox"/> Yes
	2) The Customer/Lessee acknowledges that it is required to comply with the Commission's Rules and Regulations and other applicable law at all times, and if the Customer/Lessee fails to so comply, the Lease may be revoked, cancelled, or terminated by either the Licensee or the Commission.	<input type="checkbox"/> Yes
	3) The Customer/Lessee certifies that neither it nor any other party to the Application/Notification is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C § 862, because of a conviction for possession or distribution of a controlled substance (See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.)	<input type="checkbox"/> Yes
	4) The Customer/Lessee hereby accepts Commission oversight and enforcement consistent with the license and lease authorization. The Lessee acknowledges that it must cooperate fully with any investigation or inquiry conducted either by the Commission or the Licensee, allow the Commission or	<input type="checkbox"/> Yes

the Licensee to conduct on-site inspections of transmission facilities, and suspend operations at the direction of the Commission or the Licensee and to the extent that such suspension of operation would be consistent with applicable Commission policies.

**LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: February 8, 2022**

SUBJECT: Creation of the Public Services Administrative Technician Position

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: B
Department: Public Services
Contact: Dean Lindsey, Public Services Director
Presenter: Dean Lindsey, Public Services Director

BRIEF SUMMARY: The Public Services Department is looking to create a Public Services Administrative Technician position. This position would allow for better organization and efficiency, especially as the department integrates a new Computerized Maintenance Management System (CMMS) software. The Public Services Administrative Technician would provide administrative services for all areas of the public services department, and will be able to act as a technician and work in the field as needed.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To approve the creation of the Public Services Administrative Technician position

FUNDING SOURCE: Public Works General Fund

ATTACHMENTS: Public Services Administrative Technician Job Description

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff Recommends the approval of the creation of the Public Services Administrative Technician Position



Public Services Administrative Technician

Primary Reason Why Classification Exists

To perform a variety of specialized administrative and field work in support of the Public Works Department.

Distinguishing Features of the Class

An employee in this class is responsible in assisting the Public Services Director with maintaining CMMS program, Scheduling, Purchasing, State reporting programs, and various other administrative tasks in the department. The employee is also responsible for assisting in Field Project support and scheduling. Work requires maintaining all vendor and contractor invoicing and insurance regulations. Will assist with work in the field when manpower shortages and emergency weather events occur if needed. Employee is subject to hazards in Public Works Services work including working in both inside and outside environments, noises, and sometimes extreme atmospheric conditions. Working during some nights and weekends is required. Work is performed under general supervision of the Public Services Director and is reviewed through observation, conferences, reports and review of work performed in the assigned areas of responsibility.

Illustrative Examples of Work

- Oversees activities associated with monthly reporting to Federal and NC State agencies to ensure the town is in compliance within given operating parameters.
- Will be an administrator for the Towns Computerized Maintenance Management System which entails working with technicians to create an effective preventative maintenance program.
- Assist with scheduling of short term and long-term projects for the department.
- Will be the communications liaison during major weather events to improve interdepartmental communication of Departmental resources and tracking of job assignments and completions.
- Will coordinate departmental
- Performs related duties as required.

Knowledge, Skills and Abilities

- Considerable knowledge of standard operating practices involved in modern office operation and serving the public
- Considerable knowledge of the policies, procedures, and processes of the town in handling public works issues and concerns.
- Working knowledge of paraprofessional accounting principles, practices, and procedures.
- Ability to explain rules and regulations concerning applications for utilities services
- Ability to review work of other employees, including assigning and support for work completion.
- Ability to process and complete necessary records, reports, and other paperwork provide a stable data stream to the department.

- Ability to develop and maintain effective working relationships fellow employees and the general public
- Working knowledge of work hazards and applicable safety precautions related to the work.
- Ability to understand and follow oral and written instructions and to learn new tasks and skills.

Physical Requirements

Work in this class is characterized as heavy work requiring the exertion of 100 pounds of force occasionally, up to 50 pounds of force frequently, and up to 20 pounds of force constantly to move objects. Work requires climbing, balancing, stooping, kneeling, crouching, reaching, standing, working, pushing, pulling, lifting, grasping, and repetitive motions. Vocal communication is required for expressing or exchanging ideas by means of the spoken word. Hearing is required to perceive information at normal spoken word levels. Visual acuity is required for depth perception, color perception, preparing and analyzing written or computer data, operation of motor vehicles or equipment, determining the accuracy and thoroughness of work, and observing general surroundings and activities.

Working Conditions

Employee in this class is subject to both inside and outside environmental conditions, extreme cold (below 32 deg F) and heat (above 100 deg F), noise from motorized maintenance equipment (mowers, cutting devices, etc), vibrations, atmospheric conditions, and oils, greases, fumes, dirt, broken pavement, sharps from metal and glass, and biting or stinging insects and possibly reptiles. Employee must wear hearing/visual protection while performing most field work and may be exposed to blood borne pathogens requiring specialized personal protective equipment.

Education

Graduated from high school or GED equivalency

Experience

Three (3) to five (5) years' experience in the skilled operation of the required equipment and Office programs.

Special Requirements

- Valid North Carolina Driver's License
- Proficient in the use of Microsoft Office programs, and CMMS programs

FLSA Status: Non-exempt

Disclaimer

This classification specification has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties, responsibilities, and qualifications required of employees to perform the job. The Town of Lake Lure reserves the right to assign or otherwise modify the duties assigned to the classification.

February 2022

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

Meeting Date: February 8, 2022

SUBJECT: Resolution No. 22-02-08 Creating a Tourism Development Authority (TDA) Steering Committee

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: C
Contact: Olivia Stewman, Town Clerk / Interim Town Manager
Presenter: Commissioner Patrick Bryant

BRIEF SUMMARY: In January, the Town Council approved the creation of a charter for the TDA Steering Committee to bring back to Town Council. Since, Resolution No. 22-02-08 Creating a Tourism Development Authority (TDA) Steering Committee has been drafted. The main objective of the TDA steering committee is to strategically plan and make recommendations to Town Council concerning town purchases and appropriations using appropriations provided to the town by the Rutherford County TDA

PROPOSED MOTION AND REQUESTED ACTIONS: To adopt Resolution No. 22-02-08 Creating a Tourism Development Authority (TDA) Steering Committee

ATTACHMENTS: Resolution No. 22-02-08 Creating a Tourism Development Authority (TDA) Steering Committee

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends the adoption of Resolution No. 22-02-08

RESOLUTION NO. 22-02-08

**RESOLUTION CREATING A TOURISM DEVELOPMENT
AUTHORITY (TDA) STEERING COMMITTEE**

WHEREAS, the Town Council of Lake Lure, North Carolina finds that it is in the best interest of the Town to authorize and create a special Tourism Development Authority (TDA) Steering Committee to strategically plan and make recommendations to Town Council concerning town purchases and appropriations using appropriations provided to the town by the Rutherford County TDA;

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

Section 1: That there is hereby and herewith created a TDA Steering Committee to provide recommendations and advice to the Town Council on matters concerning town purchases and appropriations using TDA appropriations.

Section 2: That the Committee shall be appointed by a majority vote of Town Council. In appointing members, the Council shall aim to maintain a balanced and appropriate Committee, consisting of the following groups:

- (A) **At Large.** The Town Council shall appoint two members from the community at large. One of the two community members must reside in Rumbling Bald.
- (B) **Town Staff.** The following staff shall be included in the TDA Steering Committee membership: Town Manager, Parks Recreation and Lake Director, Parks Recreation and Trails Coordinator, and Finance Director.
- (C) **Parks and Recreation Board.** Whomever is the current chair of the Parks and Recreation Board shall serve on the TDA Committee.
- (D) **The Chamber of Hickory Nut Gorge.** The President of the Chamber of Hickory Nut Gorge shall serve on the TDA Committee.
- (E) **Mayor.** The Mayor of the Town of Lake Lure shall be a member of the TDA Steering Committee and act as a liaison between Town Council and the TDA Steering Committee.
- (F) **Rutherford County TDA.** The president of the Rutherford County TDA shall be present whenever possible at Steering Committee meetings, but shall not vote on recommendations.

Section 4: The two Committee members who are appointed at large by the Council shall serve three year terms.

Section 5: That vacancies on the Committee other than an ex-officio member shall be filled by vote of Town Council to fill the unexpired term.

Section 6: Town Council will annually appoint from the TDA Steering Committee membership a Chair, Vice-Chair and secretary to fulfill the normal responsibilities of such offices.

Section 7: That meetings of the Committee be held in a public meeting room, be open to the public and held as often as reasonably needed to accomplish the business of said Committee. The Committee's meetings shall comply in all respects with the NC Open Meetings and Public Records laws. The committee shall keep minutes of its meetings. The Committee may adopt procedural rules for conducting its meetings consistent with state law and general parliamentary principles.

Section 8: That the Committee make its recommendations to Town Council in written form.

Section 9: That all orders and resolutions in conflict herewith be and the same hereby are repealed insofar as such conflict exists and this resolution shall become effective immediately upon its passage.

Adopted this 8th day of February, 2022.

ATTEST:

Olivia Stewman
Town Clerk

Mayor Carol C. Pritchett

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

Meeting Date: February 8, 2022

SUBJECT: Lake Lure Advisory and Statutory Board Handbook

AGENDA INFORMATION:

Agenda Location: New Business

Item Number: D

Contact: Olivia Stewman, Town Clerk / Interim Town Manager

Presenter: Commissioner Patrick Bryant

BRIEF SUMMARY: In January, the Town Council approved the creation of guidelines for charter review for advisory boards. Commissioner DiOrio has drafted the Lake Lure Advisory and Statutory Board Handbook for Council approval.

PROPOSED MOTION AND REQUESTED ACTIONS: To approve the Lake Lure Advisory and Statutory Board Handbook

ATTACHMENTS: Lake Lure Advisory and Statutory Board Handbook

Lake Lure Advisory and Statutory Board Handbook

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

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

Roles and Responsibilities:

Town Council or Marine Commission:

- Charter and Appoint Members to Statutory and Advisory Boards. Town Council has the broad authority to determine how vacancies are filled (with some exceptions set by law). Appointment and removal decisions of board members must occur during open meetings.
- Adopt Rules of Procedure as stipulated in your specific board charter. However, the default position is that boards exercise procedural rules consistent with state law and general parliamentary principles such as Robert’s Rules of Order. Boards are “public bodies” and must conform to laws on public notice, public access and minutes under the state open meetings law.
- Delegate Authorities as Appropriate. The most prominent *delegated authorities* for Lake Lure Statutory Boards include:
 1. The authority for the ABC Board to buy, sell, and transport, possess, and administer alcoholic beverages.
 2. The authority for the Board of Adjustment to conduct quasi-judicial proceedings to enforce zoning regulations and decide appeals to zoning and regulation determinations made by Town staff, and issue Special Use Permits.
 3. The authority of the Zoning and Planning Board to conduct public hearings on proposed changes to the Lake Lure Zoning Ordinances.

- **Note:** Advisory Boards are strictly advisory and do not normally exercise decision-making or possess approval authority unless specifically directed by Town Council or the Marine Commission.
- Task and Direct Boards to make recommendations on issues of concern.
- Review and Approve/Deny Board recommendations for changes or additions to Town ordinances, regulations, appropriations, policy and plans.
- Conduct Periodic Reviews of Board Charters and By-Laws to ensure compliance with State Statutes and maintain relevance to current Lake Lure issues.
- Designate a Town Council liaison to each board.

Town Council Liaison:

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

Board Chairman or Vice Chairman in their absence:

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

Note: Boards are encouraged to rotate the Chairman at least every two years to maintain a constant refresh of ideas and direction in keeping with the evolving concerns of the community.

Board Member:

- Appointed by the Town Council normally for a three-year term.
- Actively participates in monthly Board deliberations and meets Board attendance requirements.

- Understands the purpose of their board and their role in providing community expertise or viewpoints.
- Presents research, community viewpoints, or other relevant data for Board consideration.
- Votes for recommendations. Majority consensus recommendations will be forwarded to the Town Council or Marine Commission.

Note: Members are not employees, and thus do not have protection under personnel privacy exemptions from public records laws, however, a range of information collected about members (e.g., Social Security numbers, driver's license numbers) may not be released (G.S. 132-1.10(b)(5) & 14-113.20(b)). The following may be made public: Name, Address, Telephone/Cellphone number, E-mail address, Internet ID names.

Town Staff:

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

General Schedule:

January Board Meeting	Selection of Chairman/Vice Chairman
January Town Council Meeting	Appointment of Town Council Liaisons as necessary
February Town Council Meeting	Recognition of departing Board members and Appointment of New/Renewed Members
March Special Board Meeting	New Member Orientation
December Town Council Meeting	Chairman (Advisory Boards) Presentation of Annual Report and Proposed Goals and Objectives

Reports:

- Annual Report from the Board to Town Council. Report should cover:
 - a. a short list of the most important topics addressed or decisions made;
 - b. ongoing or upcoming topics for formulating advice (goals and objectives for the upcoming year);
 - c. a note about membership status and connection to the community (including diversity of members/representativeness to the overall community)

**LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: February 8, 2022**

SUBJECT: Buffalo Creek Park Parking Expansion

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: E
Department: Parks, Recreation, and Lake Operations
Contact: Dana Bradley, Parks, Recreation, and Trails Coordinator
Presenter: Dana Bradley, Parks, Recreation, and Trails Coordinator

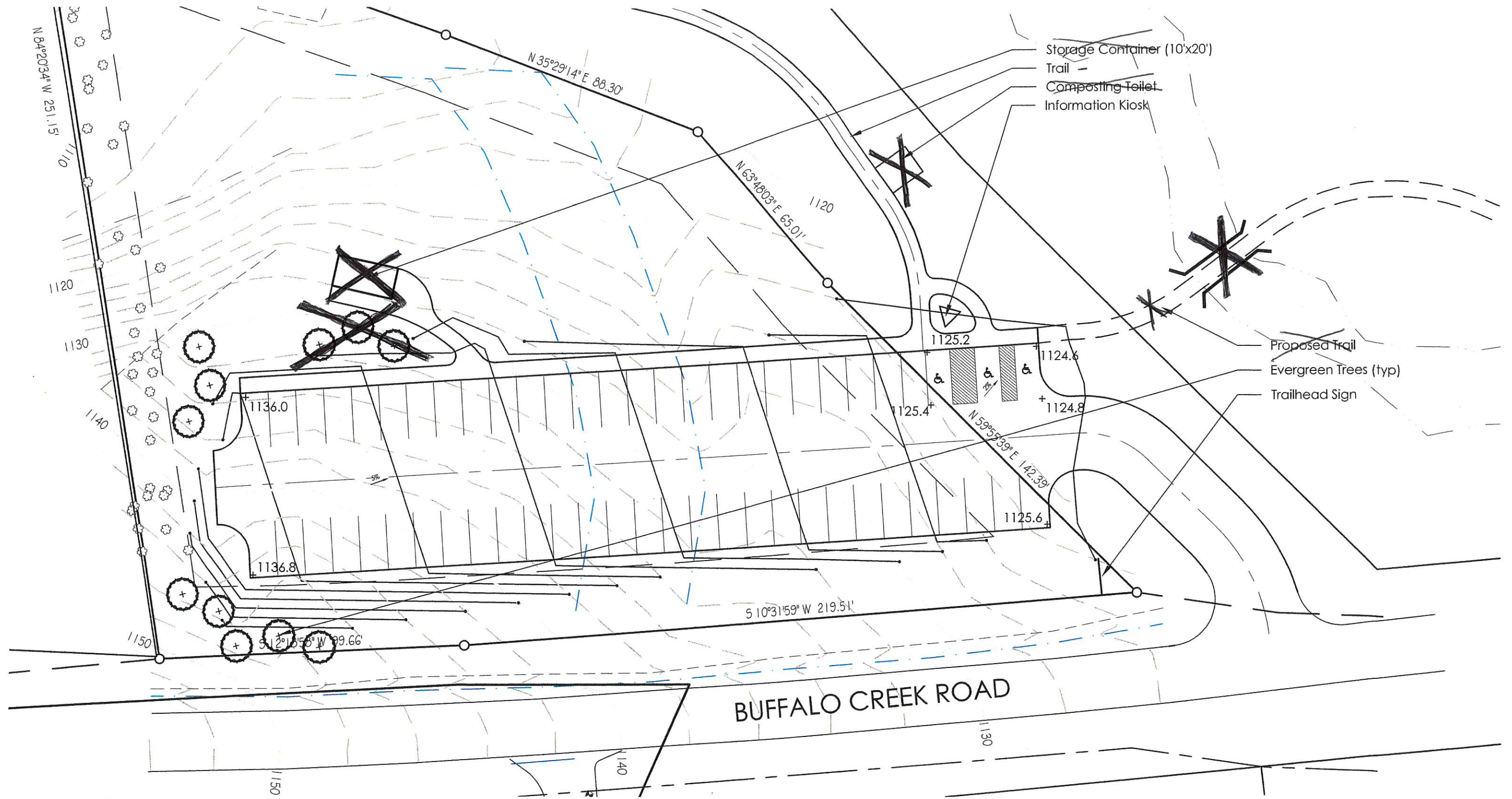
BRIEF SUMMARY: Plans are in place to expand parking at Buffalo Creek Park. This expansion has formerly been recommended by the Parks and Recreation Board. Parks, Recreation, and Trails Coordinator Dana Bradley has since worked towards finding sufficient funding for the project, in which she has successfully obtained.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To approve Buffalo Creek Park parking expansion

FUNDING SOURCE: Up to \$40,000 from the Rutherford County TDA; Rumbling Bald Resort; Carolina Climbers Coalition; and the Parks, Recreation, and Lake Department

ATTACHMENTS: Buffalo Creek Park Parking Expansion Map

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends the approval of the Buffalo Creek Park parking expansion. The Buffalo Creek Park parking expansion has also been recommended by the Parks and Recreation Board.



KNIGHT
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(828) 450-2429 | www.knightstrategies.org

BUFFALO CREEK TRAILHEAD

Grading Plan
Scale: 1" = 30'-0"

L1.1
Date: June 5, 2014

IX

CLOSED SESSION

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

X

Adjournment

