

LAKE LURE TOWN COUNCIL REGULAR MEETING PACKET

Tuesday, October 10, 2023
5:00 p.m.



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

TOWN OF LAKE LURE

Town Council Regular Meeting

Tuesday, October 10, 2023 - 5:00 PM
Lake Lure Municipal Center



Agenda

I. Call to Order

- A. Pledge of Allegiance and Invocation

II. Agenda Adoption

III. Mayor's Communications

IV. Town Manager's Communications

V. Council Liaison Reports and Comments

VI. Public Comment

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

VII. Consent Agenda

- A. Approval of the September 12, 2023 Regular Town Council Meeting Minutes, the September 19, 2023 Special Round Table Meeting Minutes, the September 21, 2023 Special Round Table Meeting Minutes, the September 27, 2023 Town Special Town Council Meeting Minutes, and the September 27, 2023 Town Council Work Session Meeting Minutes – Page 24

VIII. Unfinished Business

IX. New Business

- A. Ordinance No. 23-10-10A Amending Chapter 30 (“Traffic and Vehicles”) Article III (“Parking Violations: Enforcement”) Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) of the Town of Lake Lure Code of Ordinances – Page 67
- B. Resolution No. 23-10-10 Authorizing Town Council to Take Action at Work Session Meetings – Page 69
- C. Lake Lure Tours Off-Season Beach Schedule Request – Page 72
- D. Third Amendment to PANGAEA Services Agreement – Page 74

- E. Ordinance No. 23-10-10B Adopting the 2023 Water Shortage Response Plan – *Page 78*
- F. Resolution No. 23-10-10A Setting Guidelines for Administrative Approvals for Project Change Orders – *Page 86*
- G. Resolution No. 23-10-10B Accepting State Revolving Loan Offer of \$7 Million – *Page 88*
- H. Budget Amendment #356 for HVAC Unit Replacement for Police Department – *Page 90*
- I. Budget Amendment #357 for Manhole #11 Emergency Repair – *Page 92*

X. Adjournment

III
MAYOR'S
COMMUNICATIONS

IV
TOWN MANAGER'S
COMMUNICATIONS



Town Manager Report September 2023

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

Public Services – The Public Service Department is busy keeping everything working as smoothly as possible, from normal maintenance to any problems the Town has that are in our realm to fix. Top accomplishments/project updates:

- Trees on Lurewood Manor have been removed by Public Works, preventing a major catastrophe.
- Repair on Manhole #11 has been completed, reducing the flow by approx. 100 to 150 thousand gallons.

Community Development – Director Williams reports another active month for community development. The department issued 34 permits for the month of September as compared to 39 permits in August and performed numerous follow-ups. This includes 7 Zoning, 4 Lake Structure, 3 Land Disturbance Permits, and 4 Vacation Rental Operators.

Top accomplishments/project updates:

- Z&P Board initiated a review of Chapter 4 Animals ordinances regarding Section 4-3 Livestock in response to a citizen proposal of a text amendment. The board requested staff prepare a recommendation to be considered at the October 17 meeting.
- BOA reviewed, and approved, three variance requests for setback adjustments.
- Working with AT&T/Tillman Construction for actual cell tower zoning permit. Have received complete zoning permit application, plans and review fee and preparing to issue zoning permit.
- Rick and I are continuing to work with State Department of Environmental Quality in follow-up to our May audit for training and support. Received advanced permit review training in August with state review officer. Scheduled for project inspection training with State inspector in October.

Fire / Emergency Management –It was still a busy month in September. The department responded to **43** fire/medical/rescue calls throughout the month. Firefighters completed **307** Hours of Training this month.

- Continuation of the Fire ground Operations 4 class.

- Round table event at RBR.
- Smoke Investigation call Proctor Rd. Fire Hydrant Maintenance and testing.
- Lock-out at Ingles. Stand-by/inspections for Fireworks @ RBR. Stabbing call (Memorial Hwy).

Police – A slower month than the previous, which is typical this time of year, but we’ve still been busy with weekend visitors and events. Lake Lure Classical began classes and as scheduled the beach was closed after Labor Day.

Lake Patrol Hours: 36.5

Top three accomplishments in July:

- Most officers have now completed their yearly classes and testing for In-Service
- There were two unmanned boats afloat in the waters of Lake Lure on the same day just within hours of each other. Officers were able to secure one vessel by anchoring it near shore until the owner was reached and able to come retrieve it. The second vessel had apparently taken flight from its owner’s boat lift, and taken a free ride out into the waters of Lake Lure. Between our office and concerned boaters, the owner was located and the boat was secured promptly. It was important that both vessels were quickly located, owners located and the vessels secured. It is important that we have all owner’s information so that we can quickly locate them in the event their boat goes on a trip without them.
- Officers are busy preparing for their yearly Firearms Qualifications which will take place mid-October.

Parks, Recreation & Lake – Director Dean Givens and Parks & Trails Coordinator Dana Bradley continue to provide exemplary oversight of the Parks, Recreation, and Lake Department. Began training new AmeriCorps member, Maddie Bartosh 2. Began prepping for fall decorations 3. Boat permit sales 4. Installation of Hickory Nut Gorge State Trail markers 5. Worked on updating lake use fee schedule for 2024 6. Inspection of 911 address signs on boathouses 7. Lake patrol 8. 2024 boat permit order 9. Researched new bear-resistant trash cans 10. Holiday lighting planning 11. Ribbon-cutting for new Upper Boulders Trail 12. Water fountain repair/replacement 13. Dittmer-Watts Nature Trails trail boss walked the trails and reported issues – 1 volunteer; 3 volunteer hours 14. Buffalo Creek Park trail boss walked the trail, cleared small trees, and reported issues – 1 volunteer; 7 volunteer hours 15. Weed Patch Mountain trail boss walked trail and reported issues – 1 volunteer; 7 volunteer hours 2 16. Carolina Climbers Coalition had 2 workdays to work on the new Upper Boulder’s Trail at Buffalo Creek Park – 6 volunteers; 158.5 volunteer hours 17. Organized a Weed Patch Mountain workday on 9/20 to improve drainage – 9 volunteers; 63 volunteer hours 18. Organized a Weed Patch Mountain and Buffalo Creek Park workday on 9/28 to install Hickory Nut Gorge State Trail markers –2 volunteers; 16 volunteer hours 19. Planned upcoming trail maintenance days and recruited volunteers to help 20. Checked Buffalo Creek Park, Dittmer-Watts Nature Trails, and Weed Patch Mountain for damage 21. Utilized volunteers to collect water samples – 3 volunteers; 30 volunteer hours 22. Attended meetings

Three notable projects/activities updates:

- Utilized a total of 284.5 volunteer hours, valued at \$5,690
- Continued selling boat permits
- Held a ribbon-cutting for the new Upper Boulders Trail at Buffalo Creek Park

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

- The Town continued to sustain its strong financial position with an unreconciled bank balance of approximately \$11,012,986.59 for all funds other than special revenue funds (the Dam Fund) which still holds a balance of \$ 16,500,000 as well as *accumulated interest of \$320,568.56* for a total balance of \$16,820,568.56.
- FY 23 audit procedures continue and comparable amount of detail and review as in prior years is occurring. No outliers or significant concerns have been reported as of yet.
- Numerous state reports, data, and reimbursements will be submitted over the next few months.
- Scanners have been purchased and imaging and document storage will be implemented soon.
- The North Carolina Department of Transportation approved funding once again for 2023 State Aid to Municipalities Highway Fund (POWELL BILL).

Communications – Communications Director Krejci continues her community outreach along with progress in all areas. There were 46 news articles published on the town’s website and were sent to 2,015 by hyperlink. The website also had 15,704 visitors in September representing a 29% increase over the same month last year. The Town of Lake Lure has 20,061 followers on Facebook as of September 2023, representing a 7% increase (+1,336) over September of 2022. Lake Lure continues to wait for the State Dam Safety Office to provide it with a grant contract for Initial Field Investigations. The amount of the grant award is \$425,921.

Top Highlights:

- Exceeding 20,000 followers on Facebook.
- Coordination of Round Table Meetings and publication of Meeting Summary
- Coordination of Upper Boulder Trail Ribbon Cutting

Manager / Clerk / Admin Summary

July was a busy month including an array of staff, council, and board meetings and ever-changing day-to-day operations. We continue to work with Ruby Collins and Labella Engineering on the new sewer system and planning.

Highlights:

- Continued reviews of the proposals received for the Lease and reuse of the Old ABC Store Property.
- Continued the Space Needs Study for the Fire Department with ADW Architects.
- Completed the application for funding for an AIA Study for the Town's water system.
- In the process of finalizing the water system management agreement with Chimney Rock. This looks like it's going to be extended through the end of June, 2024 for better cost estimation for the contract year beginning July 1st, 2024.
- Met with members of the Hunt estate to finish a temporary construction easement for the drain valve project.

10 GENERAL FUND

Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
310000 TAXES					
310100 P & I - Taxes	0.00	0.00	10,000.00	10,000.00	0 %
Account Group Total:	0.00	0.00	10,000.00	10,000.00	0 %
311000 Ad Valorem Taxes-2000					
311210 AD VALOREM TAXES-2021	0.00	0.00	50,000.00	50,000.00	0 %
311220 AD VALOREM TAX 2022-	0.00	0.00	4,492,754.00	4,492,754.00	0 %
Account Group Total:	0.00	0.00	4,542,754.00	4,542,754.00	0 %
312000 Ad Valorem-Veh-2000					
312021 AD VALOREM VEH TAXES-2021	0.00	0.00	20,000.00	20,000.00	0 %
312022 Ad Valorem Vehicle Tax 2022	0.00	0.00	93,850.00	93,850.00	0 %
Account Group Total:	0.00	0.00	113,850.00	113,850.00	0 %
332000 STATE SHARED REVENUES					
332200 Beer & Wine Tax	0.00	0.00	4,950.00	4,950.00	0 %
332300 Court Costs, Fees and Chrgs	43.50	78.50	550.00	471.50	14 %
332400 Utilities Franchise Tax	0.00	0.00	201,195.00	201,195.00	0 %
332600 Powell Bill - Tax on Gas	0.00	0.00	76,600.00	76,600.00	0 %
332930 State Shared Sales Tax	0.00	0.00	1,760,000.00	1,760,000.00	0 %
332933 Solid Waste Disposal Tax	0.00	0.00	780.00	780.00	0 %
332942 Video Programming Tax	0.00	0.00	15,975.00	15,975.00	0 %
332991 NC DEQ Dredging Grant	0.00	0.00	800,000.00	800,000.00	0 %
Account Group Total:	43.50	78.50	2,860,050.00	2,859,971.50	0 %
347000 LAND USE FEES					
347100 Zoning Permits	7,110.00	23,070.00	40,000.00	16,930.00	58 %
347200 Land Disturbance Permit	160.00	160.00	6,600.00	6,440.00	2 %
347300 Sign Permit	0.00	0.00	500.00	500.00	0 %
347550 Vacation Rental Fees	900.00	900.00	10,000.00	9,100.00	9 %
347600 Lake Structure Permit/LSA	-860.00	-2,720.00	9,255.00	11,975.00	-29 %
347800 Fire Inspection	20.00	40.00	50.00	10.00	80 %
347900 Fines/Penalties - Land Use	0.00	500.00	850.00	350.00	59 %
Account Group Total:	7,330.00	21,950.00	67,255.00	45,305.00	33 %
361000 LAKE					
361201 Lake Lure Tours	0.00	55,632.13	60,000.00	4,367.87	93 %
361202 Lake Fines	3,766.00	7,098.00	300.00	-6,798.00	*** %
361203 Lake Comm License Fees	50.00	6,740.00	15,000.00	8,260.00	45 %
361204 Boat Permits	1,395.00	51,769.39	675,000.00	623,230.61	8 %
361205 RBR CONCESSIONS	0.00	0.00	25,000.00	25,000.00	0 %
361207 Cluster Mooring Fees	0.00	0.00	24,000.00	24,000.00	0 %
Account Group Total:	5,211.00	121,239.52	799,300.00	678,060.48	15 %
363000 BEACH					
363801 Beach-Admission Fee-Adult	0.00	0.00	65,000.00	65,000.00	0 %
363804 Beach-Concessions	0.00	0.00	10,000.00	10,000.00	0 %
Account Group Total:	0.00	0.00	75,000.00	75,000.00	0 %
364000 MARINA					
364902 Marina-Open Slip Rental	0.00	2,350.00	310,000.00	307,650.00	1 %

TOWN OF LAKE LURE
Statement of Revenue Budget vs Actuals
For the Accounting Period: 9 / 23

10 GENERAL FUND

Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
364905 Marina-Concessions	0.00	0.00	18,500.00	18,500.00	0 %
364908 Marina-Rentals	0.00	0.00	50,000.00	50,000.00	0 %
Account Group Total:	0.00	2,350.00	378,500.00	376,150.00	1 %
383000 MISCELLANEOUS REVENUES					
383100 Interest Earned on Investments	0.00	0.00	4,000.00	4,000.00	0 %
383200 Beer and Wine Permits	0.00	0.00	1,000.00	1,000.00	0 %
383321 Fire-Rural Fire Protection	0.00	0.00	8,592.00	8,592.00	0 %
383430 Community Center Rental	0.00	-600.00	250.00	850.00	*** %
383440 Pavilion/Gazebo Rental	1,850.00	4,100.00	3,500.00	-600.00	117 %
383450 Meadows Rental	0.00	1,220.00	250.00	-970.00	488 %
383500 Sale of Assets	0.00	826.00	3,500.00	2,674.00	24 %
383600 Golf Cart Permit	0.00	60.00	200.00	140.00	30 %
383700 LLABC-Distribution for Law Enforcement	0.00	0.00	750.00	750.00	0 %
383701 ABC-Dist. for Drug/Alcohol	0.00	0.00	1,250.00	1,250.00	0 %
383800 ABC-Distribution of Funds	0.00	402.00	20,000.00	19,598.00	2 %
383900 Misc Revenue	10.00	92.00	1,200.00	1,108.00	8 %
383903 Town Promotional Materials	0.00	0.00	500.00	500.00	0 %
383910 Copies	5.00	15.00	500.00	485.00	3 %
383930 Recycling Collections	0.00	-102.00	15,250.00	15,352.00	-1 %
Account Group Total:	1,865.00	6,013.00	60,742.00	54,729.00	10 %
398000 TRANSFERS					
398502 Installment Agreement Proceeds	0.00	0.00	385,000.00	385,000.00	0 %
398604 Transfer from Fund Balance	0.00	0.00	219,014.00	219,014.00	0 %
Account Group Total:	0.00	0.00	604,014.00	604,014.00	0 %
Fund Total:	14,449.50	151,631.02	9,511,465.00	9,359,833.98	2 %

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TOWN OF LAKE LURE
Statement of Revenue Budget vs Actuals
For the Accounting Period: 9 / 23

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21 Capital Reserve Fund

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

TOWN OF LAKE LURE
Statement of Revenue Budget vs Actuals
For the Accounting Period: 9 / 23

53 WATER AND SEWER FUND

Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
371000					
371105 Chimney Rock Water	0.00	0.00	15,000.00	15,000.00	0 %
371300 Charges for Water	-351.29	30,811.84	330,000.00	299,188.16	9 %
371400 Charges for Sewer	0.00	103,893.00	1,275,000.00	1,171,107.00	8 %
371500 Taps and Connect-Water	0.00	1,155.00	5,000.00	3,845.00	23 %
371600 Taps and Connect-Sewer	0.00	1,155.00	5,000.00	3,845.00	23 %
371700 Transfer Fee-Water/Sewer	0.00	60.00	1,000.00	940.00	6 %
371800 W/S - Penalty and Interest	0.00	1,375.00	6,000.00	4,625.00	23 %
371900 W/S - Misc	159.84	159.84	0.00	-159.84	** %
Account Group Total:	-191.45	138,609.68	1,637,000.00	1,498,390.32	8 %
383000 MISCELLANEOUS REVENUES					
383100 Interest Earned on Investments	0.00	0.00	1,000.00	1,000.00	0 %
383460 Water Tank Rental	0.00	0.00	12,360.00	12,360.00	0 %
Account Group Total:	0.00	0.00	13,360.00	13,360.00	0 %
Fund Total:	-191.45	138,609.68	1,650,360.00	1,511,750.32	8 %

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TOWN OF LAKE LURE
Statement of Revenue Budget vs Actuals
For the Accounting Period: 9 / 23

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56 ELECTRIC FUND

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

TOWN OF LAKE LURE
Statement of Expenditure - Budget vs. Actual Report
For the Accounting Period: 9 / 23

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
10 GENERAL FUND							
411000 COMMISSION							
411000 COMMISSION							
	102 Salaries-Part Time	1,100.00	3,300.00	13,200.00	13,200.00	9,900.00	25 %
	109 FICA	84.15	252.45	1,100.00	1,100.00	847.55	23 %
	214 Supplies-Dept	200.00	200.00	6,000.00	6,000.00	5,800.00	3 %
	215 Supplies-Materials	0.00	0.00	20,000.00	20,000.00	20,000.00	0 %
	310 Travel and Transportation	0.00	0.00	3,500.00	3,500.00	3,500.00	0 %
	Account Total:	1,384.15	3,752.45	43,800.00	43,800.00	40,047.55	9 %
	Account Group Total:	1,384.15	3,752.45	43,800.00	43,800.00	40,047.55	9 %
413000 ADMINISTRATION							
413000 ADMINISTRATION							
	100 SALARIES	36,231.41	92,487.14	498,000.00	498,000.00	405,512.86	19 %
	103 Professional Services	0.00	3,793.75	65,000.00	65,000.00	61,206.25	6 %
	109 FICA	2,736.40	6,983.66	38,500.00	38,500.00	31,516.34	18 %
	110 Retirement	6,880.34	17,249.25	91,000.00	91,000.00	73,750.75	19 %
	111 Group Insurance	3,477.27	8,695.43	67,000.00	67,000.00	58,304.57	13 %
	120 401 (K) Contribution	664.92	1,675.04	25,500.00	25,500.00	23,824.96	7 %
	180 Legal Services	3,386.00	8,584.50	55,000.00	55,000.00	46,415.50	16 %
	182 PROPERTY JUDGEMENT SETTLEMENT	26.00	26.00	0.00	0.00	-26.00	*** %
	190 Engineering Services	750.00	750.00	30,000.00	30,000.00	29,250.00	3 %
	214 Supplies-Dept	89.80	615.73	9,000.00	9,000.00	8,384.27	7 %
	215 Supplies-Materials	13.05	13.05	3,000.00	3,000.00	2,986.95	0 %
	310 Travel and Transportation	205.41	553.61	9,500.00	9,500.00	8,946.39	6 %
	320 Postage	3,918.24	4,546.08	5,000.00	5,000.00	453.92	91 %
	322 Printing	0.00	0.00	1,500.00	1,500.00	1,500.00	0 %
	324 Dues and Subscriptions	4,446.00	5,813.00	8,500.00	8,500.00	2,687.00	68 %
	330 Utilities	0.00	0.00	30,000.00	30,000.00	30,000.00	0 %
	350 Repairs and Maint-Buildings	0.00	768.00	50,000.00	50,000.00	49,232.00	2 %
	353 Repairs and Maint-Equipment	75.00	75.00	8,000.00	8,000.00	7,925.00	1 %
	370 Advertising	0.00	0.00	3,500.00	3,500.00	3,500.00	0 %
	614 Lobbyist	0.00	0.00	62,000.00	62,000.00	62,000.00	0 %
	687 Contractual - County Tax Collection	14,372.00	14,372.00	18,000.00	18,000.00	3,628.00	80 %
	691 Contractual Services	1,600.00	4,605.22	120,000.00	120,000.00	115,394.78	4 %
	Account Total:	78,871.84	171,606.46	1,198,000.00	1,198,000.00	1,026,393.54	14 %
	Account Group Total:	78,871.84	171,606.46	1,198,000.00	1,198,000.00	1,026,393.54	14 %
420000 CENTRAL SERVICES-Technology &							
420000 CENTRAL SERVICES-Technology & Telecommunications							
	109 FICA	25.72	53.80	0.00	0.00	-53.80	*** %
	111 Group Insurance	32.53	79.36	0.00	0.00	-79.36	*** %
	321 Telephone	1,215.95	2,815.86	27,000.00	27,000.00	24,184.14	10 %
	325 Internet Services	0.00	0.00	5,200.00	5,200.00	5,200.00	0 %
	380 IT Support Services	0.00	0.00	81,000.00	81,000.00	81,000.00	0 %
	527 TECH-Website Update	0.00	0.00	5,000.00	5,000.00	5,000.00	0 %
	Account Total:	1,274.20	2,949.02	118,200.00	118,200.00	115,250.98	2 %
	Account Group Total:	1,274.20	2,949.02	118,200.00	118,200.00	115,250.98	2 %

TOWN OF LAKE LURE
Statement of Expenditure - Budget vs. Actual Report
For the Accounting Period: 9 / 23

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
10 GENERAL FUND							
431000 POLICE							
431000 POLICE							
100	SALARIES	45,026.83	119,926.64	573,000.00	573,000.00	453,073.36	21 %
101	OVERTIME	0.00	742.93	5,500.00	5,500.00	4,757.07	14 %
102	Salaries-Part Time	992.26	2,079.01	28,000.00	28,000.00	25,920.99	7 %
104	Separation Allowance-Law Enforcement	1,460.16	3,650.40	20,500.00	20,500.00	16,849.60	18 %
109	FICA	3,551.64	9,468.19	49,500.00	49,500.00	40,031.81	19 %
110	Retirement	8,981.96	21,964.14	114,000.00	114,000.00	92,035.86	19 %
111	Group Insurance	5,817.04	14,542.60	103,700.00	103,700.00	89,157.40	14 %
112	Special Benefit Fund-Police	2,251.34	5,688.14	27,185.00	27,185.00	21,496.86	21 %
212	Supplies-Fuel	0.00	0.00	27,500.00	27,500.00	27,500.00	0 %
214	Supplies-Dept	0.00	441.78	11,000.00	11,000.00	10,558.22	4 %
217	Supplies-Uniforms	421.52	1,605.21	10,000.00	10,000.00	8,394.79	16 %
220	Alcohol & Drug Ed.	0.00	0.00	1,000.00	1,000.00	1,000.00	0 %
310	Travel and Transportation	0.00	20.96	3,000.00	3,000.00	2,979.04	1 %
324	Dues and Subscriptions	200.00	422.00	6,300.00	6,300.00	5,878.00	7 %
333	Utilities-Boat House and Range	0.00	0.00	500.00	500.00	500.00	0 %
353	Repairs and Maint-Equipment	0.00	262.31	4,000.00	4,000.00	3,737.69	7 %
354	Repairs and Maint-Vehicles	120.57	2,462.13	25,000.00	25,000.00	22,537.87	10 %
490	Miscellaneous	0.00	265.00	1,000.00	1,000.00	735.00	27 %
524	Computers	0.00	0.00	10,000.00	10,000.00	10,000.00	0 %
691	Contractual Services	0.00	0.00	20,050.00	20,050.00	20,050.00	0 %
	Account Total:	68,823.32	183,541.44	1,040,735.00	1,040,735.00	857,193.56	18 %
	Account Group Total:	68,823.32	183,541.44	1,040,735.00	1,040,735.00	857,193.56	18 %
434000 FIRE							
434000 FIRE							
100	SALARIES	30,997.89	81,366.66	449,000.00	449,000.00	367,633.34	18 %
101	OVERTIME	0.00	0.00	25,000.00	25,000.00	25,000.00	0 %
102	Salaries-Part Time	1,049.85	2,231.10	37,300.00	37,300.00	35,068.90	6 %
109	FICA	2,369.72	6,190.37	38,800.00	38,800.00	32,609.63	16 %
110	Retirement	5,886.48	15,451.49	82,700.00	82,700.00	67,248.51	19 %
111	Group Insurance	4,070.64	10,176.60	83,900.00	83,900.00	73,723.40	12 %
120	401 (K) Contribution	1,174.71	3,111.86	23,405.00	23,405.00	20,293.14	13 %
212	Supplies-Fuel	640.39	640.39	20,000.00	20,000.00	19,359.61	3 %
214	Supplies-Dept	316.08	626.03	4,000.00	4,000.00	3,373.97	16 %
215	Supplies-Materials	0.00	699.00	10,000.00	10,000.00	9,301.00	7 %
217	Supplies-Uniforms	1,270.00	1,889.95	6,000.00	6,000.00	4,110.05	31 %
218	Supplies-Equipment	0.00	937.05	21,000.00	21,000.00	20,062.95	4 %
310	Travel and Transportation	0.00	0.00	6,000.00	6,000.00	6,000.00	0 %
324	Dues and Subscriptions	40.00	65.00	9,500.00	9,500.00	9,435.00	1 %
330	Utilities	0.00	0.00	12,000.00	12,000.00	12,000.00	0 %
351	Repairs and Maint-Grounds	0.00	0.00	6,000.00	6,000.00	6,000.00	0 %
353	Repairs and Maint-Equipment	3,001.75	3,620.00	16,000.00	16,000.00	12,380.00	23 %
354	Repairs and Maint-Vehicles	3,251.19	24,360.30	21,000.00	21,000.00	-3,360.30	116 %
490	Miscellaneous	61.53	61.53	4,000.00	4,000.00	3,938.47	2 %
514	Protective Clothing	0.00	134.74	16,000.00	16,000.00	15,865.26	1 %
553	RADIO REPLACEMENT	0.00	0.00	10,000.00	10,000.00	10,000.00	0 %
693	Fairfield Volunteer Fire Dept	0.00	33,500.00	67,000.00	67,000.00	33,500.00	50 %
694	Chimney Rock Volunteer Fire Dept	0.00	17,500.00	35,000.00	35,000.00	17,500.00	50 %

TOWN OF LAKE LURE
Statement of Expenditure - Budget vs. Actual Report
For the Accounting Period: 9 / 23

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
10 GENERAL FUND							
	695 Bills Creek Volunteer Fire Dept	0.00	21,400.00	42,800.00	42,800.00	21,400.00	50 %
	Account Total:	54,130.23	223,962.07	1,046,405.00	1,046,405.00	822,442.93	21 %
	Account Group Total:	54,130.23	223,962.07	1,046,405.00	1,046,405.00	822,442.93	21 %
451000 PUBLIC WORKS-STREETS							
451000 PUBLIC WORKS-STREETS							
	100 SALARIES	14,889.87	44,093.15	295,000.00	295,000.00	250,906.85	15 %
	101 OVERTIME	0.00	0.00	16,000.00	16,000.00	16,000.00	0 %
	109 FICA	1,142.03	3,377.72	26,000.00	26,000.00	22,622.28	13 %
	110 Retirement	2,827.58	7,937.81	60,000.00	60,000.00	52,062.19	13 %
	111 Group Insurance	2,310.44	6,066.57	65,000.00	65,000.00	58,933.43	9 %
	120 401 (K) Contribution	567.83	1,668.86	22,000.00	22,000.00	20,331.14	8 %
	211 Supplies-Automotive	199.54	364.15	25,000.00	25,000.00	24,635.85	1 %
	214 Supplies-Dept	0.00	928.82	1,200.00	1,200.00	271.18	77 %
	215 Supplies-Materials	252.23	2,026.83	35,000.00	35,000.00	32,973.17	6 %
	217 Supplies-Uniforms	300.00	2,115.35	8,000.00	8,000.00	5,884.65	26 %
	310 Travel and Transportation	0.00	0.00	2,000.00	2,000.00	2,000.00	0 %
	331 Utilities-Street Lights	0.00	0.00	15,000.00	15,000.00	15,000.00	0 %
	334 Utilities-Buildings	0.00	2,275.00	15,000.00	15,000.00	12,725.00	15 %
	350 Repairs and Maint-Buildings	0.00	887.36	30,000.00	30,000.00	29,112.64	3 %
	351 Repairs and Maint-Grounds	0.00	7,914.24	12,000.00	12,000.00	4,085.76	66 %
	353 Repairs and Maint-Equipment	48.00	201.31	30,000.00	30,000.00	29,798.69	1 %
	354 Repairs and Maint-Vehicles	1,143.78	4,365.01	20,000.00	20,000.00	15,634.99	22 %
	691 Contractual Services	0.00	0.00	20,000.00	20,000.00	20,000.00	0 %
	Account Total:	23,681.30	84,222.18	697,200.00	697,200.00	612,977.82	12 %
	Account Group Total:	23,681.30	84,222.18	697,200.00	697,200.00	612,977.82	12 %
472000 SANITATION							
472000 SANITATION							
	691 Contractual Services	14,915.00	29,830.00	180,000.00	180,000.00	150,170.00	17 %
	692 Contractual Services-Recycling	1,544.00	3,088.00	15,000.00	15,000.00	11,912.00	21 %
	696 Tipping Fees	3,125.40	6,404.39	40,000.00	40,000.00	33,595.61	16 %
	Account Total:	19,584.40	39,322.39	235,000.00	235,000.00	195,677.61	17 %
	Account Group Total:	19,584.40	39,322.39	235,000.00	235,000.00	195,677.61	17 %
473000 DAM/Watershed Protection							
473000 DAM/Watershed Protection							
	351 Repairs and Maint-Grounds	0.00	0.00	10,000.00	10,000.00	10,000.00	0 %
	352 Repairs and Maint-Dam	0.00	0.00	15,000.00	15,000.00	15,000.00	0 %
	Account Total:	0.00	0.00	25,000.00	25,000.00	25,000.00	0 %
	Account Group Total:	0.00	0.00	25,000.00	25,000.00	25,000.00	0 %
492000 ECONOMIC DEVELOPMENT							
492000 ECONOMIC DEVELOPMENT							
	100 SALARIES	4,076.80	10,192.00	67,500.00	67,500.00	57,308.00	15 %
	109 FICA	311.66	779.15	5,125.00	5,125.00	4,345.85	15 %
	110 Retirement	774.18	1,935.45	12,200.00	12,200.00	10,264.55	16 %
	111 Group Insurance	581.52	1,453.80	10,450.00	10,450.00	8,996.20	14 %
	120 401 (K) Contribution	203.84	509.60	3,525.00	3,525.00	3,015.40	14 %
	585 Community Branding	91.00	10,120.00	20,000.00	20,000.00	9,880.00	51 %

TOWN OF LAKE LURE
Statement of Expenditure - Budget vs. Actual Report
For the Accounting Period: 9 / 23

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
10 GENERAL FUND							
	Account Total:	6,039.00	24,990.00	118,800.00	118,800.00	93,810.00	21 %
	Account Group Total:	6,039.00	24,990.00	118,800.00	118,800.00	93,810.00	21 %
493000 COMMUNITY DEVELOPMENT							
493000 COMMUNITY DEVELOPMENT							
	100 SALARIES	20,868.04	51,975.95	299,000.00	299,000.00	247,024.05	17 %
	109 FICA	1,542.69	3,836.81	23,000.00	23,000.00	19,163.19	17 %
	110 Retirement	3,893.00	9,695.64	54,000.00	54,000.00	44,304.36	18 %
	111 Group Insurance	2,279.50	5,698.75	42,300.00	42,300.00	36,601.25	13 %
	120 401 (K) Contribution	263.78	659.45	15,000.00	15,000.00	14,340.55	4 %
	180 Legal Services	310.00	1,265.50	25,000.00	25,000.00	23,734.50	5 %
	212 Supplies-Fuel	51.38	134.24	1,000.00	1,000.00	865.76	13 %
	214 Supplies-Dept	0.00	0.00	6,000.00	6,000.00	6,000.00	0 %
	310 Travel and Transportation	217.85	217.85	5,000.00	5,000.00	4,782.15	4 %
	324 Dues and Subscriptions	0.00	0.00	2,000.00	2,000.00	2,000.00	0 %
	370 Advertising	0.00	0.00	2,000.00	2,000.00	2,000.00	0 %
	410 RENTS	0.00	0.00	20,000.00	20,000.00	20,000.00	0 %
	691 Contractual Services	0.00	5,778.71	19,000.00	19,000.00	13,221.29	30 %
	Account Total:	29,426.24	79,262.90	513,300.00	513,300.00	434,037.10	15 %
	Account Group Total:	29,426.24	79,262.90	513,300.00	513,300.00	434,037.10	15 %
613000 PARKS, RECREATION & LAKE							
613000 PARKS, RECREATION & LAKE							
	100 SALARIES	23,427.10	58,199.44	299,000.00	299,000.00	240,800.56	19 %
	102 Salaries-Part Time	110.25	472.50	0.00	0.00	-472.50	*** %
	109 FICA	1,712.03	4,266.94	24,000.00	24,000.00	19,733.06	18 %
	110 Retirement	4,501.45	11,183.71	55,000.00	55,000.00	43,816.29	20 %
	111 Group Insurance	3,489.12	8,722.80	62,700.00	62,700.00	53,977.20	14 %
	120 401 (K) Contribution	1,169.05	2,904.22	15,000.00	15,000.00	12,095.78	19 %
	212 Supplies-Fuel	2,749.19	4,127.31	15,000.00	15,000.00	10,872.69	28 %
	213 Supplies-Boat Fuel & Supplies	0.00	0.00	12,000.00	12,000.00	12,000.00	0 %
	214 Supplies-Dept	0.00	0.00	5,000.00	5,000.00	5,000.00	0 %
	215 Supplies-Materials	0.00	245.55	25,000.00	25,000.00	24,754.45	1 %
	216 Supplies-Fish Purchase	0.00	0.00	8,000.00	8,000.00	8,000.00	0 %
	217 Supplies-Uniforms	90.00	90.00	1,500.00	1,500.00	1,410.00	6 %
	219 Boat and Fishing Permits	0.00	0.00	6,500.00	6,500.00	6,500.00	0 %
	310 Travel and Transportation	0.00	0.00	3,000.00	3,000.00	3,000.00	0 %
	330 Utilities	0.00	0.00	6,700.00	6,700.00	6,700.00	0 %
	335 Flowering Bridge Lighting	0.00	0.00	3,500.00	3,500.00	3,500.00	0 %
	351 Repairs and Maint-Grounds	0.00	0.00	85,000.00	85,000.00	85,000.00	0 %
	353 Repairs and Maint-Equipment	0.00	2,154.61	14,000.00	14,000.00	11,845.39	15 %
	508 Rewrite Zoning & Land Dev.	0.00	0.00	40,500.00	40,500.00	40,500.00	0 %
	691 Contractual Services	4,783.62	5,921.62	40,500.00	40,500.00	34,578.38	15 %
	Account Total:	42,031.81	98,288.70	721,900.00	721,900.00	623,611.30	14 %
	Account Group Total:	42,031.81	98,288.70	721,900.00	721,900.00	623,611.30	14 %

TOWN OF LAKE LURE
Statement of Expenditure - Budget vs. Actual Report
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Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
10 GENERAL FUND							
615000 BEACH & MARINA							
615000 BEACH & MARINA							
	214 Supplies-Dept	0.00	0.00	2,000.00	2,000.00	2,000.00	0 %
	350 Repairs and Maint-Buildings	0.00	70.00	4,000.00	4,000.00	3,930.00	2 %
	351 Repairs and Maint-Grounds	0.00	1,437.12	10,200.00	10,200.00	8,762.88	14 %
	353 Repairs and Maint-Equipment	0.00	0.00	1,300.00	1,300.00	1,300.00	0 %
	Account Total:	0.00	1,507.12	17,500.00	17,500.00	15,992.88	9 %
	Account Group Total:	0.00	1,507.12	17,500.00	17,500.00	15,992.88	9 %
800000 CAPITAL OUTLAY/SPECIAL PROJECTS							
800000 CAPITAL OUTLAY/SPECIAL PROJECTS							
	504 VEHICLES	0.00	48,461.48	60,000.00	60,000.00	11,538.52	81 %
	506 HVAC System/Police	0.00	220.67	0.00	0.00	-220.67	*** %
	513 FIRE-SCBA APPARATUS	0.00	0.00	20,000.00	20,000.00	20,000.00	0 %
	516 PUBLIC SERVICES BLDG	0.00	0.00	70,000.00	70,000.00	70,000.00	0 %
	530 P&R-Mower	0.00	0.00	115,000.00	115,000.00	115,000.00	0 %
	541 POLICE-Vehicles	0.00	0.00	120,000.00	120,000.00	120,000.00	0 %
	550 Other Equipment	0.00	0.00	6,000.00	6,000.00	6,000.00	0 %
	592 PW-Street Paving	0.00	9,800.00	175,000.00	175,000.00	165,200.00	6 %
	691 Contractual Services	0.00	7,500.00	0.00	0.00	-7,500.00	*** %
	697 Dredging & Debris Removal	0.00	400.00	1,000,000.00	1,000,000.00	999,600.00	0 %
	Account Total:	0.00	66,382.15	1,566,000.00	1,566,000.00	1,499,617.85	4 %
	Account Group Total:	0.00	66,382.15	1,566,000.00	1,566,000.00	1,499,617.85	4 %
910000 DEBT SERVICE							
910000 DEBT SERVICE							
	504 VEHICLES	0.00	0.00	44,500.00	44,500.00	44,500.00	0 %
	541 POLICE-Vehicles	0.00	0.00	17,225.00	17,225.00	17,225.00	0 %
	544 Work Truck	0.00	0.00	15,000.00	15,000.00	15,000.00	0 %
	550 Other Equipment	0.00	0.00	144,500.00	144,500.00	144,500.00	0 %
	561 Brdwalk-Marina Bay	0.00	0.00	101,900.00	101,900.00	101,900.00	0 %
	720 Bond Interest	0.00	0.00	58,500.00	58,500.00	58,500.00	0 %
	Account Total:	0.00	0.00	381,625.00	381,625.00	381,625.00	0 %
	Account Group Total:	0.00	0.00	381,625.00	381,625.00	381,625.00	0 %
920000 Non-Governmental							
920000 Non-Governmental							
	130 Unemployment	0.00	0.00	5,000.00	5,000.00	5,000.00	0 %
	450 Insurance	0.00	3,976.00	180,000.00	180,000.00	176,024.00	2 %
	751 Bank Fees	-25.00	-25.00	3,000.00	3,000.00	3,025.00	-1 %
	Account Total:	-25.00	3,951.00	188,000.00	188,000.00	184,049.00	2 %
	Account Group Total:	-25.00	3,951.00	188,000.00	188,000.00	184,049.00	2 %
980000 TRANSFERS							
980000 TRANSFERS							
	967 Transfer to Capital Reserve Fund	0.00	0.00	1,600,000.00	1,600,000.00	1,600,000.00	0 %
	Account Total:	0.00	0.00	1,600,000.00	1,600,000.00	1,600,000.00	0 %
	Account Group Total:	0.00	0.00	1,600,000.00	1,600,000.00	1,600,000.00	0 %

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Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
Fund Total:		325,221.49	983,737.88	9,511,465.00	9,511,465.00	8,527,727.12	10 %
21 Capital Reserve Fund							
980000 TRANSFERS							
980000 TRANSFERS							
	958 Transfer to Fund Balance	0.00	0.00	1,600,000.00	1,600,000.00	1,600,000.00	0 %
	Account Total:	0.00	0.00	1,600,000.00	1,600,000.00	1,600,000.00	0 %
	Account Group Total:	0.00	0.00	1,600,000.00	1,600,000.00	1,600,000.00	0 %
	Fund Total:	0.00	0.00	1,600,000.00	1,600,000.00	1,600,000.00	0 %
53 WATER AND SEWER FUND							
713000 WATER							
713000 WATER							
	100 SALARIES	0.00	0.00	150,000.00	150,000.00	150,000.00	0 %
	109 FICA	0.00	0.00	11,200.00	11,200.00	11,200.00	0 %
	110 Retirement	0.00	0.00	24,000.00	24,000.00	24,000.00	0 %
	111 Group Insurance	0.00	0.00	20,000.00	20,000.00	20,000.00	0 %
	120 401 (K) Contribution	0.00	0.00	7,500.00	7,500.00	7,500.00	0 %
	214 Supplies-Dept	0.00	0.00	15,000.00	15,000.00	15,000.00	0 %
	310 Travel and Transportation	0.00	0.00	4,000.00	4,000.00	4,000.00	0 %
	324 Dues and Subscriptions	150.00	150.00	2,000.00	2,000.00	1,850.00	8 %
	330 Utilities	0.00	0.00	15,000.00	15,000.00	15,000.00	0 %
	350 Repairs and Maint-Buildings	11,227.57	11,522.57	20,000.00	20,000.00	8,477.43	58 %
	353 Repairs and Maint-Equipment	0.00	0.00	60,000.00	60,000.00	60,000.00	0 %
	358 Repairs and Maint-Lines	0.00	105.00	18,000.00	18,000.00	17,895.00	1 %
	430 Equipment Rental	0.00	0.00	500.00	500.00	500.00	0 %
	691 Contractual Services	0.00	5,778.71	24,000.00	24,000.00	18,221.29	24 %
	Account Total:	11,377.57	17,556.28	371,200.00	371,200.00	353,643.72	5 %
	Account Group Total:	11,377.57	17,556.28	371,200.00	371,200.00	353,643.72	5 %
714000 SEWER							
714000 SEWER							
	103 Professional Services	0.00	0.00	3,000.00	3,000.00	3,000.00	0 %
	214 Supplies-Dept	0.00	0.00	800.00	800.00	800.00	0 %
	215 Supplies-Materials	0.00	0.00	180,000.00	180,000.00	180,000.00	0 %
	310 Travel and Transportation	0.00	170.00	6,000.00	6,000.00	5,830.00	3 %
	320 Postage	0.00	311.10	4,000.00	4,000.00	3,688.90	8 %
	330 Utilities	0.00	0.00	16,000.00	16,000.00	16,000.00	0 %
	350 Repairs and Maint-Buildings	120.00	5,415.00	25,000.00	25,000.00	19,585.00	22 %
	353 Repairs and Maint-Equipment	7,181.50	7,181.50	45,000.00	45,000.00	37,818.50	16 %
	355 Repairs and Maint-Collection System	0.00	400.00	25,000.00	25,000.00	24,600.00	2 %
	358 Repairs and Maint-Lines	0.00	0.00	15,000.00	15,000.00	15,000.00	0 %
	690 Contractual Services-Sludge Hauling	2,616.00	2,616.00	160,000.00	160,000.00	157,384.00	2 %
	691 Contractual Services	0.00	0.00	79,000.00	79,000.00	79,000.00	0 %
	699 Contractual Services-WWTP Operator	0.00	16,650.00	40,000.00	40,000.00	23,350.00	42 %
	Account Total:	9,917.50	32,743.60	598,800.00	598,800.00	566,056.40	5 %
	Account Group Total:	9,917.50	32,743.60	598,800.00	598,800.00	566,056.40	5 %

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
53 WATER AND SEWER FUND							
800000 CAPITAL OUTLAY/SPECIAL PROJECTS							
800000 CAPITAL OUTLAY/SPECIAL PROJECTS							
	356 Repairs and Maint-Pumps and Motors	0.00	0.00	90,000.00	90,000.00	90,000.00	0 %
	505 HYDRO-Emergency Small Generator	0.00	0.00	12,000.00	12,000.00	12,000.00	0 %
	523 PW-Pickup Truck Replacement	0.00	0.00	48,000.00	48,000.00	48,000.00	0 %
	544 Work Truck	0.00	0.00	75,000.00	75,000.00	75,000.00	0 %
	547 CAMERAS/CAMERAS	0.00	0.00	95,000.00	95,000.00	95,000.00	0 %
	557 FIREFLY COVE SYSTEM	0.00	20,211.43	0.00	0.00	-20,211.43	*** %
	Account Total:	0.00	20,211.43	320,000.00	320,000.00	299,788.57	6 %
	Account Group Total:	0.00	20,211.43	320,000.00	320,000.00	299,788.57	6 %
820000 BONUSES (PERFORMANCE & LONGEVITY)							
820000 BONUSES (PERFORMANCE & LONGEVITY)							
	100 SALARIES	0.00	0.00	15,000.00	15,000.00	15,000.00	0 %
	Account Total:	0.00	0.00	15,000.00	15,000.00	15,000.00	0 %
	Account Group Total:	0.00	0.00	15,000.00	15,000.00	15,000.00	0 %
910000 DEBT SERVICE							
910000 DEBT SERVICE							
	611 SRL Fund Project	0.00	0.00	55,955.00	55,955.00	55,955.00	0 %
	612 Joint Wrapping Project	0.00	0.00	63,990.00	63,990.00	63,990.00	0 %
	Account Total:	0.00	0.00	119,945.00	119,945.00	119,945.00	0 %
	Account Group Total:	0.00	0.00	119,945.00	119,945.00	119,945.00	0 %
980000 TRANSFERS							
980000 TRANSFERS							
	958 Transfer to Fund Balance	0.00	0.00	225,415.00	225,415.00	225,415.00	0 %
	Account Total:	0.00	0.00	225,415.00	225,415.00	225,415.00	0 %
	Account Group Total:	0.00	0.00	225,415.00	225,415.00	225,415.00	0 %
	Fund Total:	21,295.07	70,511.31	1,650,360.00	1,650,360.00	1,579,848.69	4 %
56 ELECTRIC FUND							
720000 ELECTRIC OPERATIONS							
720000 ELECTRIC OPERATIONS							
	100 SALARIES	18,388.88	45,972.20	62,000.00	62,000.00	16,027.80	74 %
	103 Professional Services	0.00	0.00	40,000.00	40,000.00	40,000.00	0 %
	109 FICA	1,329.83	3,331.44	4,800.00	4,800.00	1,468.56	69 %
	110 Retirement	3,492.04	8,730.10	12,090.00	12,090.00	3,359.90	72 %
	111 Group Insurance	1,744.56	4,361.40	10,000.00	10,000.00	5,638.60	44 %
	120 401 (K) Contribution	631.96	1,579.90	4,500.00	4,500.00	2,920.10	35 %
	212 Supplies-Fuel	0.00	0.00	6,000.00	6,000.00	6,000.00	0 %
	214 Supplies-Dept	0.00	0.00	6,200.00	6,200.00	6,200.00	0 %
	321 Telephone	0.00	0.00	3,000.00	3,000.00	3,000.00	0 %
	330 Utilities	0.00	0.00	6,000.00	6,000.00	6,000.00	0 %
	350 Repairs and Maint-Buildings	0.00	180.00	25,000.00	25,000.00	24,820.00	1 %
	352 Repairs and Maint-Dam	0.00	2,419.00	0.00	0.00	-2,419.00	*** %
	353 Repairs and Maint-Equipment	0.00	1,108.26	40,000.00	40,000.00	38,891.74	3 %

TOWN OF LAKE LURE
Statement of Expenditure - Budget vs. Actual Report
For the Accounting Period: 9 / 23

Fund Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
56 ELECTRIC FUND							
	691 Contractual Services	0.00	0.00	42,000.00	42,000.00	42,000.00	0 %
	967 Transfer to Capital Reserve Fund	0.00	0.00	38,560.00	38,560.00	38,560.00	0 %
	Account Total:	25,587.27	67,682.30	300,150.00	300,150.00	232,467.70	23 %
	Account Group Total:	25,587.27	67,682.30	300,150.00	300,150.00	232,467.70	23 %
	Fund Total:	25,587.27	67,682.30	300,150.00	300,150.00	232,467.70	23 %
75 CHIMNEY ROCK WATER FUND							
713000 WATER							
	713000 WATER						
	968 Payments to Chimney Rock Water Works	6,258.55	20,301.02	0.00	0.00	-20,301.02	*** %
	Account Total:	6,258.55	20,301.02	0.00	0.00	-20,301.02	*** %
	Account Group Total:	6,258.55	20,301.02	0.00	0.00	-20,301.02	*** %
	Fund Total:	6,258.55	20,301.02	0.00	0.00	-20,301.02	*** %
	Grand Total:	378,362.38	1,142,232.51	13,061,975.00	13,061,975.00	11,919,742.49	9 %

10/02/23
12:08:27

TOWN OF LAKE LURE
Statement of Revenue Budget vs Actuals
For the Accounting Period: 9 / 23

Page: 6 of 6
Report ID: B110

75 CHIMNEY ROCK WATER FUND

Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
371000					
371300 Charges for Water	0.00	6,837.09	0.00	-6,837.09	** %
371800 W/S - Penalty and Interest	0.00	325.00	0.00	-325.00	** %
Account Group Total:	0.00	7,162.09	0.00	-7,162.09	** %
Fund Total:	0.00	7,162.09	0.00	-7,162.09	** %
Grand Total:	14,258.05	297,402.79	13,061,975.00	12,764,572.21	2 %

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 September 12, 2023 Regular Town Council Meeting Minutes, the September 19, 2023 Special Round Table Meeting Minutes, the September 21, 2023 Special Round Table Meeting Minutes, the September 27, 2023 Town Special Town Council Meeting Minutes, and the September 27, 2023 Town Council Work Session Meeting Minutes



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, SEPTEMBER 12, 2023, 5:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

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

William Morgan, Jr., Town Attorney
William Hank Perkins, Jr., Town Manager
Laura Krejci, Communications Director
Dana Bradley, Parks, Recreation, and Trails Coordinator
Rick Carpenter, Development and Environmental Review Specialist
Stephen Ford, Finance Director

ABSENT: N/A

I. CALL TO ORDER

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

II. APPROVE THE AGENDA

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

III. MAYOR'S COMMUNICATIONS

Mayor Pritchett thanked all individuals in attendance.

Mayor Pritchett explained that the Town had an emergency repair during Labor Day Weekend that impacted lake level and thanked public works for resolving the issue in a timely manner. Mayor Pritchett noted that the sewer system and some retain walls are old and it is not uncommon for issues to arise, but the Town tries to preemptively make improvements. Mayor Pritchett also noted that one thing that the Town strives to improve in these situations is communications. Communications Director Laura Krejci explained that the Town uses Everbridge to communicate emergency situations and that you can contact her for any assistance registering for Everbridge. Director Krejci noted that the Town currently has close to 1,500 residents registered. It was detailed that registration is available at the bottom of the Town's website. Mayor Pritchett expressed appreciation for Town staff.

IV. TOWN MANAGER COMMUNICATIONS

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

V. COUNCIL LIAISON REPORTS & COMMENTS

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

Commissioner David DiOrio reported the activities of the Lake Advisory Board and noted that the Board of Adjustment / Lake Structure Appeals Board met. Commissioner DiOrio noted that the Lake Use Regulations were amended during the Marine Commission meeting.

Commissioner Jim Proctor reported the activities of the Parks and Recreation Board.

Commissioner Patrick Bryant detailed that all boards are rotated annually and noted that those looking to join a Town board can find applications online or can contact the Town Clerk or Communications Director. Commissioner Bryant expressed thanks and encouraged attendees apply for Boards. Mayor Pritchett agreed.

VII. PUBLIC COMMENT

Mayor Carol C. Pritchett invited the audience to speak.

Mayor Pritchett noted that the Town Clerk received a number of comments that will be recorded into the minutes.

Bob Mitchell, 332 Snug Harbor Circle, expressed concern regarding bears getting into garbage and asked for advice on how to keep the area more cleanly to avoid this issue. Mr. Mitchell noted that he has had frequent visits from bears in Lake Lure. Mr. Mitchell explained that his solution is to take his garbage to Spartanburg because he lives there full-time. Mr. Mitchell added that he also visits the Bills Creek facility and it is very nice, but it is distant. Mr. Mitchell questioned the possibility of placing a bin on the South Side of the Lake near Ingles or Dittmer-

Watts. Mr. Mitchell stated that he has noticed that the biggest issues with garbage are vacation rentals and expressed the need to resolve this issue.

Reverend Alex Heafner, 297 Boys Camp Road, spoke regarding the Lakeside Chapel. Reverend Heafner expressed support for Parks and Recreation and the Council members who commented on preserving the Chapel.

John Moore, 123 Firefly Cove, thanked Council for their dedication to the Town and expressed that it is a big commitment that he knows firsthand as a former commissioner. Mr. Moore advised people to attend Chimney Rock Baptist Church's lakeside services, which have been taking place for 60 years. Mr. Moore detailed that set-up for services is at 8:30 a.m. and the service starts at 9:30. Mr. Moore emphasized that everyone is welcome to attend and noted that it is a great event with a laid back and welcoming environment. Mr. Moore added that attendees are careful not to block the boat ramp or police access. Mr. Moore thanked Council.

Helen Jones, 123 Ridgeview Circle, noted that she moved here in 1970 and drove the first showboat. Ms. Jones recalled the excitement that took place when passing the Lakeside Chapel while riding the boats. Ms. Jones explained that Lake Lure Baptist Church have both a tourist and resident ministry and thanked council for considering the Lakeside Chapel.

Barbara Searcy, 201 Havnaers Point Circle, expressed that the increase of people visiting Lake Lure has resulted in more traffic and that she is concerned about speeding on side streets. Ms. Searcy noted that it is a safety issue and asked that the Town address speed limits on the Lake Lure side roads. Ms. Searcy thanked the Commission for the regulations put in place on the Lake. Ms. Searcy also expressed that many community members would like to have a community center in Town again.

Tracy Cjzcoski, 139 Vance Place, noted she had been a resident for 17 years and thanked Council for the ability to comment. Ms. Cjzcoski expressed that she would like to comment on lease of old ABC Store and Pool Creek Park. Ms. Cjzcoski noted that she just found out that the Lakeside Chapel would not be impacted and expressed support for that aspect as she considers the Church to be a treasured experience. Ms. Cjzcoski expressed that the Town needs to protect green spaces and requested that Pool Creek Picnic Park remain as is. Ms. Cjzcoski asked that if the lease of the former ABC Store needs to be a commercial enterprise, that council limit it to the commercial building alone. Ms. Cjzcoski thanked Council.

Doug Phillips, Crystal Road in Chimney Rock, stated that he is an 8th generation local from soldiers who settled in this area and is the grandson of the first man to settle on Chimney Rock. Mr. Phillips expressed that the beauty of the area is what makes it so special and that he thinks that green spaces should remain as green spaces. Mr. Phillips expressed dissatisfaction for having food trucks in Pool Creek Park. Mr. Phillips stated that the Council is a steward of the area and asked that Council members use that title wisely. Mr. Phillips also expressed concern with speed limits and suggested lowering the speed limit from the Welcome Center to Chimney Rock in order to keep the area safe. Mr. Phillips thanked Council.

Debi Warren, 138 Yacht Island Drive, explained that she chairs the Lake Lure Olympiad Committee and that they recently held the 19th annual running of the Olympiad. Ms. Warren thanked the 107 volunteers, Chimney Rock, Rumbling Bald, public safety, Chimney Rock State

Park, Lake Lure. Ms. Warren noted that it could not have happened without help. Ms. Warren added that there were 750 participants. Ms. Warren expressed appreciation and noted that next year will be the 20th annual event and she is looking forward to it.

David Lusk, 217 Sunset Cove, thanked the Town for resurfacing the Sunset Cove road and thanked public works for improving ditches with riprap and gravel.

Susan Heafner, 297 Boys Camp, explained that she is a member of Chimney Rock Baptist and is the sound operator for the Lakeside Chapel. Mrs. Heafner detailed how Lake Lure is unique in many ways and has many unique features including the dance festival, the Flowering Bridge, a beach in the mountains, and Canadian geese. Mrs. Heafner noted that elected officials had helped in creating this uniqueness throughout the years. Mrs. Heafner noted that people in the community have many different interests. Mrs. Heafner emphasized that each activity and event is unique and that Lakeside Chapel is no different. Mrs. Heafner detailed the uniqueness and use of the Chapel and expressed that people really enjoy the Chapel. Mrs. Heafner expressed that she has no issues with the Town continuing to consider uniqueness and trusts that Town Council will listen to concerns and leave Lakeside Chapel as is.

Sonny Clark, 137 Seawish Way, expressed concern regarding the rescinded proposal for of the ABC Store and that the proposal extended to Pool Creek Park. Ms. Clark expressed the need to support local restaurants and noted that people really enjoy the use of Pool Creek Park. Ms. Clark added that food trucks do not promote the area, but nature does, and expressed that if anything is extended into Pool Creek Park it should be something to beautify the area. Ms. Clark thanked the Town for resurfacing the pickle ball courts.

Deborah Gardner, Firefly Cove, noted that she wanted to discuss contracts. Mrs. Gardner stated that all contracts that are entered into should be available for the public to view and recommended adding contracts to the Town website. Mrs. Gardner expressed concern with the latest Lake Lure Tours Concession Agreement. Mrs. Gardner asked if there is a policy that the Town has regarding contracts. Mrs. Gardner expanded that she is concerned about the extension of the Lake Lure Tours Concession Agreement and the fact that it was not re-bid. Mrs. Gardner noted that another issue that she notices in the agreement are the established hours of the beach for public use. Mrs. Gardner added that an additional issue with the agreement is that it states that merchandise, food, and service pricing should be comparable to those charged by the local market and asked why gas is not included in this. Mrs. Gardner expressed that Lake Lure Tours is price gauging and that the Town has some control over the prices set by Lake Lure Tours.

Richard Green, 155 Quail Cove Blvd., expressed that he agrees with comments regarding maintain the Pool Creek Park and the Lakeside Chapel. Mr. Green also expressed that he thinks that the Town needs to support local business rather than food trucks. Mr. Green thanked Council.

There were no further in-person comments from the public.

The following comments were emailed to the Town Clerk prior to the meeting:

From Marcia Evans:

We have owned our cabin for 46 years and have loved the quaintness of Lake Lure. Every summer we also enjoy going to the Lakeside Chapel on Sundays. It is an added plus to the lake.

Please consider this as you are considering buyers for the property that is close to the Lakeside Chapel. The lake definitely would not be the same without this.

Thank you for your help in saving the Lakeside Chapel!!!

From Marlene and Harold Wilson:

We are hearing that our Lakeside Chapel may be eliminated so that the property along that side of the lake (including the closed ABC building) may be used for some other purpose. It has been there since the 1960's for tourists as well as local residents. We urge you to not do away with our Chapel.

Marlene and Harold Wilson

From Janice and Wayne Lawson:

I want to voice my opinion concerning the upcoming discussion about the lease of the property of the previous ABC store. Please be very considerate of the surrounding property there. My husband and I own the property at 331 Asa Gray Drive. This is our secondary home and the little Lakeside Chapel adjacent to the old ABC store is our church away from home. This place is very dear to us along with our children, grandchildren and friends. When we are in town on a Sunday we attend church there. This is a very good and positive thing. Please do not take this away from your residence and visitors. We don't care if you lease the building but please leave the surrounding property as is.

It breaks my heart to see what has already been done there with the expansion of the marina. The natural beauty has been given away for greed of money. We have owned our home there for the past 10 years and pay dearly in taxes and water bill for much of nothing in return.

I know that we do not have voting rights since this is not our primary residence but please, I beg of you, do not let the Chapel and Sunday parking be obliterated.

Asking for your consideration,

Janice and Wayne Lawson

From Joseph Mazur:

Good afternoon Olivia,

I understand that you are receiving comments from concerned citizens and businesses regarding the food truck proposal.

I will be out of town and unable to attend the town meeting.

Our concerns are as follows:

First and foremost, they be cluttering the lake view which was the main feature in selecting our location when it was built in 2005.

Noise and potential smoke from the exhaust fans, generators, refrigeration compressors will be a negative factor impacting our patio guests, keeping in mind that we seat 88 guests on the patio and seating there is typically in very high demand due to the view.

We take no issue with the introduction of food trucks in another appropriate location, perhaps on the paved area between the Arcade and the Inn however, the location should not be to the detriment of the lake view and established community businesses and residences.

Respectfully,
Joe Mazur
Owner Partner
La Strada at Lake Lure
Family Owned and Operated
Proudly Serving N.C for nearly 50 Years

From Susan King:

Addressed to all of the leaders of the Town of Lake Lure:

My family and I are against the planned usage of the Pool Creek Park as a Food Truck Park. Surely our officials can secure a better use that would be supported by the local community, as this one is NOT supported by most ALL of us.

We understand the need to create revenue for the town so that we can afford the services we all want and need. The enlargement of our marina a couple of years ago was a win/win as it provides revenue and additionally benefited the local and surrounding communities with slips and access to our beautiful lake. Most of these people cannot afford to have a home on the lake itself and this has provided them with the ability to enjoy the immense beauty of the lake and mountain vistas.

Tell me please, of what benefit will it be to the towns people to destroy the amazing view of our lake and beach front as they enter what is officially our gateway to our town? Even those who vacation here are always awestruck as they enter town after traveling a number of miles on a winding and wooded road to have it suddenly open up to a panoramic view of towering mountains and beach front! Instead we will all see trucks painted in a loud and garish way advertising their food. The many people who enjoy walking along that stretch will find the natural beauty tarnished, and those that frequented it for family picnics and grilling will no longer have the same experience they once had. Our public picnic area near the tennis courts does not provide the same "lakeside" picnic experience, and is more geared for families needing a playground.

Many in this area over the years have made this their meeting spot for large family get togethers for special occasions and memory making beside the lake. Not everyone can

afford or wishes to partake in the beach, nor owns a boat.....this is their only way to enjoy our lake.

The benefit to accommodate vacationers with additional food sources when we have numerous and a variety of established restaurants here is not necessary, and I do not care what anyone says, for it will impact their business when some of it is deflected to food trucks. There is no benefit here for any of us who call this home, only loss on so many fronts. Yes, seek revenue with the lease of the ABC building and perhaps some of its adjoining land, but leave the Pool Creek Park alone and be satisfied with revenues of the \$2500 or so that can be secured with another usage.....but let us not be greedy to accept \$5000 and destroy the charm and ambiance of our town center!

Respectfully,
Susan King

From Cindy and Robert Lummus:

Please don't lease Pool Creek Picnic Park! That park belongs to the people - to enjoy a free view of the beauty of Lake Lure and our incredible mountains. Pool Creek Picnic Park is Perfect as is!

Cindy & Robert Lummus
772 Luther Burbank

From Larry Czajkoski:

Hello,

My name is Larry Czajkoski.

I live at 139 Vance Place in Lake Lure.

I have lived there and been a resident of Lake Lure for 17yrs now.

I am a current volunteer member of the ToLL Parks & Recreation Board and have been a volunteer member of that Board for over 14yrs.

I would like to THANK Town Council for the opportunity to comment on matters important to the Community. The specific reason I am sending this email to Town Council today (for inclusion to the Tuesday, Sept 12th 2023 Town Council Meeting) is to comment on the 'Building Lease Proposal Request of the former ABC building and the surrounding area....including Pool Creek Picnic Park and the parking lot and Lakeside Chapel area in between the park and the building.'

Regarding the Lakeside chapel. I am member of Chimney Rock Baptist Church. My family has been attending the Lakeside Chapel Sunday morning service in-season regularly since 2014. We consider it a treasured institution in and for Lake Lure that not only church members enjoy every Sunday morning In-Season...But Also, anybody from the community including visitors to our beautiful Town can partake and enjoy church service in an incredibly beautiful outdoor amphitheater with the Lake and the Mountains as our backdrop. It truly is a beautiful experience and one that so many people enjoy regularly in-season....It is part of the attraction and charm of Lake Lure.

Regarding the proposal to lease out the former ABC building, I respectfully request that Town Council take into consideration the usage of the parking area and Lakeside Chapel

by Chimney Rock Baptist Church and allow the church to continue their ministry of Sunday morning lakeside service at the current location regardless of what entity or organization or business eventually leases out the former ABC building. Regarding Pool Creek Picnic Park. As a proud citizen of The Town of Lake Lure, I strongly feel we as a community need to protect and make available to our citizenry and visitors as much green space and parkland as possible for recreation and outdoor activities. So, I respectfully request that Pool Creek Picnic Park remain as is....That is to say, it should remain a green space public park for all to enjoy with no intrusion from any new entity or commercial enterprise that may lease out the former ABC building.

Lastly, Perhaps the former ABC building could be utilized by another Town of Lake Lure Department. But, IF the new entity to lease out the former ABC building needs to be a commercial enterprise....I would encourage Town Council to limit the commercial impact to the building alone and leave the surrounding area including the parking lot, the waterfront, Lakeside Chapel, And Pool Creek Picnic Park untouched and as is for all our community residents and visitors to enjoy. More specifically, I would respectfully suggest Town Council refrain from any impact to the view along the shoreline/waterfront from the current boathouse all the way to the hwy 64 overpass over Pool Creek. The Bay already 2 has enough clutter and view disruption as is....I strongly feel the Town of Lake Lure, its residents, and our visitors would be much better served by leaving the remaining shoreline of Pool Creek Picnic Park all the way to the current boathouse untouched and as is.

Thank You Very Much for your time and attention...
Larry

From Mike and Ellen Huber:

For the Town Clerk:

We have been part-time residents in Lake Lure since 1981. Over the recent several years, we have enjoyed attending the Lakeside Workshop Services (a.k.a. "Boat Church"), and we feel that this venue is very appealing. To be able to worship in this beautiful setting with the lake and the mountains surrounding you, is a very unique and special experience. Part of the charm of Lake Lure is the opportunity to attend worship services outdoors by the lake.

As you consider new tenants in the old ABC store, please allow this long and very special tradition to continue.

Thank you for your consideration,
Mike & Ellen Huber
227 Sunset Cove
Lake Lure

From Beth Bryant:

Planning Council-

I wish to ask for your support in keeping Chimney Rock Baptist Church as part of the lakeside plan being discussed in Lake Lure. My husband and I first saw the small sign for

this group while visiting Lake Lure on Memorial Day, 2022. We came back on the following Sunday and have attended church there ever since.

The fact that your town has seen fit to keep such a venue available is admirable in a time where commitment to financial benefit gains seem to dominate most planning discussions. Each Sunday brings a peaceful reminder of the harmony of nature and faith as we can gather at the lakeside location.

I urge you to keep us meeting in this location as you make plans for your town. The simple value of carving out a place to meet and worship is certainly part of the “lure” of your town.

Thank you for your consideration. Beth Bryant.

From Barbara Ball:

To Whom It May Concern:

I am writing to express my strong opposition to the proposed installation of food trucks in the green space area known as Pool Creek Park.

I have several concerns that I believe need to be addressed. The constant noise emitted from the generators would be a major annoyance, disturbing the tranquility of the area and negatively impact the experience for residents and visitors alike. From a property owners point of view, this could devalue my property as well as others nearby. Has any consideration been given to mitigating this potential issue?

Additionally, the smoke and smells emitted from MULTIPLE food trucks may have a detrimental effect on the quality of air in the vicinity. Has an assessment been conducted to determine the potential impact on the environment?

Furthermore, the increased traffic flow and lack of sufficient parking spaces (which is already an issue) for food truck customers and those wishing to picnic in the little remainder of greenspace could lead to congestion and frustration.

Another significant worry is the potential negative impact on the local restaurant industry. Has a thorough analysis and consideration been conducted to assess the potential economic consequences for these establishments?

Lastly, the prescence of food scraps (you can't get them all up) and leftover smells in the air could attract even more bears to the area.

I urge you to carefully consider these concerns and thoroughly evaluate the consequences of a decision to install food trucks in this beautiful greenspace area overlooking and adjacent to the lake. Serenity and peace, picnicking families their children's laughter, the glorious vista is what this space is all about now and should remain this way. Please don't blight this amazing space.

Thank you for your attention to this matter.

Barbara (Bobbie) Ball
2687 Memorial Hwy.
Lake Lure, NC. 28746

From Lisa Ashlin:

Dear Lake Lure Town Council,

I was raised in Lake Lure, currently a property owner, and hope to retire to Lake Lure one day. I am extremely concerned about potential plans for the old ABC store building and the surrounding green space. I am mostly concerned about the Chimney Rock Baptist Church chapel. This chapel has ministered to locals and visitors since the late 60s. In your decision, I urge you to consider the impact this chapel has had and will have on many lives and how much it means to us. Our small town is beautiful just as it is and some of the changes that have been made and potential new changes are altering what makes this little piece of heaven on Earth so special. At some point it just becomes too much. Please consider the residents of Lake Lure in your decisions. Please consider the reason people want to move here and please keep the natural beauty of Lake Lure. Most importantly please allow our sacred Chapel to remain. Thank you.

Sincerely,

Lisa Ashlin

From Dale and Dianne Burgett:

Dear Mayor Pritchett and Town Council Members,

Thank you for serving our town and community!

It is my understanding that there is discussion on possibly making changes to the area adjacent to the former ABC store. My wife and I are unable to attend the meeting today and would like to present our thoughts on this subject via this letter.

We have attended the Chimney Rock Baptist Church Lakeside Service for many years now and have grown to love the beautiful setting, the fellowship, and teachings we receive each Sunday. Dianne and I respectfully ask that in any upcoming decisions regarding this area, you would not eliminate nor alter our meeting place.

Thank you for your consideration with this matter.

Sincerely,

Dale & Dianne Burgett

308 Summit Ct.
Lake Lure, NC

From Bill Curtis:

One of the things that make lake lure/chimney rock a tourist destination is its friendly tolerant atmosphere where things are offered that may not be in every community. Offering

an outdoor service for visitors and residents alike is a unique and small town friendly gift and a place to meet.

I hope we will continue to provide this use of a small part of your plan for the area.

From John Lingenfelter:

To the Attention of the Lake Lure Town Council,

For over 50 years Chimney Rock Baptist Church has enjoyed the privilege of conducting Sunday morning Services at Lake Lure. These services have been instrumental in providing the citizens of Lake Lure, other local towns and even families from other states, to have an enjoyable outdoor worship experience.

We are truly thankful to the landowners for this unique and blessed opportunity. We hope that an amicable solution apart from terminating morning services can be reached. The church only needs to utilize the parking spaces for a short period of time during the months of lakeside services. Perhaps renting to a coffee shop, bakery, breakfast shop or luncheonette would be a viable solution. Congregants could even support these types of businesses before and after services.

Once again we thank all the public officials, past and potential tenants, and the land owners for allowing Chimney Rock Baptist Church to use this small space for Lakeside Community service and we hope that God's will be done and that this unique and blessed worship experience could continue.

Thank you and God bless you for you attentive ear regarding this matter and may God continue to bless our community,

Sincerely,

John Lingenfelter

From Charlie Ellis, Vice Chair for the Zoning and Planning Board:

TO: Madam Mayor, members of Town Council

On October 28, 2020, Town Council adopted Resolution No. 20-10-28A Reaffirming The Adoption Of The 2014 Lake Lure Town Center Small Area Plan. The ending of the Resolution "reaffirms the adoption of the 2014 Lake Lure Town Center Small Area Plan to serve as a guide for the development of the Lake Lure Town Center over the long term. As well to provide historical context and guidance during the consideration of future alternative Town Center plans."

After many years of discussion, the ABC board recently relocated their store and created a long-awaited opportunity to bring much needed new business into their former location. The Town Center Small Area Plan anticipates a continued commercial use of that building, along with a redevelopment of the lakefront land area behind the former ABC which is currently used for Town-owned boats, construction staging, etc. As the Town continues to market these properties to prospective tenants, those efforts should not include any of the grassy lakefront property currently known as Pool Creek Picnic Park.

Both the Town Center Small Area Plan and the 2007-2027 Comprehensive Plan show this area will remain as Open Space to be used for Park & Recreational Areas. In fact the original 1926 plan for the creation and development of Lake Lure by noted architect E.S. Draper also shows the entire area around Marina Bay as a beach and open space. Far from being "antiquated", as one commissioner recently characterized the Town Center Small Area Plan, it consistently supports the same objectives for open space, parks and recreational uses that have been in place for almost 100 years.

Should this Town Council feel that the 2014 Lake Lure Town Center Small Area Plan needs to be updated, despite its recent reaffirmation less than 3 years ago, then that land use policy should be changed only after a deliberate and public process. Far too much time, money and citizen input has gone into our current land use plans for these to be disregarded by individuals who are perhaps unfamiliar with them or who may harbor development plans which are contrary to our adopted public objectives.

Thank you for your attention to this important matter.

There were no further written comments received prior to the meeting.

VII. CONSENT AGENDA

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

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

VIII. UNFINISHED BUSINESS

There was no unfinished business to discuss.

IX. NEW BUSINESS

A. HEARING: REQUEST TO APPEAL NOV 2023033 AND CITATIONS ISSUED BY THE COMMUNITY DEVELOPMENT DEPARTMENT IN RELATION TO 121 ANGLERS WAY

Allison Laken, 121 Anglers Way, explained that she had received five violations and citations including one that she was unaware of. Mrs. Laken expressed concern that there is not a form to make an appeal for these citations. Mrs. Laken explained that her house burnt down in 2020 and that there was no way to get permits to rebuild when the Town was closed down during COVID. Mrs. Laken noted that she worked with various staff including Michael Williams, Garrett Murphy, Mitchell Anderson, and Rick Carpenter. It was also noted that Rick Carpenter had issued the citations. Mrs. Laken detailed that the citations are \$200 a day. Mrs. Laken noted that her husband lost his leg a year ago and they could no longer be on site to rebuild and had to hire people to rebuild for them. Mrs. Laken stated that many builders did not want to come here because they did not want to deal with Town of Lake Lure. Mrs. Laken also stated that the notice she received says they received four citations and claimed that was not true. Mrs. Laken explained that she had been informed by Mr. Mitchell Anderson that they were in violation of the trout buffer and that the first violation was issued, but no citation. Mrs. Laken noted that they have now installed a steel barrier rather than the silt fence. Mrs. Laken expressed that all of the required changes could not be done in 10 days because of lack of workers and materials, and reiterated that she was charged \$200 per day. Mrs. Laken claimed that she never received any citation other than the trout buffer from Mr. Anderson. Mrs. Laken expressed that she thinks that it is ridiculous and that she does not feel that the citations should be executed upon her and her husband. Mrs. Laken expressed she wants to know where the other four violations were and noted that her husband was given one in May in regard to erosion control. Mrs. Laken further expressed that sediment has not been an issue on their property. Mrs. Laken stated that it is impossible to put fencing up and that she is being cited for things that are being done appropriately. Mrs. Laken expressed that she has applied all the rules and did not feel like 10 days was enough to fix issues.

Council asked for staff's input. Commissioner DiOrio asked about the total number of fines and costs. Development and Environmental Review Specialist Rick Carpenter provided the Council with photos of the site conditions. Specialist Carpenter explained that the number of fines had increased because each one had to be cited as a different violation. Specialist Carpenter noted that he has been working with the property owners for about a year and has tried to give them leniency. Specialist Carpenter expressed that he understands that there were personal circumstances, but conditions were not being met and the property is out of compliance. Specialist Carpenter explained that his goal in issuing the violations and fines is not punishment, but to encourage compliance. Specialist Carpenter further explained that these are state violations related to sediment and erosion control and that all fine money goes to the state. Specialist Carpenter added that he visited the property today and the property owners installed a new fence that does seem to be holding appropriately. Commissioner DiOrio asked if they are in compliance today and Specialist Carpenter answered no. Specialist Carpenter noted that if the citations are waived by Council, NOV2023033 would still be applicable. Specialist Carpenter noted that the property owners seem to have a plan to fix the issues, but have not provided a timeline for action. Specialist Carpenter added that he will continue to work with the property owners to resolve issues.

Commissioner DiOrio asked the Mrs. Laken why the property is still not in compliance and she expressed that she thinks that it is in compliance.

Commissioner DiOrio made a motion to defer any additional deliberation, allow the property owners to try to get in compliance, and revisit the request when compliance is met. Commissioner Doster seconded and all voted in favor.

IX. NEW BUSINESS

B. ORDINANCE NO. 23-09-12 CHAPTER 30 (“TRAFFIC AND VEHICLES”) ARTICLE III (“PARKING VIOLATIONS: ENFORCEMENT”) SECTION 30-57 (“STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES”) SECTION 30-62 (“PARKING AND USE OF ELECTRIC VEHICLE CHARGING STATIONS”) AND SECTION 30-63 (“PENALTIES”) OF THE TOWN OF LAKE LURE CODE OF ORDINANCES

Coordinator Bradley explained that this because the ordinance did not allow LE to enforce and submitted to have it updated. It was noted that three sections would be updated if the ordinance is adopted. Commissioner Doster asked if there was sufficient signage and Coordinator Bradley answered yes.

Commissioner Doster made a motion to adopt Ordinance No. 23-09-12 Chapter 30 (“Traffic and Vehicles”) Article III (“Parking Violations: Enforcement”) Section 30-57 (“Stopping, Standing, or Parking Prohibited in Specified Places”) Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) and Section 30-63 (“Penalties”) of the Town of Lake Lure Code of Ordinances. Commissioner Bryant seconded and all voted in favor. Ordinance No. 23-09-12 was adopted as follows:

ORDINANCE NO. 23-09-12

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

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

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

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

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

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

No person shall stop, stand, or park a vehicle except when necessary to avoid conflict with other

traffic, or in compliance with the direction of a police officer or a traffic control device in any of the following places:

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

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

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

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

Sec. 30-63. Penalty.

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

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

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

Section 5. This Ordinance shall become effective upon adoption

IX. NEW BUSINESS

**C. CONSIDER APPROVAL OF ADVANCED DATA NETWORK SOLUTIONS
(ADNS) UPDATED AGREEMENT**

Finance Director Stephen Ford explained that this topic was discussed at the August work session meeting. Director Ford added that Advanced Data Network Solutions (ADNS) is proposing an amendment to their agreement with the Town and that ADNS provides IT services and business solutions. Director Ford noted that the amended agreement would mainly update terms regarding business solutions. Commissioner Doster asked if staff is pleased with the services provided by ADNS and it was answered yes.

Commissioner DiOrio made a motion to approve Advanced Data Network Solutions (ADNS) updated agreement. Commissioner Bryant seconded and all voted in favor.

IX. NEW BUSINESS

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

Manager Perkins explained that Director Ford is the Finance Officer for the Town and that the Finance Officer has specific statutory abilities. Manager Perkins expanded that Resolution No. 23-09-12A would appoint him as Deputy Finance Officer and would authorize him to act on the Finance Officer's statutory abilities in the event that Director Ford is unavailable.

Commissioner Bryant made a motion to adopt Resolution No. 23-09-12A Appointing Hank Perkins as Deputy Finance Officer. Commissioners DiOrio seconded and all voted in favor. Resolution No. 23-09-12A was adopted as follows:

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

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

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

WHEREAS, the Town Council may appoint a Deputy Finance Officer for the purpose of ensuing that someone is present in town hall with authority to perform actions statutorily assigned to the appointed Finance Officer during the Finance Officer's absence; and

NOW, THEREFORE BE IT RESOLVED that on behalf of the Lake Lure Town Council and the citizens of the Town of Lake Lure, the Lake Lure Town Council appoints William H. Perkins, Jr. as the Deputy Finance Officer. This Resolution shall become effective upon the date of adoption.

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

IX. NEW BUSINESS

E. UPDATE REGARDING LAKE LURE TOURS PROPOSAL FOR THE LEASE OF THE FORMER ABC STORE PROPERTY

Manager Perkins explained that there had been a lot of discussion regarding Lake Lure Tours' (LLT) proposals for the lease of the former ABC Store property. Manager Perkins announced that LLT proposal had been rescinded. Manager Perkins referred Council to the meeting packet page containing the letter from LLT rescinding their proposal.

Commissioner DiOrio thanked all in attendance and recognized that most attendees were there for this item. Commissioner DiOrio noted that the next step is to continue reviewing proposals which are still open for acceptance. Commissioner DiOrio also noted that there has been some guiding principles based on criteria. Commissioner DiOrio expressed that it has always been the intent of the Town to create an area that would provide opportunity for activities that benefit the community. Commissioner DiOrio expanded that another criteria that the Town is looking at during their review of proposals is financials and the opportunity to increase revenues through rent. Commissioner DiOrio stated that Lakeside Chapel will not be interfered with and that he would also like to preserve Pool Creek Park. Commissioner DiOrio noted that the entire parcel is zoned commercial and suggested that the Zoning and Planning Board could look at recommendations for re-zoning the parcel to codify the park. Commissioner DiOrio also noted that the food trucks will not be operating in Pool Creek Park, but the Town is finding that there may need to be a dedicated area somewhere in the Town with electric and wastewater collection features to allow for food trucks. Commissioner DiOrio reiterated that Council will continue review of proposals and proceed as necessary.

Commissioner Proctor noted that there is a Town Center Master Plan that was adopted in the past which displays the Pool Creek Park area with trees, no chapel, and a building behind the former ABC Store building. Commissioner Proctor expanded that the conceptual plan shows almost 300,000 extra sq. ft. of commercial property. Commissioner Proctor suggested that as the Town moves forward, the Town Center Master Plan needs to be revisited. Commissioner Bryant noted that the Town's Comprehensive Master Plan will expire in 2027 and will need to be replaced with a revised plan in the near future.

Commissioner Bryant noted that no one had access to Pool Creek Park until 2014, but for the last 10 years it has been used for recreation. Commissioner Bryant expressed support for reviewing the possibility of the rezoning of the property to codify the park.

X. ADJOURNMENT

With no further business, Commissioner DiOrio made a motion to adjourn the meeting at 6:27 p.m. Commissioner Doster seconded and the motion carried 4-0.

ATTEST:

Olivia Stewman, Town Clerk

Mayor Carol C. Pritchett



MINUTES OF THE SPECIAL ROUND TABLE MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, SEPTEMBER 19, 2023, 6:00 P.M. AT THE TERRACE OF LEGENDS AT RUMBLING BALD

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

William Hank Perkins, Jr., Town Manager

ABSENT: Commissioner Patrick Bryant

CALL TO ORDER

Mayor Carol C. Pritchett called the round table meeting to order at 6:00 p.m.

AGENDA ADOPTION

Commissioner Proctor made a motion to adopt the agenda, as presented. Commissioner Doster seconded and all voted in favor.

TOWN UPDATES WITH TOWN MANAGER HANK PERKINS

Town Manager Hank Perkins provided an update on the 2024 drawdown schedule and projects that will be in progress during the drawdown, the reservoir drain installation, and the Fire Department space needs study to work towards a new fire station.

Commissioner Doster noted that the ABC audit was presented at the ABC Board's meeting yesterday and the report was great.

Commissioner Doster thanked Lake Lure firefighters Josh Hendrix and Shane Snoddy for their work and professionalism during the Danced Festival. Commissioner Doster stated that they did a great job.

Commissioner DiOrio detailed how last year's Lake Use Regulation changes and increased enforcement on the lake had a positive impact on lake congestion. Commissioner DiOrio noted that the Lake Advisory Board had since recommended additional changes and the Marine Commission recently passed amendments to the Lake Use Regulations based on their recommendations. Commissioner DiOrio explained that the main changes are the addition of fishing permit and the removal of non-motorized permits except for commercial non-motorized. It was noted that changes take effect starting January 1, 2024.

Mayor Pritchett announced that the Town recently received the audit report and it was excellent. Mayor Pritchett expressed that funds are being spent responsibly.

Mayor Pritchett thanked public services department and their work when the sewer pipe had broken during Labor Day Weekend.

Commissioner Proctor detailed the Parks and Recreation volunteer hours and thanked all in the community who volunteer.

COMMUNITY QUESTION & ANSWER

An attendee asked Manager Perkins about the status of the master plan related to the fire station. Manager Perkins expressed that he was unaware of an existing fire station master plan and Commissioner Proctor noted that he believes the attendee is referring to mentions of the fire station in the 2007-2027 Comprehensive Plan. Manager Perkins noted that he will look into a more consistent review of the plan moving forward. Commissioner DiOrio noted that the Comprehensive Plan is typically aligned with the Tourism Development Authority and noted that an update to the Plan is needed. The attendee asked if the Town is going to re-visit fire and public safety facilities according to the plan. Commissioner Doster noted that Zoning and Planning will be reviewing the Comprehensive Plan in the future.

An attendee noted that state had previously had a plan to build an access road to Chimney Rock State Park and asked if that is still going to happen. Commissioner DiOrio explained that the Department of Transportation (DOT) had started acquiring land for that project and that it will still happen, but the project is delayed and not a priority for the state at this time. Commissioner DiOrio noted that one project that will get completed prior to the access road will be the replacement for the dam bridge. Manager Perkins explained the Statewide Transpiration Improvement Program (STIP) process in which the DOT evaluates projects and scores them based on criteria. The attendee noted that Lake Lure has the most Capital Improvement Projects than most places in the state and asked about the status of grants for these projects. Communications Director Laura Krejci explained that the Federal Emergency Management Agency (FEMA) has a high hazard dam program and the Town has been fortunate to receive grant funding from this program. Director Krejci added that the Town has been notified that another grant should be awarded for the design of the dam, but it is currently being held up by state budget issues. Director Krejci noted that the Town has a third FEMA grant application that is being reviewed and that the Town will continue to apply for grants every year. Manager Perkins explained that for the sewer, there is discussion regarding an additional \$7 million in SRF loans and we have already been awarded a \$12.5 million SRF loan and an \$8 million ARPA grant. Commissioner Doster added that the Town has a \$16.5 million state appropriation for the dam, and an additional \$1.6

million is added to the dam fund each year. Commissioner DiOrio noted that the Town's relationship with the state is good and that the Town will be asking the legislature for additional funds at some point in the future. Mayor Pritchett added that the state is aware that the Town is being responsible with funds. Mayor Pritchett noted that a lot of discussion are on infrastructure, but Council tries to keep a balance to upkeep other areas that make the Town enjoyable.

An attendee noted that residents cannot use their boats in the off-season because of lake drawdowns and expressed that it is unfair to pay for an annual fee when the lake can only be used for seven to eight months out of the year. Commissioner DiOrio explained that the costs to maintain the lake stays the same regardless of the lake drawdown and that funds would have to come from somewhere else if the lake use fees are lowered. Commissioner DiOrio added that lake use fees pay for lake maintenance and that the only option if they were to be lowered would be to increase taxes. Commissioner Proctor noted that the recently approved amendments to the Lake Use Regulations include permits being titles seasonal instead of annual to better reflect operations.

An attendee asked about extending the resident boat permit rate for Rutherford County residents. Commissioner DiOrio referred to the Lake Use Study model and noted that allowing all Rutherford County residents to hold annual boat permits would bust the model. Commissioner DiOrio noted that all non-residents can get daily passes and that the rate for daily permits is lower for Rutherford County residents as an incentive. The attendee asked how many non-motorized boat permits were sold and it was noted that there were many non-motorized permits sold. Commissioner DiOrio explained that while there may be a loss from non-motorized boat permits next year, the loss will be worth the benefits from removing non-motorized permits. Commissioner DiOrio noted that police can now focus on people who are breaking rules rather than spending time trying to check non-motorized permits. Commissioner Proctor noted that some non-motorized permit revenue losses will be offset by revenues from fishing permits.

An attendee noted that it was frustrating to buy non-motorized permits and thanked the Marine Commission for making that change. Commissioner Doster emphasized the burden that removing non-motorized permit will take off of law enforcement and other staff, and this will allow for law enforcement to focus on increased safety. Mayor Pritchett noted that Council asked the police department to increase enforcement on the lake this year and they did a great job.

An attendee asked about the status of the Wastewater Treatment Plant (WWTP) and noted that to increase revenues, more people could hook up to the system, but there is a limit and a moratorium. The attendee where we are with the WWTP and how expansion is being impacted. Manager Perkins explained that LaBella Associates is working on a WWTP Master Plan and the Town is working towards improving and maintaining the existing system. Manager Perkins noted that the Town will be working on a transition plan between current plant and new plant. Manager Perkins expressed that he is hoping that replacing the WWTP matches the pace of replacing the sewer system. Manager Perkins noted that the Town has a plan to move forward with a new WWTP, but the plan is controlled by time and funding. The attendee asked if the new WWTP will be located where the existing plant is located and Manager Perkins answered that this is being reviewed, but the existing plant is in a flood plain which is not ideal. The attendee asked how much land area will be required for the new WWTP and Manager Perkins noted that it will depend on technology and other factors. Commissioner DiOrio noted that the Town will have to have both plants operating simultaneously at some point and expressed that he would like to keep the new WWTP near where the existing plant is located. Commissioner DiOrio noted that the Town has recently been working on sludge management and staff has figured out a good system for sludge management that will likely be completed twice a year. Commissioner

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DiOrio added that as the Town is also fixing manholes and leaks which is also helpful in improving and maintaining the existing system. Commissioner DiOrio detailed the moratorium and explained that any new commercial hook-up to the system will first have to be approved by the state, but new residential hook-ups can be approved by the town without the state approval requirement. Commissioner DiOrio added that the Town is building confidence with the state.

An attendee mentioned about the status of an amphitheater in Morse Park. Commissioner Doster noted that there was a Parks and Recreation Trust Fund (PARTF) grant applied during the spring that the Town did not receive, but the Town and Rutherford County TDA do have funds in place to work towards the entire Morse Park Plan. Commissioner Doster expanded that the first step will be to expand parking to accommodate people visiting the amphitheater. It was noted that the Town would also be funding an ADA friendly playground. Commissioner Doster stated that the Town will re-apply for PARTF during their next application cycle. Mayor Pritchett noted that the Town's first steps towards completing the amphitheater are funding preparatory features such as parking, bathrooms, and electric. Council members and attendees discussed the possibility of using portable stages. The attendee noted that the reason he asked about the amphitheater is because there have been plans to hold a new festival for Jimmy Buffett and the amphitheater would be useful for the festival. Mayor Pritchett detailed that the Town has goals to enhance Morse Park. The attendee mentioned that Spindale was awarded a Meta grant for their skate park and suggested that the Town could apply for a similar grant. Mayor Pritchett noted that another project that the Town and TDA are working on is improving connectivity between the Town and Chimney Rock Village.

An attendee noted that he liked the flexibility that he had witnesses in other areas using portable, non-permanent amphitheaters. Commissioner Doster agreed. The attendee expressed that the best local example is Forrest City.

An attendee asked for an update on the cell tower. Manager Perkins answered that permitting is in progress now and the cell tower is set for completion during the first quarter of 2024. Manager Perkins added that all issues with the State Historic Preservation Office (SHPO) had been resolved.

An attendee asked if there is any plans to improve the intersection near Ingles. It was noted that this would be DOT project, but the DOT is aware of the issues with that intersection and the Town will continue to push the DOT to make improvements. An attendee suggested that a roundabout would be beneficial at the intersection.

An attendee asked about the status of dredging this year. Manager Perkins detailed that dredging operations are paused at the moment, but the Town is working on advertising for bids for a new dredging contract soon. Commissioner DiOrio noted that the North Carolina Division of Water Infrastructure (DWI) is still dedicated to helping the Town fund dredging and the Town will continue to work towards maintain that commitment from DWI.

An attendee asked if Rumbling Bald Resort could apply for dredging grants as well. Manager Perkins answered that he thinks that the dredging grant that the Town receives is only for the local governments. Manager Perkins noted that a lot of sedimentation comes from the Rocky Broad River, which is why the Town has been focusing on the area in which the Rocky Broad deposits into the lake. It was also noted that Rumbling Bald had completed some dredging operations in the past. Mayor Pritchett expressed the importance of dredging and noted that the pause on operations is due to contractual issues. It was noted that the Town would like to do mechanical dredging at some point. Manager Perkins added that the Town is evaluating methods for managing sedimentation before it gets

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to the lake. Mayor Pritchett noted that dredging will always be an ongoing project and Town staff is working to develop a long term plan. The attendee expressed that he would like to remind Council that Rumbling Bald's taxes are included in the Town's taxes. Mayor Pritchett noted that she strives to focus on community, total involvement, and perspective from all residents.

Mayor Pritchett thanked all in attendance and expressed appreciation for participation.

ADJOURNMENT

With no further business, Commissioner Doster made a motion to adjourn the meeting at 7:21 p.m. Commissioner DiOrio seconded and the motion carried 3-0.

ATTEST:

Olivia Stewman, Town Clerk

Mayor Carol C. Pritchett



MINUTES OF THE SPECIAL ROUND TABLE MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, SEPTEMBER 21, 2023, 6:00 P.M. AT THE LAKE LURE MUNICIPAL CENTER

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

William Hank Perkins, Jr., Town Manager

ABSENT: Commissioner Patrick Bryant
Commissioner Jim Proctor

CALL TO ORDER

Mayor Carol C. Pritchett called the round table meeting to order at 6:00 p.m.

AGENDA ADOPTION

Commissioner Scott Doster made a motion to adopt the agenda, as presented. Commissioner David DiOrio seconded and all voted in favor.

TOWN UPDATES WITH TOWN MANAGER HANK PERKINS

Town Manager Hank Perkins provided an update on the 2024 drawdown schedule and projects that will be in progress during the drawdown, the reservoir drain installation, and the Fire Department space needs study to work towards a new fire station.

COMMUNITY QUESTION & ANSWER

Mayor Pritchett invited attendees to ask questions.

An attendee asked when the lake drawdown will be scheduled. It was noted that the draw

down will start January 1st to March 31st.

An attendee asked since we are spending 7.4 million dollars for valves can we reuse those same valves elsewhere. Commissioner DiOrio explained that the valves will be tied into the new dam.

Attendee asked what the town is doing to update the sewer plant and the water system. Manager Perkins stated that for the sewer we have a master plan study with our engineering firm La Bella to determine a location for the new plant and the technology that would be involved. Hank further explained that for the water system the town just finished our new water system management plan which includes a new tank at Firefly Cove.

An attendee asked if there were any plans to replace water pipes going down Memorial Highway. Manager Perkins stated that there were no discussion at this time.

The attendee expressed concerns about instances of air in the pipes. Commissioner DiOrio said that there were some instances due to breaks but they believe they are resolved.

An attendee questioned our ability to keep up with water supply with the town's growth. She stated that we didn't need to be dependent on anyone for our water needs. Commissioner DiOrio stated that part of the water management plan is redundancy and back up depending on where the demand is. The new framework is going to provide that redundancy. Commissioner DiOrio stated that we didn't have a water supply problem but a water distribution issue.

An attendee asked if the new sewer pipe is better, compared to the pipe that is currently there. Commissioner DiOrio stated that it is so much better but the big advantage is now we will be able to get to them if we need to do repairs. He further stated that the town is being proactive by taking care of the old system which buys us time to raise money and go after a methodical way to put in the new system.

An attendee asked why there was a change in the draw down from November to January. Manager Perkins stated that we could not get the equipment that was needed in time to start in November.

Council discussed the importance of maintaining a good relationship with legislature in relation to grant money to help with ongoing projects.

An attendee asked if there will be an access road from the north end of the lake to the west end. Commissioner DiOrio stated there is an ongoing discussion with property owners, and Rumbling Bald who are in agreement that having an access road is needed for public safety.

An attendee asked why the power grid was so unreliable. Commissioner Doster stated that Duke is responsible for the power lines and they usually find it cheaper to repair the lines when they are damaged rather than to bury them.

Attendees asked why we couldn't get DOT to come out and cut back the trees and maintain the slopes. Mayor thought it would be a good idea to arrange a meeting with Duke Energy to

address these issues.

An attendee asked if we employ a lobbyist and if we are happy with them. Commissioner DiOrio stated that we have been using a firm for the last 2 and a half years who is working on our behalf. He stated that we met with them recently and we are satisfied with them.

An attendee asked if the old ABC store is being offered as just the building or is town property included in that deal. Mayor Pritchett stated that the town is still accepting proposals at this time and council cannot make comment on the proposals. Manager Perkins stated that current proposers are interested in retouching their proposals and we will continue to take anything people have whether new or updated until we get a plan that the Town of Lake Lure is happy with. Commissioner Doster further stated that he could say that Pool Creek Park is most likely off the table. Commissioner DiOrio stated the zoning board is discussing the property to see how it can be zoned correctly since it is currently being zoned as commercial property. An attendee stated that it comes back to having a master plan with the green spaces as a priority. Manager Perkins stated that we have that going, the sequence of that right now is that we are going to finish the fire department master planning and figure out where the fire department is going to be. When we are done with that we are looking at doing the planning for the master plan.

An attendee wanted to know if there was a reason we can't put a sign on the old ABC building. Commissioner Doster said that we will put a sign on the building.

An attendee was concerned that there wasn't any talk regarding the 100 year celebration and the need to have a committee and community group put together. Mayor Pritchett agreed and stated that we did start having that conversation with Communications Director Laura Krejci. She stated that she would like to see a community group put together and put a plan in place.

An attendee questioned if there are plans to start work on the amphitheater. Mayor Pritchett noted that the Town is working with TDA and that the need to expand the parking lot is something to look at first.

An attendee noted that the visitor center closed their bathrooms during the Dance Festival. Mayor Pritchett stated that she would talk to the TDA about that.

An attendee brought up safety concerns regarding non-motorized vehicles traveling the lake. Commissioner DiOrio stated that the Police Department was asked to pick up enforcement to address this matter as well as putting a focus on a non-motorized vehicle ramp with signs explaining rule and other information.

An attendee made mention that the amount of trees fallen into the lake due to wakes eroding the banks was a concern. Commissioner DiOrio stated that the town is looking to maintain balance between protection the resource and boaters enjoying the lake.

Attendee asked about the progress of the cell tower. Manager Perkins stated that the plans have not changed and that it is going through permitting right now. He stated that the tower is expected to go vertical January of 2024.

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Mayor thanked all in attendance and expressed appreciation for participation.

ADJOURNMENT

With no further business, Commissioner Doster made a motion to adjourn the meeting at 7:36 p.m. Commissioner DiOrio seconded and the motion carried 3-0.

ATTEST:

Wendy Terry, Deputy Town Clerk

Mayor Carol C. Pritchett



**MINUTES OF THE SPECIAL MEETING OF THE LAKE LURE TOWN COUNCIL
HELD WEDNESDAY, SEPTEMBER 27, 2023, 8:00 A.M. AT THE LAKE LURE
MUNICIPAL HALL**

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

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

ABSENT: Commissioner Patrick Bryant

I. CALL TO ORDER

Mayor Carol C. Pritchett called the special meeting to order at 8:00 a.m.

**II. REVIEW AND CONSIDER APPROVAL OF INDEMNIFICATION CLAUSE
BETWEEN THE TOWN OF LAKE LURE AND MORGAN CORPORATION**

Town Manager Hank Perkins explained that Morgan Corporation has requested an indemnification clause between them and the Town. Manager Perkins added that the indemnification clause is in conjunction with the temporary construction easements related to the reservoir drain valve installation project. It was detailed that the Town is indemnifying Morgan Corporation for any possible damages or trespassing associated with the temporary construction easements. Project Manager Michael Dydula agreed and noted this clause will allow Morgan Corporation to begin working as soon as possible. Town Attorney William Morgan added that the indemnification clause will allow Morgan Corporation to begin work prior to the temporary construction easements being signed. It was noted that one temporary construction easement was already signed by the respective property owner. Manager Perkins explained that the indemnification clause works for both temporary construction easements and that the next item on the agenda is to approve the Hunt temporary construction easement while the Moore temporary construction easement is still underway.

Commissioner DiOrio asked if there are any associated risks and Manager Perkins noted that the Hunt property will be used for laying equipment, but the Moore property is only needed for crossing. Commissioner Proctor noted that the Moore easement may not be necessary anyways. Project Manager Dydula noted that the indemnification clause will relieve Morgan Corporation from liabilities. Project Manager Dydula also noted that the temporary construction easements will override the indemnification. Commissioner Doster suggested that the Town take pictures of the sites prior to work starting in order to compare the visuals of the sites after the project is completed.

Commissioner DiOrio made a motion to approve the Indemnification Clause between the Town of Lake Lure and Morgan Corporation. Commissioner Proctor seconded and all voted in favor.

**III. CONSIDER ADOPTION OF RESOLUTION NO. 23-09-27 AUTHORIZING
TEMPORARY CONSTRUCTION EASEMENT FOR THE RESERVOIR DRAIN
VALVE INSTALLATION PROJECT**

It was noted that this resolution is in relation to the Hunt temporary construction easement that was discussed under the previous item.

Commissioner DiOrio made a motion to adopt Resolution No. 23-09-27 Authorizing Temporary Construction Easement for the Reservoir Drain Valve Installation Project. Commissioner Proctor seconded and all voted in favor. Resolution No. 23-09-27 was adopted as follows:

RESOLUTION NO. 23-09-27

**RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE AUTHORIZING
TEMPORARY CONSTRUCTION EASEMENTS FOR THE RESERVOIR DRAIN VALVE
INSTALLATION PROJECT**

WHEREAS, The Town of Lake Lure, is a North Carolina municipal corporation organized and existing pursuant to the laws of North Carolina, 160A-1, et. seq., that owns, operates, and maintains the Dam that impounds the waters of Lake Lure; and

WHEREAS, Lake Lure's 1927 Dam is scheduled for replacement over the course of the next decade but needs repairs mandated by the NC Office of Dam Safety, including a Reservoir Drain whereby the Lake may be lowered by an adequate amount in the case of an emergency; and

WHEREAS, The reservoir drain will also enable and facilitate work on the Town's phased rehabilitation and replacement of its sewer system that is ongoing, and which will result in the implementation of a new state-of-the-art sewer utility which is being installed in the backshore, which is the land exposed during lake drawdown periods; and,

WHEREAS, Temporary construction easements are needed in order to establish "lay down areas" along the access road to the base of the dam where the installation of the reservoir drain will occur and such lay down area is where various components of the reservoir drain will be stored and assembled, as well as equipment needed for the same.

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

SECTION ONE. The Town of Lake Lure authorizes temporary construction easements between the Town of Lake Lure and the following property owners:

HUNT, JOHN JACKSON ESTATE (Parcel Id. 226751)

SECTION TWO. The Town of Lake Lure and the parties specified above shall abide by any specifications within the authorized easements.

SECTION THREE. Any additional temporary construction easements for the Reservoir Drain Valve Installation Project are hereby authorized at the discretion of the Town Attorney and Town Manager.

IV. ADJOURNMENT

Commissioner Proctor made a motion to adjourn. Commissioner DiOrio seconded and all voted in favor. The meeting was adjourned at 8:11 a.m.

ATTEST:

Olivia Stewman, Town Clerk

Mayor Carol C. Pritchett



MINUTES OF THE REGULAR WORK SESSION MEETING OF THE LAKE LURE TOWN COUNCIL HELD WEDNESDAY, SEPTEMBER 27, 2023, 8:30 A.M. AT THE LAKE LURE MUNICIPAL HALL

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

William Manager Perkins, Jr., Town Manager
William Morgan, Jr., Town Attorney
Michael Williams, Community Development Director
Stephen Ford, Finance Director
Laura Krejci, Communications Director
Sean Humphries, Police Chief
Dean Givens, Parks, Recreation, and Lake Director
Dana Bradley, Parks, Recreation, and Trails Coordinator
Michael Dydula, Project Manager
Jonathan Pittman, PE, Schnabel Engineering
Randy Rollins, Hydro Utilities Supervisor

ABSENT:

I. CALL TO ORDER

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

II. AGENDA ADOPTION

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

III. REVIEW ZONING AND PLANNING BOARD RECOMMENDATION FOR SOIL AND EROSION CONTROL ORDINANCE

Community Development Director Michael Williams explained that the Town functions as a soil erosion and sedimentation control enforcement program for the state and must model the state's ordinances which were recently revised. Director Williams further explained that the Zoning and Planning Board reviewed the state's updated ordinances and recommended adoption. Commissioner Proctor asked what the Town's area is to have approval and Director Williams answers that the state requires an acre but the Town can be stricter and the requirement is 200 sq. ft. of disturbance or 100 sq. ft. within 35 ft. of the lake.

IV. FINANCE PRESENTATION FOR VEHICLE INSURANCE SAVINGS

Manager Perkins explained that shortly after he started with the Town, he spoke with Finance Director Stephen Ford about reviewing insurance schedules to ensure that the Town is fully covered and policies are accurate. Director Ford and Accounting Clerk Melissa Hand completed that review and found areas for efficiencies and improvements. Director Ford explained that within the process, staff completed an internal audit of vehicle, equipment, property, and other insurances and found that there were vehicles that were still on the insurance plan that are no longer owned by the Town. Director Ford detailed an initial savings of \$8,000 based on the findings. Director Ford noted that staff also looked at cell phones and tablets which are being eliminated resulting in a savings amount of \$4,000 per year. Director Ford expressed that staff will continue to try to find savings and that the budget process will begin soon. Director Ford thanked Ms. Hand for her help in completing these tasks.

Commissioner Doster asked about the status of reviewing Town owned land asset. Manager Perkins noted that there is an inventory and that it is updated through Rutherford County GIS. Commissioner Doster asked if there are plans to dispose of any properties and Manager Perkins answered that staff will review if this is needed. Manager Perkins noted that the disposition of real property is a complicated process and that the Town will need to evaluate potential uses and other factors. Manager Perkins also noted that some of the Town's properties are designated for specific uses.

Mayor Pritchett thanked staff and noted that these savings add up. Manager Perkins agreed and noted that staff will continue to work towards completing internal audits and finding savings.

V. DISCUSS ADVERTISING A RFQ FOR AUDIT CONTRACT

Director Ford provided Council with a draft Request for Proposals (RFP) for auditing services. Director Ford explained that the current auditors have been working with the Town for a long time and expressed that he thinks that it is good practice to look at other options periodically. Director Ford explained that he would like to advertise an RFP to see what other auditing firms offer in terms of costs, schedule, experience, management, and other factors. Director Ford noted that this is especially important now that the Town is receiving more grants and loans. Director

Ford noted that the fee would increase if the Town decides to continue services with Martin and Starnes Associates. Commissioner Doster asked how the Town has been working with Martin and Starnes and Director Ford estimated 30 years. Director Ford invited any input from Council. Mayor Pritchett noted that in the past, an issue was a lack of auditing firms and Director Ford noted that there are more options than there used to be. Council expressed support for advertising a RFP for auditing services.

VI. DISCUSS CHIMNEY ROCK VILLAGE WATER AGREEMENT

Manager Perkins noted that the Town's current water agreement with Chimney Rock Village is supposed to expire at the end of December this year. Manager Perkins detailed that he met with Village Administrator Stephen Duncan last week and discussed the draft of the new agreement that Town staff had been working on. It was noted that the draft is located in the meeting packet. Manager Perkins noted that the draft is very similar to the previous one reviewed with Council and that the biggest change is that the component for which the Village will pay for administrative services is proposed to change significantly.

Manager Perkins noted that Town staff is in the process of getting the Firefly Cove water system online and the last step is for the state to approve the Water System Management Plan that is currently under their review. It was detailed that when the Firefly Cove system is online, the Town will no longer need to rely on Chimney Rock's water reservoir.

Manager Perkins explained that Chimney Rock has been paying the Town \$15,000 for services and this number was set 20 years ago and never re-visited. Town staff has been working towards determining a cost estimate for administrative services accrued for Chimney Rock's water system. It was noted that the Town will also be reviewing what responsibilities Chimney Rock is willing to take on moving forward. Manager Perkins recommended that the Town propose a temporary rate beginning on July 1st during a new fiscal year, the Town charge the Village this rate in 12 equal payments, work with auditing firms to look at audited figures for costs for administrative services for water at the end of the fiscal year, and when the Town receives the audit report either debit or credit Chimney Rock based on actual costs compared to the rate charged throughout the fiscal year. Manager Perkins noted that the Village Administrator has requested to further extend the existing agreement until the end of the current fiscal year to allow for evaluation of actual costs.

Commissioner DiOrio asked if Chimney Rock will be installing electronic water meters and Manager Perkins answered no, but they are aware that that is an option. Commissioner DiOrio noted that Chimney Rock needs to understand the costs for the Town's manual reading of meters. Commissioners discussed that Chimney Rock would benefit from installing electronic meters.

Manager Perkins noted that the Town is going to use the CMMS to keep track of work orders for Chimney Rock and use these records as a basis for costs for time, labor, and materials. Manager Perkins added that if the Town must hire a contractor to work on Chimney Rock's system, invoices will be used in the same manner. Manager Perkins noted that Chimney Rock can decide to take on operations and improvements themselves or use the Town. Mayor Pritchett asked if the

Town would have the ability to check that Chimney Rock is maintaining the system efficiently and it was answered yes.

Manager Perkins noted that Chimney Rock will be installing a master meter on the sewer and that will be in the Town's sewer system plan.

Commissioner DiOrio expressed that the Town needs to get the Firefly Cove system online as soon as possible and asked for verification that Town is only waiting on state approval of the water system management plan to complete getting the system online. Manager Perkins answered this is correct per his understanding.

VII. DISCUSS EMERGENCY COMMUNICATIONS

Manager Perkins noted that this was placed on the agenda to discuss how the Town gets communications out during emergencies. It was noted that this topic was brought up following the sewer break during Labor Day weekend that resulted in the temporary lowering of the lake. Manager Perkins noted that the Town should have gotten the Everbridge notification out sooner, but that all other communications were good including information posted on the Town website and social media. Commissioner DiOrio noted that Everbridge is designed for emergency communications and agreed that the Town need to use it appropriately and timely. Council encouraged attendees to sign up for Everbridge. Council discussed appropriate times to use Everbridge including any emergency that impacts the lake level, road closures, and other things instances that people may need to take action and be aware of.

VIII. REVIEW PROPOSED ELECTRIC VEHICLE ORDINANCE AMENDMENT

Police Chief Humphries noted that there are signs on in the electric vehicle (EV) parking spots that state EV parking rules, but the rules on the signs are not accurately reflected in the ordinances, so staff is recommended that language be added to the ordinances in order to better enforce EV parking rules. It was detailed that staff is also recommending that the time limit for the EV charging stations be increased from two hours to four hours.

IX. DISCUSS RECUSALS

Manager Perkins advised that if there is an instance in which a council member feels that they need to recuse themselves, there are guidelines for recusals detailed in G.S. § 160A-75. Manager Perkins noted that there are only certain situations in which recusals are authorized. Council members were provided the General Statute and a School of Government article located in the meeting packet. It was detailed that the main instance in which a recusal is applicable is when it involves financial gain. Manager Perkins detailed that when a recusal is needed, the council member should state why they must be recused and the remaining Council members most vote to allow for them to be recused. Manager Perkins noted that an abstention counts in favor of the vote otherwise. Mayor Pritchett agreed that there are very few reasons that one can be recused. Manager Perkins added that these rules apply to all boards or committees for the Town. Town Attorney William Morgan confirmed that the above information is accurate. Manager Perkins added that

there are also quasi-judicial voting rules in which recusals would be appropriate. Council discussed evaluating whether or not Marine Commission is quasi-judicial. Commissioner Proctor noted that if a commissioner needs to leave a meeting, it is his understanding that Council needs to vote to excuse them. Attorney Morgan noted that this may be included in the Council's handbook and stated that he would follow-up on this. Mayor Pritchett noted that the Town should educate advisory board members on this information.

X. DISCUSS ADDITIONAL SRF LOAN

Manager Perkins noted that the Town has been offered an additional \$7 million SRF loan with a 0% interest rate for the sewer project. It was detailed that Town staff held a meeting with members of DEQ and there are a few questions that DEQ still needs to answer including whether or not the Town needs to apply for a 30 year term before or after the loan is accepted. Manager Perkins noted that DEQ has provided the Town will a resolution accepting the loan that will need to be adopted by Council. Manager Perkins detailed that funds for the sewer project will need to be spent in a particular order with ARPA funds being spent first, the first SRF loan spent next, and this SRF loan spent last. Council expressed that they are interested in extending this loan from a 20 year term to a 30 year term like the existing SRF loan. It was noted that staff had spoken with LaBella Associates and the process for extending the loan should be simple, but there is still question as to when the Town should accept the loan. Commissioner DiOrio expressed that the additional loan is a testament to the state's confidence in the Town and noted that the Town need to monitor the loan even if it does have a 30 year term. Manager Perkins and Council members expressed satisfaction that it is a 0% loan and there was consensus to accept the loan when applicable.

XI. DISCUSS OFF-SEASON BEACH SCHEDULE REQUEST FROM LAKE LURE TOURS

Manager Perkins explained that for the past two years Lake Lure Tours (LLT) has requested a provision for the concession agreement regarding the beach's off-season schedule and that a request had not been submitted this year until it was mentioned at the last Town Council meeting. Manager Perkins expanded that LLT has now sent a request that would include closing the beach following Labor Day Weekend until the day following commencement of lake drawdown, re-opening the beach following commencement of drawdown for no-swimming access until the day following commencement of lake refilling or until the lake is returned to full pond, and closing the beach until it is re-opening for the season beginning Memorial Day Weekend. Manager Perkins noted that the beach has temporarily re-opened per the terms of the concession agreement, but the request would close it until the lake drawdown begins. Manager Perkins recommended that if Council chooses to approve LLT's request again, it should be approve for more than a one-year basis and Council should evaluate if the concession agreement should be amended to further extend this schedule.

Manager Perkins noted that he had spoken with Police Chief Humphries about whether or not any issues had occurred since the beach had temporarily re-opened and Chief Humphries explained that there had been people swimming despite the "no swimming" signs and it is a safety concern. Mayor Pritchett noted that this had been an issue in the past. Commissioner Bryant agreed and explained that he witnessed these issues first-hand when he worked with LLT.

Commissioner Bryant expressed support for the proposed verbiage that is not specific for just one year. Manager Perkins knotted that on October 10th, Council can vote on it LLT's proposal and decide how long the schedule should be applicable for.

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

Manager Perkins noted that Lake Lure Tours (LLT) and Mr. John Venuto had submitted revised proposals for the lease of the former ABC Store prior to the agenda being sent out, so their proposals are in the meeting packet.

Manager Perkins summarized that the main change presented by Mr. Venuto is increased rent and concession percentage.

Manager Perkins explained that Mr. Wade Oppliger submitted a revised proposal yesterday afternoon and it was provided to Council prior to the meeting.

Manager Perkins noted that the only change from LLT is that their request no longer includes use of Pool Creek Park aside from their request to maintain and upkeep the Park. Commissioner Proctor noted that the way he understood the proposal from LLT is that they would like to hold events at Pool Creek Park. Manager Perkins expressed that he did not think that was the case, but he will follow-up with LLT. Commissioner Doster expressed that he does not see why the Town cannot continue to maintain Pool Creek Park. Commissioner Bryant expressed that he would like Pool Creek Park to be removed from the proposal altogether. Other Council members agreed.

Commissioner Proctor expressed that he is not in favor of the Town paying for any up-fitting or trade fixtures as detailed in the proposal submitted by Mr. Venuto. Commissioner DiOrio added that a restaurant would be chancy investment. It was also noted that there are limitation to how much up-fitting can be done due to the building being in a flood area.

Commissioner DiOrio noted that he would like specifics regarding the use of the building to be included in Mr. Oppliger's proposal. Mr. Oppliger explained that he was initially envisioning the building being used as an outfitter, but he is now associated with WNC Outfitters who focus on building community through outdoor activities and giving back to communities. Mr. Oppliger added that WNC Outfitters would work towards making the building a multi-purpose space to build community. Mr. Oppliger expressed that he has the same goal of building community and detailed that WNC Outfitters did a study previous regarding the area and how this goal can be achieved. Commissioner Doster asked if he thinks Mr. Oppliger's partners would be willing attend a meeting to discuss exactly what they want to do and Mr. Oppliger answered yes. Commissioner DiOrio noted that it is his understanding that Mr. Oppliger and WNC Outfitters would like to use the building as a collective and that there could be a number of different people and businesses coming in and out for different purposes. Mr. Oppliger expressed that there would be immediate evaluation as to who would be utilizing the space. Mr. Oppliger detailed a few of the groups and activities that would likely use the area. Mr. Wade compared the proposal to a farmer's market type set-up, but added that it will be permanent and used for selling food and services. It was explained that WNC Outfitters would pay rent for the building and Mr. Oppliger would be responsible for the majority of concessions. Commissioner DiOrio asked what the concessions would be based on and Mr. Oppliger answered renting of rowing equipment. Commissioner DiOrio noted that Mr. Oppliger would need to enter the Town's commercial lake model if using rental boats. Manager Perkins asked if the original financial proposal is still valid

and Mr. Oppliger answered no. Mr. Oppliger noted that he thinks his original proposal fairly portrays estimates for concessions. Commissioner Doster noted that the Town do not have estimates from any of the proposers. Commissioner DiOrio asked if the collectives would extend the business and rent kayaks and Mr. Oppliger answered that this would be a discussion to have with each vendor, but he thinks that they will be more interested in selling goods and services rather than renting. Commissioner DiOrio noted that one of the reason for opening up the area is to allow for non-motorized boat access and noted that this proposal fits that goal, but questioned how this will be orchestrated on the property. Commissioner DiOrio expanded that Pool Creek Park is not on the table at all, but he would like to see a business model framework for the property. It was asked when Council would need this information and Council answered as soon as possible. Commissioner DiOrio noted that the Town is looking at what is the best fit for the community, financials, and preserving access to the park and the chapel. Commissioner Bryant pointed out that last slide provided by Mr. Oppliger articulates the site map. Commissioner Doster noted that another component that the Town is factoring is the police boat docks and noted that the Town cannot give that those docks at this time. Mr. Oppliger explained that he essentially wants to expand the boat house to allow room for the police boat to remain in place. Mr. Oppliger added that he would like a long dock and more spaces and Parks, Recreation, and Lake Director Dean Givens expressed that this could be doable. Commissioner Doster noted that anything that any sort of construction would need to be permitted because it is a commercial enterprise. Mr. Oppliger expressed that he wants more colleges and other programs to visit Lake Lure and detailed that such visits could increase activity during the off-season. Commissioner Doster noted that one challenge with this is that the lake will be down on this side of the lake each year. Mr. Oppliger expressed that he understands and would plan accordingly. Commissioner Doster expressed that he likes cultural side of the proposal including the collective with WNC Outfitters. Director Givens suggested that any structure put into place that is permanently should be owned by the Town and the Town should have the authority to make decisions regarding the structure. Commissioner DiOrio noted that the Town controls the permitting process and any structure would require the Town's approval anyways. Project Manager Dydula suggested that any proposals should include due-diligence with site feasibility. Commissioner Doster noted that proposers should hold discussions with Community Development and possible the Zoning and Planning Board. Mayor Pritchett agreed.

XIII. DISCUSS TAKING ACTION AT WORK SESSION MEETINGS

Manager Perkins noted that there had been mention regarding the abundance of special meetings that have taken place with all of the major projects going on, which can create obstacles for timing and attendance. Manager Perkins noted that traditionally no actions had been taken at work session meetings, but there is nothing that would prohibit Council from taking action at these meetings if they wish to do so. Manager Perkins noted that the meeting schedule could be changed to allow for voting at work session meetings. It was advised that if these change takes place, Council should still take majority of actions at regular meetings and only vote on time sensitive items at work session meetings. Manager Perkins noted that the Council for the last municipality that he worked for did this and items that were voted on were detailed on the next regular meeting agendas. Manager Perkins reiterated that Council would still need to make the majority of decisions at regular meeting so more people would have a chance to attend, but they could vote on time sensitive matters at work sessions. Council members expressed support and noted that they would like to consider approving this at the October 10th meeting.

XIV. DISCUSS PUBLIC WORKS LAYDOWN AREA

Manager Perkins recalled past conversations regarding the existing public works site and the desire to relocate the public works facility in the future. Manager Perkins added that staff has been discussing a permanent facility behind the Parks, Recreation, and Lake Department office. Project Manager Michael Dydula noted that the area in discussion would be both the public works facility and a laydown site for major projects. It was noted that part of the construction may be eligible for being funded using ARPA funds since it will be used towards supporting infrastructure projects. Commissioner DiOrio asked if the laydown area is in use at this time and Project Manager Dydula answered that it is not being used yet, but may be used by Morgan Corporation within the next months. Commissioner DiOrio noted that the Town will need a silt fence, access road, and flat area and asked if there are any others elements needed. Project Manager Dydula answered that he does not think that anything else is necessary at this time. Commissioner Doster noted that he wants to make sure that the Town screenings that are and Project Manager Dydula agreed and noted that where it is now will be against the tree line. Project Manager Dydula added that due-diligence is being done and that he would also like the area to look nice. It was suggested that a nice fees or trees be added to protect the view. Mayor Pritchett asked when the public works facility could move to that area and Project Manager Dydula answered that it will be about 6 months to a year to begin the transition.

XV. DISCUSS LAKE LEVEL FOR RESERVOIR DRAIN INSTALLATION

Project Manager Dydula explained that he would like to have a conversation about drawing the lake down three to six feet until the drawdown in order to improve the work site conditions for Morgan Corporation while working on the drain valve installation project. Project Manager Dydula noted that he spoke with the Parks, Recreation, and Lake Department who informed him that even this amount of drawdown would impact the Marina. Project Manager Dydula explained that his recommendation would allow Morgan Corporation to continue work even during intermediate or major rainfall events. Project Manager Dydula noted that if a rain event happens with the lake at full pond it would hit the temporary bridge and postpone Morgan's work. Project Manager Dydula expanded that work cannot be interrupted with the concrete activity. Project Manager Dydula noted the reason he is suggesting the three to six foot drawdown is to store an intermediate rainfall event so Morgan Corporation can keep working if one occurs. Project Manager Dydula noted that the project schedule is delayed about three months as of now, so anything to expedite the schedule is ideal.

Commissioner DiOrio noted that there is a procedure in place for any rain event that NOAA predicts to be 2 inches or more that would allow the Town to lower the lake. Commissioner DiOrio asked why Project Manager Dydula wants to preemptively drawdown the lake when the Town could draw it down if an event is being predicted by NOAA. Staff and Council discussed that the hydro generators can help in drawing down the lake in this event. It was noted that bridge will work during a rain event, but Project Manager Dydula is more concerned with the concrete and rain hitting bay 5. Commissioner DiOrio noted that when a rain event happens, it usually only impacts the lake for a day or two and Commissioner Proctor agreed. Project Manager Dydula noted that there are a lot unknowns with rain events and schedules. Commissioner DiOrio recommended that the framework should be to follow the Town's current procedures and lower the lake in the case that there is an anticipated rain event being predicted by NOAA. It was asked when operations for the drain valve installation will begin and Project Manager Dydula answered that they will begin in a couple of weeks. Commissioner DiOrio expressed that there is no way to drop the lake that soon. Project Manager Dydula expressed concern with major delays in schedules and change orders. Commissioner DiOrio explained that they will not be able to work during rain events anyways and asked what the actual benefit would be to

drawing down the lake. Project Manager Dydula answered that it will keep the project moving forward with minimum interruptions. Project Manager Dydula noted that anytime the tainter gates are opened will impact the project. Commissioner Doster asked why the Town couldn't just use the generators instead of the tainter gates and Hydro Utilities Supervisor Randy Rollins answered that the use of both might be needed in some events. Manager Perkins expressed that Project Manager Dydula is saying that this would create less of need to delay the project. Project Manager Dydula noted that any amount of rainfall will impact the project and that if the Town has 10 rainfall events then drawing down the lake would save a week per event and avoid change orders. Commissioner Proctor asked how many times the flood gates had been opened in the past 10 years and Commissioner Doster asked when the last time they were opened was. Mr. Rollins answered that there was a storm this past summer and the tainter gates were opened for only two hours. Commissioner Doster noted that he understands Project Manager Dydula's logic, but the Town cannot change the current plans for lake drawdown. Commissioner Proctor noted that much of the lake cannot be used even when lowered down just two feet. Project Manager Dydula noted that his concern is getting the valves put in before the next drawdown season. Project Manager Dydula also noted that Morgan Corporation has been great to work with and that he is looking at safety factors. Commissioner DiOrio expressed that the Town can keep the same level of safety with proper planning and it was noted that staff can control the lake level if a rain event is anticipated and it can be communicated accordingly. Project Manager Dydula asked Mr. Pittman how much the Town have to drawdown the lake if a two year event occurred and Mr. Pittman estimated that it would vary from two to five feet. Project Manager Dydula reiterated that he is concerned about the schedule being pushed out and change orders occurring.

XVI. DISCUSS CHANGE ORDER PROCEDURES

Project Manager Dydula noted that the Town can expect a number of change orders with major projects and asked if there is a threshold in which Council would like to authorize administrative approvals for change orders. It was noted that staff does not want to inconvenience Council each time there is an insignificant cost change. Director Ford noted that the Town sets aside contingency in capital project ordinances, but not always in contracts. Manager Perkins explained that the previous municipality that he worked for had a committee that would approve small change orders. Project Manager Dydula noted that change orders can be categorized as insignificant field directors, change orders, and major changes. Manager Perkins asked Jonathan Pittman, PE what happens when Schnabel uses CA for the change orders and Mr. Pittman noted that the Town can either issue a change order request or a proposal that is incorporated into a change order. Manager Perkins noted that Schnabel essentially will be vetting all change orders associate with dam projects. Commissioner Proctor noted that Council approved contingency amounts when adopting capital project ordinances and that town manager have historically made change order approvals within the limits of the contingency amount. Commissioner Proctor advised that staff should still inform council of change orders, but suggested that the Town Manager approve any change orders within the allotted contingency amount. Director Ford expressed that this option should be fine from an auditing standpoint. Mayor Pritchett expressed support for Commissioner Proctor's recommendation. Manager Perkins noted that he would like for Council to adopt a resolution solidifying this recommendation during the October regular meeting.

XVII. DISCUSS POLICIES RELATING TO SUBAQUEOUS SANITARY SEWER SYSTEM (SASS) INSTALLATION

Manager Perkins explained that he has provided documents regarding utility policies and assessments that were recommended by the former Utility Advisory Board. Manager Perkins asked that Council provide input in regard to certain policies. Council members discussed assessment fees, tap fees, and access. It was noted that sewer policies should be solidified by being incorporated into the Town's ordinances.

Commissioner Doster expressed that it would be ideal to have a minimum amount of septic systems on the lake.

Manager Perkins noted that the Town could provide laterals to homeowners if they agree to the Town's proposed location, but they may pay if they want the lateral in a different location. It was noted that Brian Houston, PE, recommended this during the Sunset Cove meeting.

Manager Perkins asked if what is in place is ready to begin being codified and it was answered yes.

Manager Perkins noted that another factor that he would like Council to evaluate is boat removals. It was detailed that past discussions implicated that if the Town requires a boat to be removed, the homeowner should pay the first time and if it must be removed more than once then the Town will pay for removal after the first time.

Project Manager Dydula noted Mr. Houston suggested that some accommodations will need to be made regarding lateral placements. Manager Perkins noted that the goal for LaBella and the Town's plan is cost effectiveness.

Mayor Pritchett expressed that the meeting with Sunset Cove residents was important to have and thanked those who attended. Project Manager Dydula noted that he thinks that it is good to involve homeowners. Commissioner DiOrio noted that a difficult part of the process will be certifying the existing private lines that go to a stub out and Project Manager Dydula agreed. Project Manager Dydula noted that no one has ownership and jurisdiction between the Town's manholes and suggested homeowners jointly decide where they want manholes to be located. Commissioner DiOrio noted that the Town will not hook anything into the system until the integrity of pipes can be confirmed. Project Manager Dydula expressed that he is trying to educate homeowners.

XVIII. REVIEW PANGAEA PROPOSAL

Manager Perkins explained that Public Services Director Dean Lindsey has been in contact with PANGAEA about installing internet on the Wastewater Treatment Plant site and in the trailer that will be used by Morgan Corporation during the drain valve installation project. It was noted that a one-time installation fee would be required. Manager Perkins added that as a condition, PANGAEA wants to extend their current agreement with the Town by an additional five years. It was reiterated that the Town would pay an installment cost, but would have the two locations included in the Town's internet services for free for the next nine years. Manager Perkins asked if Council is interested in continuing relations with PANGAEA. Manager Perkins noted that other locations may be added in the future.

Commissioner DiOrio expressed that he is good with the proposed deal and thinks that it is reasonable. Commissioner DiOrio asked if there are any other conditions that PANGAEA is asking for and Manager Perkins answered that he does not think so. Commissioner Doster asked how the services have been and it was answered that there had not been any issues. Commissioner Proctor noted that the installation fees are cheap for what is being done. There was Council consensus for approval and it will be on the October meeting agenda.

XIX. PROJECT MANAGER UPDATES

Project Manager Dydula explained that staff has a process and plan to move forward with dredging and that he should have an update soon. It was noted that staff is working on the extension for the current dredging grant.

Project Manager Dydula announced that the Tryon Bay demolition project is completed. It was detailed that the Town has money in leans and are working with the County. It was estimated that 90 to 95 percent of costs should be reimbursed. Council members asked when the Town can expect to receive reimbursements and Attorney Morgan answered that the County just filed for foreclosure on the property, so it may be a while. Commissioner DiOrio questioned if it will be owned by the County through foreclosure. Attorney Morgan said that it is possible or there will be an auction for the property. Attorney Morgan added that if an auction occurs and no bids are received, the Town can make negotiations with the County. Council thanked Project Manager Dydula for his work on this project.

Commissioner Doster asked if there are any updates on the project management software. Project Manager Dydula noted that he obtained a quote for software for \$31,000 and he informed the company that the Town would have to advertise for bids if the price is over \$30,000 so the company expressed that they could lower their price. Project Manager Dydula noted that LaBella Associates have their own software and have been helping him through using their software. Commissioner Doster asked if any project funds can be used for software and it was noted that staff is looking into this. Manager Perkins noted that staff is also looking into whether or not any administrative costs can be funded using project funds. Mayor Pritchett asked that Project Manager Dydula provide Council with any updates.

XX. TOWN MANAGER UPDATES

Commissioner Doster asked about speed limits on Town owned roads. Manager Perkins noted that staff is working on this matter and that the Town needs to update codes and schedules for traffic management. Manager Perkins expressed that hopes to further discuss this at the October work session meeting.

XXI. ADJOURNMENT

Commissioner Bryant made a motion to adjourn. Commissioner Doster seconded and all voted in favor. The meeting was adjourned at 11:04 a.m.

ATTEST:

Olivia Stewman, Town Clerk

Mayor Carol C. Pritchett

**VIII
UNFINISHED
BUSINESS**

IX

NEW BUSINESS

- A. Ordinance No. 23-10-10A Amending Chapter 30 (“Traffic and Vehicles”) Article III (“Parking Violations: Enforcement”) Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) of the Town of Lake Lure Code of Ordinances
- B. Resolution No. 23-10-10 Authorizing Town Council to Take Action at Work Session Meetings
- C. Lake Lure Tours Off-Season Beach Schedule Request
- D. Third Amendment to PANGAEA Services Agreement
- E. Ordinance No. 23-10-10B Adopting the 2023 Water Shortage Response Plan
- F. Resolution No. 23-10-10A Setting Guidelines for Administrative Approvals for Project Change Orders
- G. Resolution No. 23-10-10B Accepting State Revolving Loan Offer of \$7 Million
- H. Budget Amendment #356 for HVAC Unit Replacement for Police Department
- I. Budget Amendment #357 for Manhole #11 Emergency Repair

LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: October 10, 2023

SUBJECT: Ordinance No. 23-10-10A Amending Chapter 30 (“Traffic and Vehicles”) Article III (“Parking Violations: Enforcement”) Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) of the Town of Lake Lure Code of Ordinances

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: A
Department: Police
Contact: Sean Humphries, Police Chief
Presenter: Sean Humphries, Police Chief

BRIEF SUMMARY:

Signage for the Town’s electric vehicle (EV) charging station specify a limit of two hours of parking and charging station usage. Code of Ordinance Section 30-62 details regulations regarding parking and use of electric vehicle charging stations, but does not include the specified time limit displayed on signage. In order to make such time limit enforceable, Town staff is recommending the addition of the specified time limit under Section 30-62 (e) of the Code of Ordinances. Furthermore, staff is recommending that the time limit be increased from two hours to four hours. Town Council reviewed the proposed ordinance reflecting staff’s recommendations at the September 27th work session meeting.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To adopt Ordinance No. 23-10-10A Amending Chapter 30 (“Traffic and Vehicles”) Article III (“Parking Violations: Enforcement”) Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) of the Town of Lake Lure Code of Ordinances

ATTACHMENTS:

Draft Ordinance Amending Chapter 30 (“Traffic and Vehicles”) Article III (“Parking Violations: Enforcement”) Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) of the Town of Lake Lure Code of Ordinances

STAFF’S COMMENTS AND RECOMMENDATIONS:

Staff recommends adoption.

ORDINANCE NO. 23-10-10A

AN ORDINANCE AMENDING CHAPTER 30 (“TRAFFIC AND VEHICLES”) ARTICLE III (“PARKING VIOLATIONS: ENFORCEMENT”) SECTION 30-62 (“PARKING AND USE OF ELECTRIC VEHICLE CHARGING STATIONS”) OF THE TOWN OF LAKE LURE CODE OF ORDINANCES

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

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

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

Section 1. Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) subsection (c) (“Signage required”) is amended to read as follows:

- (c) *Signage required.* Where public electric vehicle charging stations are constructed and installed on property owned by the town, the town shall cause appropriate signs and markings to be placed in and around the parking spaces of said stations, indicating prominently thereon the parking regulations. The signs shall state that the parking space is reserved for charging purposes and that there is a four hour charging limit. A second sign shall provide information on how owners of towed vehicles may retrieve the same.

Section 2. All ordinances, resolutions, or policies of the Town in conflict with the amendments herein adopted are void to the extent of the conflicts.

Section 3. This Ordinance shall become effective upon adoption.

This ___ day of October, 2023.

ATTEST:

Olivia Stewman, Town Clerk

Carol Pritchett, Mayor

Approved as Form:

William C. Morgan, Jr.
Town Attorney

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: October 10, 2023**

SUBJECT: Resolution No. 23-10-10 Authorizing Town Council to Take Action at Work Session Meetings

AGENDA INFORMATION:

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

BRIEF SUMMARY:

There has been an increase in special meetings as of recent due to time sensitive items that emerge related to major projects. As a result, it has been determined that special meetings create obstacles for timing and attendance. It has further been determined that such obstacles could be deterred given the ability to take action at work session meetings, rather than having one regular opportunity for voting each month. Town Council discussed this option at the September 27th work session meeting and there was support for authorizing the ability to take action during work session meetings. Resolution No. 23-10-10 authorizes Town Council to take actions at work session meetings.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To adopt Resolution No. 23-10-10 Authorizing Town Council to Take Action at Work Session Meetings.

ATTACHMENTS:

Resolution No. 23-10-10 Authorizing Town Council to Take Action at Work Session Meetings; Amended 2023 Meeting Schedule

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff recommends adoption.



RESOLUTION NO. 23-10-10

**RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE
AUTHORIZING TOWN COUNCIL TO TAKE ACTION AT WORK SESSION MEETINGS**

WHEREAS, Town Council holds one regular meeting per month in which voting and actions occur; and

WHEREAS, the Town of Lake Lure has various major projects and time sensitive items often occur in relation to the projects; and

WHEREAS, Town Council must call a special meeting each time a time sensitive item occurs and does not align with the regular meeting schedule; and

WHEREAS, special meetings can create obstacles for timing and attendance; and

WHEREAS, Town Council has monthly work session meetings on their annual meeting schedule; and

WHEREAS, Town Council has historically not taken action at work session meetings; and

WHEREAS, the authorization to take action at work session meetings would deter obstacles created by frequent special meetings.

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

SECTION ONE. Town Council is hereby authorized to take action at work session meetings.

SECTION TWO. Work session meetings will now be titled “Work Session and Action” meetings and the 2023 Town Council Meeting Schedule is hereby amended to reflect this change in title.

SECTION THREE. This resolution is effective upon adoption.

READ APPROVED AND ADOPTED this _____ day of October, 2023.

ATTEST:

Olivia Stewman, Town Clerk

Mayor Carol C. Pritchett

TOWN COUNCIL MEETING SCHEDULE FOR 2023

DATE	LOCATION	TIME	TYPE
January 10, 2023	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
January 11, 2023	Lake Lure Municipal Center/Virtual	8:30 a.m.	Planning Retreat
January 25, 2023	Lake Lure Municipal Center/Virtual	8:30 a.m.	Work Session
February 14, 2023	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
February 22, 2023	Lake Lure Municipal Center/Virtual	8:30 a.m.	Work Session
March 14, 2023	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
March 22, 2023	Lake Lure Municipal Center/Virtual	8:30 a.m.	Work Session
April 11, 2023	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
April 26, 2023	Lake Lure Municipal Center/Virtual	8:30 a.m.	Work Session
May 9, 2023	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
May 24, 2023	Lake Lure Municipal Center/Virtual	8:30 a.m.	Work Session
June 13, 2023	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
June 28, 2023	Lake Lure Municipal Center/Virtual	8:30 a.m.	Work Session
July 11, 2023	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
July 26, 2023	Lake Lure Municipal Center/Virtual	8:30 a.m.	Work Session
August 8, 2023	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
August 23, 2023	Lake Lure Municipal Center/Virtual	8:30 a.m.	Work Session
September 12, 2023	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
September 27, 2023	Lake Lure Municipal Center/Virtual	8:30 a.m.	Work Session
October 10, 2023	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
October 25, 2023	Lake Lure Municipal Center/Virtual	8:30 a.m.	Work Session/ Action Meeting
November 14, 2023	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
November 29, 2023	Lake Lure Municipal Center/Virtual	8:30 a.m.	Work Session/ Action Meeting
December 12, 2023	Lake Lure Municipal Center/Virtual	5:00 p.m.	Regular
December 19, 2023	Lake Lure Municipal Center/Virtual	8:30 a.m.	Work Session/ Action Meeting

* Regular Town Council meetings are held on the 2nd Tuesday of each month.

* Work Session Meetings are held on the 4th Wednesday of each month except for November and December due to holiday conflicts.

* Council planning retreat held on January 11th.

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: October 10, 2023**

SUBJECT: Lake Lure Tours Off-Season Beach Schedule Request

AGENDA INFORMATION:

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

BRIEF SUMMARY:

For the past two years, Lake Lure Tours (LLT) has requested changes to the off-season beach schedule. The changes were approved by Council both years. Lake Lure Tours is operating in accordance with the latest Concession Agreement terms at this time, but has submitted the following request for the 2023 off-season beach schedule:

1. The beach remain closed from the day following Labor Day Weekend until and through the day following commencement of lake drawdown.
2. The beach be re-opened the day following commencement of drawdown for complimentary, unsupervised, “no swimming” public access until the day following commencement of lake refilling or until the lake is returned to full pond, whichever comes first.
3. At the day of commencement of refilling, the beach then be re-closed until re-opened by LLT for the year’s season, beginning Memorial Day Weekend.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve/deny Lake Lure Tours Off-Season Beach Schedule Request

ATTACHMENTS:

2023 Request from LLT

STAFF’S COMMENTS AND RECOMMENDATIONS:

If approved, staff recommends that the approved schedule remain in place for more than one year.

**Lake Lure Tours, Inc.
P.O. Box 10043
Fleming Island, FL 32006**

Lake Lure Town Manager
Lake Lure Town Council
Lake Lure Mayor

September 21, 2023

As requested of and approved by Council over the past two years, Lake Lure Tours, Inc. (LLT) respectfully requests a change in the Beach Concession Agreement regarding closing and opening the beach to unsupervised public access.

Our rationale for this requested change is two-fold: One, a safety issue focused upon persons choosing to swim in a full pond at the beach during warm weather (in violation of signage at the beach prohibiting swimming without lifeguards present); and, Two, freeing the Lake Lure Police Department's officers to concentrate on duties other than policing the beach.

Hence, we request that Lake Lure Town Council approve an amendment to the post-season, opening / closing caveats of LLT's Concession Agreement to affect the following:

1. The beach remain closed from the day following Labor Day Weekend until and through the day following commencement of lake drawdown.
2. The beach be re-opened the day following commencement of drawdown for complimentary, unsupervised, "no swimming" public access until the day following commencement of lake refilling or until the lake is returned to full pond, whichever comes first.
3. At the day of commencement of refilling, the beach then be re-closed until re-opened by LLT for the year's season, beginning Memorial Day Weekend.

Should there be questions regarding this request, please feel free to contact Sonya Ledford, General Manager, LLT at 828-395-7230 or me, at 828-625-2019.

Respectfully,
LAKE LURE TOURS, INC.

George Wittmer


**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: October 10, 2023**

SUBJECT: Third Amendment to PANGAEA Services Agreement

AGENDA INFORMATION:

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

BRIEF SUMMARY:

Town staff has been in contact with PANGAEA regarding the need for an extension of services to the Waste Water Treatment Plant (WWTP) and a temporary trailer that will be located on the property for Morgan Corporation. There would be a one-time extension fee of \$3,000, but internet services will continue to be free throughout the terms of the services agreement. In exchange, PANGAEA is proposing an additional five years to their agreement term, which would extend the agreement term until 2032. PANGAEA has provided the Town with a proposed third amendment to the services agreement reflecting the terms detailed above.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve/deny Third Amendment to PANGAEA Services Agreement

ATTACHMENTS:

Proposed Third Amendment to PANGAEA Services Agreement

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff does not have any issues with the services provided by PANGAEA.

THIRD AMENDMENT TO PANGAEA SERVICES AGREEMENT

THIS THIRD AMENDMENT TO PANGAEA SERVICES AGREEMENT (this “Third Amendment”) is made and entered into as of the ___ day of September, 2023 (the “Third Amendment Effective Date”), by and between the Town of Lake Lure (the “Town”), and e-Polk, Inc. d/b/a PANGAEA Internet, a North Carolina nonprofit corporation, having its principle place of business at 37 West Mills Street, Columbus, North Carolina 28722 (“PANGAEA”).

WHEREAS, the Town and PANGAEA entered into that certain PANGAEA Services Agreement dated as of April 15, 2016 (the “Services Agreement”), that certain First Amendment to PANGAEA Services Agreement dated as of October 19, 2016 (the “First Amendment”), and that certain Second Amendment to PANGAEA Services Agreement dated as of April 15, 2022 (the “Second Amendment”), whereby, among other things, (i) PANGAEA agreed to provide certain rights and services (the “PANGAEA Services”) to the Town in connection with certain PANGAEA Fiber running from the Lake Lure Town Hall building, including the Police Department (the “Town Hall Building”) to the Lake Lure Fire Department, the Lake Lure Dam House, the Lake Lure Water Tower, and the Lake Lure Public Works facility (collectively, the “Town Fibers”), (ii) PANGAEA agreed to install PANGAEA Fiber (and provide internet bandwidth service) to the former Lake Lure Golf Course (now Parks and Recreation) clubhouse, and (iii) the Town granted PANGAEA an exclusive license and right to use certain “Licensed Areas” (including, but not limited to, the Town Hall Building) to house and maintain PANGAEA equipment (an “Exclusive Equipment License”); and

WHEREAS, the Town and PANGAEA now desire to further amend certain provisions of the Services Agreement (as amended by the First Amendment and the Second Amendment) to provide that: (i) PANGAEA will install PANGAEA Fiber and provide internet bandwidth service to the Waste Water Treatment facility at 184 Memorial Highway, Lake Lure, and provide a temporary connection and fiber transport service between the Waste Water Treatment facility location to a nearby construction trailer; (ii) PANGAEA will install PANGAEA Fiber and provide internet bandwidth service to the first floor of the Lake Lure Community Development space located at 103 Arcade Street, Lake Lure; and (iii) the term of the Services Agreement will be extended for an additional period of five (5) years (from the current termination date of April 15, 2027, to April 15, 2032), followed by automatic one (1) year renewal terms thereafter.

NOW THEREFORE, for good and valuable consideration, including the mutual promises, covenants and conditions hereinafter set forth, the parties hereto agree as follows:

1. Amendments to Services Agreement. The parties agree that the Services Agreement is hereby amended as follows:

1.1 Amendment to Section 1. The parties hereto hereby amend Section 1 of the Services Agreement by adding an additional subsection 1(d) and subsection 1(e) to Section 1 as follows:

(d) Waste Water Treatment Facility Fiber. PANGAEA will (1) install PANGAEA Fiber to the Waste Water Treatment Facility at 184 Memorial Highway, Lake Lure (the “Waste Water Treatment Facility Fiber”), for the installation fee of \$1,700; (2) upon installation of the Waste Water Treatment Facility Fiber, provide (at no charge to the Town) 100 MB Download and 100 MB Upload internet bandwidth service to the Waste Water Treatment Facility Fiber during the Term; (3) install a temporary PANGAEA Fiber connection running from the Waste Water Treatment Facility to a nearby construction trailer (the “Construction Trailer”), for the installation fee of \$1,300; and (4) upon installation of the temporary Construction Trailer fiber connection, provide (at no charge to the Town) temporary one (1) Gigabit fiber transport service between the Waste Water Treatment Facility and the Construction Trailer. (The Town shall pay the installation fees referenced in this Section 1(d) to PANGAEA within twenty-one (21) days of receipt of PANGAEA’s invoice for such fees.)

(e) Lake Lure Community Development Fiber. PANGAEA will (1) install PANGAEA Fiber to the first floor of the Lake Lure Community Development space located at 103 Arcade Street, Lake Lure (the “Community Development Space Fiber”) for the installation fee of \$2,000; and (2) upon installation of the Community Development Space Fiber, provide (at no charge to the Town) 100 MB Download and 100 MB Upload internet bandwidth service to the Community Development Space Fiber during the Term. (The Town shall pay the installation fees referenced in this Section 1(e) to PANGAEA within twenty-one (21) days of receipt of PANGAEA’s invoice for such fees.)

1.2 Amendment to Section 6(a). The parties hereto amend Section 6(a) of the Services Agreement to extend the Term for a period of an additional five (5) years from April 15, 2027, with automatic one (1) year renewal terms thereafter, by deleting Section 6(a) of the Services Agreement in its entirety, and replacing it with the following new Section 6(a):

(a) Term. The term of this Agreement (the “Term”), originally running from April 15, 2016 and extended through April 15, 2027, shall be extended for an additional period of five (5) years and continue in full force and effect through and until April 15, 2032 (the “Extended Term”), and shall be renewed thereafter for additional one (1) year terms (each a “Renewal Term”), for up to a total of five (5) Renewal Terms; provided that: (i) either party shall have the right to terminate this Agreement, with or without cause, at the end of the Extended Term or any subsequent Renewal Term, by providing written notice of termination to the other party at least thirty (30) days prior to the expiration of such Extended Term or Renewal Term; and (ii) either party shall have the right to terminate this Agreement for Cause as provided for in Section 6(c) below.

2. Limited Amendment. All terms and conditions of the Services Agreement, the First Amendment, the Second Amendment, and other agreements of the parties that are not expressly modified by this Third Amendment remain in full force and effect.

3. Miscellaneous.

3.1. Entire Agreement; Amendment; Governing Law. This Third Amendment, and the Services Agreement, the First Amendment and the Second Amendment as amended hereby, constitute the entire agreement and understanding of the parties with respect to the subject matter hereof, and supersedes any and all prior and contemporaneous agreements and understandings between the parties with respect thereto. The internal laws of the State of North Carolina (regardless of conflict of laws principles) shall govern all issues concerning the construction, validity and interpretation of this Third Amendment.

3.2 Counterparts. This Third Amendment may be executed in any number of counterparts, some of which may have signature pages differing as to form, each of which shall be enforceable against the parties actually executing such counterparts and all of which together shall constitute one instrument.

[Signatures on following page]

IN WITNESS WHEREOF, the parties hereto have caused this Third Amendment to be executed by its duly authorized representative as of the day and year first above written.

E-POLK, INC. d/b/a PANGAEA

TOWN OF LAKE LURE

By: _____
Name: Ron Walters
Title: Chief Executive Officer

By: _____
Name: _____
Title: _____

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Finance Officer, Town of Lake Lure

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: October 10, 2023**

SUBJECT: Ordinance No. 23-10-10B Adopting the 2023 Water Shortage Response Plan

AGENDA INFORMATION:

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

BRIEF SUMMARY:

Kace Environmental has assisted the Town in drafting the 2023 Water Shortage Response Plan. The North Carolina Department of Environmental Quality requires that the Town adopt an ordinance establishing procedures and measures for the essential conservation of water resources and for prescribing certain penalties.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To adopt Ordinance No. 23-10-10B Adopting the 2023 Water Shortage Response Plan.

ATTACHMENTS:

Ordinance No. 23-10-10B Adopting the 2023 Water Shortage Response Plan

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff recommends adoption.

ORDINANCE NO. 23-10-10B

AN ORDINANCE ADOPTING THE 2023 WATER SHORTAGE RESPONSE PLAN

WHEREAS, The North Carolina Department of Environmental Quality requires that the Town adopt an ordinance establishing procedures and measures for the essential conservation of water resources and for prescribing certain penalties; and

WHEREAS, Kace Environmental has assisted the Town in drafting an ordinance establishing procedures and measures for the essential conservation of water resources and for prescribing certain penalties.

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

SECTION ONE. The Town Council hereby adopts the 2023 Water Shortage Response Plan as follows:

**Town of Lake Lure
NC 01-81-020**

Water Shortage Response Plan 2023

An ordinance establishing procedures and measures for the essential conservation of water resources and prescribing certain penalties as required by the North Carolina Department of Environmental Quality.

Be it enacted by the Governing Body of the Town of Lake Lure.

Section 1. Authority to Implement

The Town Manager shall enact the following water shortage provisions should the parameters and conditions outlined in Section 2 be met and it be required. In his absence, the Town’s Public Works Director will assume this role.

Lake Lure, Town Manager
Mr. Hank Perkins
(828) 625-9983
whperkins@townoflakelure.com

Lake Lure, Public Works Director
Mr. Dean Lindsey
Office (828) 625-9983 – ext. 304
Mobile (828) 772-6134
dlindsey@townoflakelure.com

Section 2. Factors Requiring Implementation of the WSRP

Several conditions or parameters may require the Town of Lake Lure to implement the WSRP, including but not limited to significant reduction in well water levels, significant increase in pump run times for the predetermined total flow at the wells, contaminates in the water system, acts of terrorism, vandalism, main breaks, and natural disasters.

If any of the factors listed above or by any event or combination of events prevent the water system from delivering water the WSRP phases will be enacted in the following order:

Phase 1 – enacted if a 20% reduction in normal well water levels is noted, if pump run times increase by 20% in order to maintain previous rates, or if by any event or combination of events cause a 20% reduction in the water systems capacity to provide water.

Phase 2 – enacted if a 40% reduction in normal well water levels is noted, if pump run times increase by 40% in order to maintain previous rates, or if by any event or combination of events cause a 40% reduction in the water systems capacity to provide water.

Phase 3 – enacted if a 60% reduction in normal well water levels is noted, if pump run times increase by 60% in order to maintain previous rates, or if by any event or combination of events cause a 60% reduction in the water systems capacity to provide water.

Section 3. Water Use Classification

In order to facilitate a fair and equitable WSRP, every water use will be grouped into one of the three following classifications:

Class 1 – Essential Water Uses – These uses include but may not be limited to water use required to sustain human life and the lives of domestic pets, maintain minimum standards for hygiene and sanitation, health care uses necessary for patient care and rehabilitation, and for fire suppression and fighting to include training and drills approved by the Town Manager.

Class 2 – Socially or Economically Important Water uses – These uses include but may not be limited to water use required to preserve commercial vegetable gardens, fruit orchards, nursery stock, and life stock maintenance; outdoor commercial watering both public and private; establishing vegetation after construction or earth moving activities; filling and operation of municipal or private swimming pools provided that these pools serve 25 or more persons; and operation of commercial car washes, restaurants, laundromats, clubs, schools, churches and other similar establishments.

Class 3 – Non-Essential Water Uses – These include but may not be limited to operation of water fountains, ornamental pools and recreational swimming pools that serve fewer than 25 persons; non-commercial washing of motor vehicles, sidewalks, houses, etc.; and non-commercial watering of gardens, lawns, parks, playing fields and other recreational areas.

Section 4. Phased WSRP and Water Use Reduction Goals

When the WSRP is implemented the phased approach below will be followed:

Phase 1 – Voluntary Conservation – This phase will be implemented when it is determined that one or more of the conditions or parameters outlined in section 2 occurs. Consumers will be notified promptly by any combination of the following methods: mailers, door hangers, public postings at the Town Hall, Post Offices, website if available, newsletters, ect. The public will be asked to begin voluntary conservation measures and ask that all Class 3 Non-Essential Water Uses be halted. Specific conservation measures and tips will be made available to the consumers as seen under Section 7.

Continued water consumption for Class 3 Non-Essential Waster Uses will result in a written notice of violation for the first offense and \$25.00 fine for each subsequent offense.

Once the determining conditions or parameters return to seasonal norms, these measures will be lifted. Failure of the determining conditions or parameters to return to seasonal norms may require the implementation of Phase 2.

Phase 2 – Mandatory Conservation – This phase will be implemented when the Town Public Works Director, or whomever is so designated, issues a Water Shortage Advisory. Consumers will be notified by any or all of the same methods noted in Phase 1. All users will be required to adhere to the voluntary conservation methods as seen under Section 7. All Class 3 uses will be banned. Class 2 uses will be allowed although outdoor vegetation watering will be limited according to the street address as follows: even numbered addresses will be allowed to water on even days of the month and odd numbered addresses will be allowed to water on the odd days of the month.

During Phase 2, industrial users will be required to develop and demonstrate to the Public Works Director a water shortage response program that should show at a least a 25% reduction in water usage.

Failure to adhere to the Phase 2 Mandatory Conservation requirements will result in a written notice of violation for the first offense and/or a \$50.00 fine with each subsequent violation increasing the fine by a factor of \$50.00. Any violation beyond the fourth offense will result in a disruption of water service to the offending party until Phase 2 Mandatory Conservation requirements have been rescinded.

Phase 3 – Emergency Conservation – This phase will be implanted with the issuance of a Water Shortage Emergency Declaration from the Town of Lake Lure Public Works Director. Consumers will be notified by any or all of the same methods noted in Phase 1. All users will be required to use voluntary conservation methods as seen under section 7. Class 3 uses will be banned, and Class 2 uses will be allowed except for vegetative watering. Industrial users will be required to implement their water reduction programs immediately.

Failure to comply with the mandates during Phase 3 will require the offending party(ies) to pay a \$100.00 fine for the first offense, a \$350.00 fine for the second offense, and disruption of water service for the third offense.

In addition, residential users will be allotted 1,000 gallons per month, per person, per connection. If usage exceeds the allotted 1,000 gallons per month, per person, per connection the following surcharges will be assessed: for usage of 1,001 – 1,250 gallons a 25% surcharge will be added to the monthly bill, for usage of 1,251 – 1,500 gallons a 75% surcharge will be added to the monthly bill, for usage beyond 1,501 gallons a 150% surcharge will be added to the monthly bill.

Commercial, industrial, and institutional facilities will be required to reduce their monthly water consumption by 25% of the previous 12-month water consumption average to maintain the current rate for that month. The average water use can be evaluated on an individual basis for facilities with seasonal demand fluctuations. A 10% to 24% water use reduction from the previous 12-month water use average will result in a 25% surcharge on the monthly water bill. A 0% to 9% water use reduction from the previous 12-month water use average will result in a 50% surcharge on the monthly water bill. An increase of 1% to 25% above the previous 12-month water use average will result in a 100% surcharge added to the monthly bill. Any amount used above 25% of the previous 12-month water use average will result in a 150% surcharge added to the monthly bill.

Section 5. Enforcement

Enforcement of mandatory conservation efforts and associated fines will be the responsibility of the Public Works Director and staff under the direction of the Town Manager.

Section 6. Water Shortage Response Plan Cancellation and Return to Normal

As the determining conditions and parameters decrease in severity and return to acceptable conditions, water conservation measures employed during each phase should be decreased in reverse order of implementation. Permanent measures directed toward long-term monitoring and conservation should be implemented or continued so the community will be in a better position to prevent shortages and respond should there be recurring water shortage conditions.

Section 7. Conservation Measures

Users will be directed to adopt the following conservation measures:

Indoor Residential Use

Measures for Voluntary and Mandatory Conservation Phases

- Use dishwashers only when full. Washing dishes by hand saves about 25 gallons if you don't let the tap run.
- If possible, adjust the water levels on clothes washing machine. If adjustment is not possible, be sure to wash full loads of laundry only.
- Turning off faucets while brushing your teeth or washing hands saves approximately 5 gallons per day.
- Reduce water used per flush by installing toilet take displacement inserts (a plastic jug may suffice as an alternative). DO NOT USE BRICKS – they breakdown and disintegrate when soaked for a prolonged period and the resulting grit hinders proper closing and seating of the flap valve.
- Do not use the toilet as a trash can.
- Use sink and tub stoppers to avoid wasting water.

- Keep chilled bottles of water in the refrigerator for drinking.
- Identify and fix leaks in faucets and water-using appliances. Usually, faucets can be repaired inexpensively and quickly by replacing washer.
- Add flow-restricting or other water-saving devices to plumbing. These are usually inexpensive and easy to install.
- Learn to read your water meter! You can judge how much water you use and see for yourself what a difference conservation can make.
- Taking shorter showers and shallow baths can save approximately 25 gallons per occurrence.
- Reduce the number of times you flush the toilet per day. Wait to flush liquid waste and reduce the amount of toilet paper used. Each flush of the toilet uses approximately 5 gallons of water or 2 to 3 gallons if you have water saving toilets.
- Don't use or limit usage of garbage disposals.

Measures for Emergency Conservation or Rationing Phases – in addition to the measures listed above

- Turn off the shower while soaping.
- Use disposable plates, bowls, and eating utensils.

Outdoor Residential Use

Conservation for Normal Conditions and Voluntary Conservation Phase for Lawns

- Water before 10:00 am to prevent evaporation which occurs during hotter parts of the day.
- Watering in the morning is preferred over evening when the dampness promotes fungal growth.
- Water only when lawn shows signs of wilt – grass that springs back when stepped on does not require water.
- Water thoroughly as opposed to frequently. Water long enough to soak the roots. Lightly sprinkling water evaporates quickly and encourages shallow root systems. Water slowly to avoid excessive runoff.
- Don't let a sprinkler run any longer than necessary, 600 gallons of water can be wasted in only an hour with the use sprinklers.
- Allow a maximum of one inch of water per week on your lawn. An easy way to measure this is by using a rain gauge or placing cake tins outside to collect rain and water from your sprinklers.
- Use nozzles on water hoses to avoid waste when watering flowers or shrubs.
- Aerate your lawn by punching holes 6 inches apart. This promotes absorption and allows the water to penetrate to the roots rather than running off the surface.
- Be mindful of sprinkler position, water the lawn not pavement or sidewalks.
- Avoid watering on windy days. Wind can cause the water to be blown off target but can also cause excessive evaporation.
- Keep sprinkler heads clean and debris free to avoid uneven watering.
- Adjust hoses to simulate gentle rain. Sprinklers that produce a fine mist waste water through evaporation.
- Know how to turn off your automatic sprinkler system during rain events.

- If your sprinkler system does not have a timer, use an alarm clock or kitchen timer to remind you to shut off the sprinklers.

Conservation for Normal Conditions and Voluntary Conservation Phase for Vegetable and Flower Gardens

- Water deeply, slowly, and weekly. Most vegetables require moisture to a depth of 6 to 8 inches.
- Keep soil loose and aerated so water can more easily penetrate.
- Weed to reduce the competition for water.
- Put the water where you want it! Avoid undue evaporation by using soil soaking-hoses or slow-running hoses in place of sprinklers.

Conservation for Normal Conditions and Voluntary Conservation Phase for Trees and Shrubs

- Water deeply by using drip-irrigation or soil-soaking hoses.
- Water only when needed. You can check the depth of soil dryness with a trowel.
- Use mulch to reduce evaporation. A 2" to 3" layer of mulch, wood chips, straw, pine needles, or grass clippings helps keep the soil cool in the summer months.
- Dig troughs around plants to catch and retain water.
- Water trees growing in full sun more often than those growing in shade.
- Apply water directly at the base of trees and shrubs instead of using sprinklers.
- No not fertilize during the summer. Fertilizing increases a plant's need for water.
- Postpone new planting until the fall or spring. Milder temperatures generally require less need for water.
- Install trickle-drip irrigation systems close to the roots of your plants. These systems drip water slowly as opposed to spraying water into the air preventing unnecessary evaporation.
- Water when cloudy, at night, or even during a light rain event.

Conservation for Voluntary Conservation Phase - in addition to measure listed above

- Do not allow children to play with/in hoses or sprinklers.
- Limit or eliminate car washing.
- Catch any rainfall that occurs by placing containers under downspouts.
- Use leftover household water is possible and available.
- Consider delaying seeding or sodding of new lawns.
- You can determine the amount of water used outdoors by comparing your water bills for summer months to those for winter months.

Conservation for Mandatory Conservation Phase - in addition to measure listed above

- Vegetable gardens and food trees should be given minimal amounts of water on an individual basis only.
- Do NOT water lawns or inedible plants.
- Do NOT use sprinklers.

Most outdoor water is prohibited under Emergency Conservation conditions.

Commercial Use

- Reduce laundry usage or services by changing bed linens, etc. only when necessary to preserve the health of patients or residents.
- Use disposable food service linens.
- Identify and repair all leaking faucets, fixtures, and water-using equipment. Pay particular attention to equipment connected directly to water lines such as processing machines, steam-using machines, washing machines, and water-cooled air conditioners and furnaces.
- Assure that all valves and solenoids used to control water flow are completely shut off when the water-using cycle is not engaged.
- Adjust water-using equipment and machinery to use the minimum amount of water required to achieve its stated purpose and function.
- If possible, shorten rinse cycles for laundry washing machines and implement lower water levels and usage.
- For processing, cooling, and other uses either reuse water or use water from alternate sources that would not adversely affect public water supplies.
- Advise employees, customers, students, and other users not to flush toilets after every use. Reduce the number of times you flush the toilet per day. Wait to flush liquid waste and reduce the amount of toilet paper used.
- Install toilet tank displacement inserts, place flow restrictors in shower heads and faucets, and close automatic flushes overnight.
- Install automatic flushing valves to use as little water as possible or to cycle at longer intervals.
- Place water-saving and conservation posters and literature where employees, customers, staff, and students etc. will have easy access to them and where they will be seen.
- Check your water meter on a frequent basis to determine consumption patterns.
- Review usage patterns to determine where other saving could be made.

Section 8. Public Comment

Customers will have multiple opportunities to comment on the provisions of the WSRP. A notice will be included with water bills notifying consumers that a draft of the Water Shortage Response Plan will be available at the Town Hall for customers to view. All subsequent revisions to the draft plan will be published at least thirty days prior to adoption vote by the Town Commissioners.

Section 9. Variance Protocols

Applications for water use variance requests are available from the Town of Lake Lure's website and at the Town Hall. All applications must be submitted to Jennifer Duncan at Town Hall for review by Dean Lindsey, Public Works Director. A decision to approve or deny individual variance requests will be determined within two weeks of submittal and after careful consideration of the following criteria: impact on water demand, expected duration, alternative source options, social and economic importance, purpose (for example: necessary use of drinking water), and the prevention of structural damage. For all questions or inquiries please contact Jennifer Duncan at the Town of Lake Lure Town Hall at (828) 625-9983 ext. 106 or Dean Lindsey, Public Works Director for the Town of Lake Lure at (828) 625-9983 ext. 304.

Section 10. Efficacy

The efficacy of the Town of Lake Lure WSRP will be determined by comparing the stated water conservation goals with observed water use reduction data. Other factors for consideration include the frequency of WSRP activation, problem periods not requiring activation, total number of violation citations, desired reductions attained, and evaluation of demand reductions compared to the previous years seasonal data. Permanent measures directed toward long-term monitoring and conservation should be implemented and continued so that the community will be in a better position to prevent shortages and respond to recurring water shortage conditions.

Section 11. Revision

The WSRP will be reviewed and revised as needed to adapt to new circumstances affecting water supply and demand, following implementation if emergency restrictions, and at a minimum of every five years in conjunction with the updating of our Local Water Supply Plan. Further a water shortage response planning work group will review procedures following each emergency or rationing stage to recommend any proposed improvements of the WSRP to the Town Commissioners. The Lake Lure Town Manager is responsible for initiating all subsequent revisions.

1. Legal Status Provisions

1. Conflict with Other Laws

Whenever the requirements of this Ordinance conflict with the requirements of another statute or Ordinance, the more restrictive standard shall govern.

2. Severability

Should any section or provision in this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

3. Penalty

Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to section 10.99.

4. Effective Date

This Ordinance shall take effect and be enforced on and after the date of its adoption by the Town Commissioners, this ____ day of _____ 2023.

ATTEST:

Olivia Stewman, Town Clerk

Carol Pritchett, Mayor

Approved as Form:

William C. Morgan, Jr.
Town Attorney

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: October 10, 2023**

SUBJECT: Resolution No. 23-10-10A Setting Guidelines for Administrative Approvals for Project Change Orders

AGENDA INFORMATION:

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

BRIEF SUMMARY:

With various ongoing major projects, the Town can expect change orders to occur periodically. Staff requested input from Council in regard to administrative approvals of change orders and it was determined that Council would like to authorize the Town Manager to approve project change orders within the contingency amount approved by Council when adopting that project's capital ordinance.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To adopt Resolution No. 23-10-10A Setting Guidelines for Administrative Approvals for Project Change Orders.

ATTACHMENTS:

Ordinance No. 23-10-10A Setting Guidelines for Administrative Approvals for Project Change Orders

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff recommends adoption.



RESOLUTION NO. 23-10-10A

RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE SETTING GUIDELINES FOR ADMINISTRATIVE APPROVALS FOR PROJECT CHANGE ORDERS

WHEREAS, the Town of Lake Lure has various ongoing major projects; and

WHEREAS, the Town of Lake Lure adopts capital project ordinances for major projects; and

WHEREAS, major projects may require change orders to the original scopes of the projects; and

WHEREAS, capital project ordinances include a contingency amounts approved by Town Council; and

WHEREAS, Town Council has reached consensus that in order to complete projects in a timely manner the Town Manager may approve all change orders up to the contingency amounts approved within capital project ordinances.

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

SECTION ONE. The Town of Lake Lure Town Council authorizes the Town Manager to approve all change orders up to the contingency amount approved by Town Council.

SECTION TWO. The Town Manager and Project Manager will review on prospective or needed changes and authorize such modifications to the project to allow for successful and productive completion prior to the Manager's final approval.

SECTION THREE. Town Council will receive notification for any change order exceeding \$100,000.

SECTION FOUR. Once the contingency allotment has been fully disbursed, Town Council will be briefed with a project overview and update. Any further allotments for contingency will be approved at that time.

SECTION FOUR. The resolution shall become effective upon adoption.

READ APPROVED AND ADOPTED this _____ day of October, 2023

ATTEST:

Olivia Stewman, Town Clerk

Mayor Carol C. Pritchett

LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: October 10, 2023

SUBJECT: Resolution No. 23-10-10B Accepting State Revolving Loan Offer of \$7 Million

AGENDA INFORMATION:

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

BRIEF SUMMARY:

The Town received a letter from the State Water Infrastructure Authority (SWIA) regarding the approval of the Subaqueous Sanitary Sewer Replacement (SASS) Project as eligible to receive a total funding increase of \$7,000,000 from the Clean Water State Revolving Fund (SRF) loan. The loan is repayable at 0.00% interest and there is a loan fee of 2% that will be invoiced after bids have been received. The Town previously received an SRF loan for the SASS project in the amount of \$12,500,000 with a 0.00% interest and a loan term of 30 years. This loan will have a term of 30 years, as well.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To adopt Resolution No. 23-10-10B Accepting State Revolving Loan Offer of \$7 Million

ATTACHMENTS:

Resolution No. 23-10-10B Accepting State Revolving Loan Offer of \$7 Million

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff recommends adoption.



RESOLUTION NO. 23-10-10B

**RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE
ACCEPTING A STATE REVOLVING LOAN OFFER OF \$7 MILLION**

WHEREAS, The North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible unites of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects; and

WHEREAS, The North Carolina Department of Environmental Quality has offered a State Revolving Loan in the amount of \$7 million for the subaqueous sanitary sewer replacement and wastewater collection system improvements; and

WHEREAS, The Town of Lake Lure intends to construct said project in accordance with approved plans and specifications;

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

That The Town of Lake Lure does hereby accept the State Revolving Loan offer of \$7 million.

That the Town of Lake Lure does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the loan offer, Section II – Assurances will be adhered to.

That the Town Manager of the Town of Lake Lure, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

The Town of Lake Lure has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to the Federal and State grants and loans pertaining thereto.

This Resolution shall be effective upon its adoption.

Adopted this the 10th day of October, 2023, at the Town Hall of Lake Lure, North Carolina.

ATTEST:

Olivia Stewman
Town Clerk

Carol C. Pritchett
Mayor

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: October 10, 2023**

SUBJECT: Budget Amendment #356 for HVAC Unit Replacement for Police Department

AGENDA INFORMATION:

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

BRIEF SUMMARY:

The purpose of Budget Amendment #356 is to replace the HVAC unit for the Police Department. The total amount associated with Budget Amendment #356 is \$20,000.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve Budget Amendment #356 for HVAC Unit Replacement for Police Department.

ATTACHMENTS:

Budget Amendment #356

FUNDING SOURCE:

General Fund Balance

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff recommends the approval.

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, 2024:

Department: Capital

Purpose: HVAC Unit Replacement for Police Department

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

Table with 5 columns: Line Item, Account Number, Amount Decrease, Amount Increase, Amended Budget. Row 1: 506, 800000, \$20,000, \$20,000.

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

Account Name: Fund Balance
Account Number: 10-398602
Amount: \$20,000.00

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 _____, 2023.

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM
Meeting Date: October 10, 2023**

SUBJECT: Budget Amendment #357 for Manhole #11 Emergency Repair

AGENDA INFORMATION:

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

BRIEF SUMMARY:

The purpose of Budget Amendment #356 is fund the emergency repair of Manhole #11. The total amount associated with Budget Amendment #357 is \$28,000.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve Budget Amendment #357 for Manhole #11 Emergency Repair.

ATTACHMENTS:

Budget Amendment #357

FUNDING SOURCE:

Water/Sewer Fund Equity

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff recommends the approval.

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, 2024:

Department: Sewer Department

Purpose: Manhole # 11 Emergency Repair as specified by Public Services Director

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

Table with 5 columns: Line Item, Account Number, Amount Decrease, Amount Increase, Amended Budget. Row 1: 583, 80000, \$28,000, \$28,000.

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

Account Name: Transfer From W/S Fund Equity
Account Number: 53-398602
Amount: \$28,000.00

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 _____, 2023.

X

ADJOURNMENT