

LAKE LURE TOWN COUNCIL REGULAR MEETING PACKET

Tuesday, August 11, 2015



Mayor Bob Keith

Commissioner John Moore

Commissioner Mary Ann Silvey

Commissioner Diane Barrett

Commissioner Bob Cameron



REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL

August 11, 2015

6:00 p.m.

Lake Lure Municipal Center

AGENDA

1. Call to Order Mayor
Bob Keith
2. Invocation (*Please rise and remain standing*) Attorney
Chris Callahan
3. Pledge of Allegiance
4. Approve the Agenda Council
5. Presentation of Awards Mayor Bob Keith
6. Public Forum: *The public is invited to speak on any non-agenda and/or consent agenda topics. Comments should be limited to less than five minutes.*
7. Staff Reports
8. Council Liaison Reports & Comments
9. Consent Agenda:
 - a. Approve Minutes of the June 9, 2015 Regular Meeting
 - b. Approve a Fabric Structure Permit for the 6th Annual Dirty Dancing Festival Being Held in Morse Park on August 14th and 15th. Also, Suspend the Peddling Ordinance for the Event
 - c. Adopt Grant Ordinance No. 15-08-11 Concerning Allocation of Funds for Buffalo Creek Trail
10. Unfinished Business
11. New Business:
 - a. Consider Approval of an Award Recommendation From Brown Consultants Concerning Boys Camp Road Repair

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August 11, 2015

- b. Appointment –Board of Adjustments/Lake Structure Appeals Board
 - c. Consider Approval of Proposal for the Asset Management Task Force and Consider Adoption of Resolution No. 15-08-11 Concerning Acceptance of a Proposed Deed of Conveyance As a Gift
 - d. Consider Adoption of Resolution No. 15-08-11A Concerning Acceptance of a Proposed Deed of Conveyance As a Gift
 - e. Closed Session in Accordance with G.S. 143-318.11(a) (3) for Attorney Client Privilege
12. Adjournment

Agenda Item: 9a

Agenda Item: 9b

July 16 th, 2015

Town of Lake Lure
Andi Calvert, Town Clerk
2984 Memorial Highway
Lake Lure, NC 28746



Dear Andi,,

We are so excited to be holding the **6th ANNUAL DIRTY DANCING FESTIVAL AT LAKE LURE** on August 14-15, 2015! Complete details about the event can be found on our website at www.dirtydancingfestival.com, but the general event schedule is as follows, with both events occurring at Morse Park Meadows:

FESTIVAL SCHEDULE @ MORSE PARK MEADOWS

Lakeside Film Screening, Friday, August 14, 7PM-10PM

Remember the magic of Dirty Dancing while watching the movie against the waterfront site of "the lift" on the original location of Johnny's cabin. Bring your own blankets and chairs; food and drinks will be available for purchase.

The Dirty Dancing Festival, Saturday, August 15, 9AM-5PM:

This outdoor dance festival will showcase live bands, the Asheville Ballet Company, a shag dance competition, other live music, family-friendly games, a 'Lake Lift Competition,' dance lessons, food, drinks, shopping & more!

Also, this year we will be adding a "Locals Ticket" for only \$10.00 at the door with a Lake Lure or Chimney Rock ID. Hopefully the community will come out and enjoy themselves!!

OUR BENFICIARY: THE PANCREATIC CANCER ACTION NETWORK

We are also excited to announce that the festival is again an official event of the Pancreatic Cancer Action Network, with a portion of ticket sales and other funds raised onsite going being donated.

Not only did Patrick Swayze pass away from pancreatic cancer, but we also lost Billy Scott, a North Carolina Music Hall of Fame inductee, and a staple performer at first three Dirty Dancing Festivals.

★ Because of the importance of this event to the businesses of the area, and the Pancreatic Cancer Action Network, we would like to respectfully ask for the peddling ordinance be waived for the festival, as is has been in previous years, for the dates of August 14-15, 2015.

Thank you in advance for your consideration of this request and for your previous waivers for the **Dirty Dancing Festival at Lake Lure**. Please feel free to contact me should you have questions.

Sincerely,

Jo Beyersdorfer, Festival Director
jo@jnbevents.com / p. 310.809.4532
Cc: Michelle Yelton, Rutherford County Tourism
Cc: Valerie Hoffman, Event Partner, Town of Lake Lure

July 16, 2015

Town of Lake Lure
City Council & Chris Braund, Town Manager
2984 Memorial Highway
Lake Lure, NC 28746



Dear City Council and Chris,

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Not only did Patrick Swayze pass away from pancreatic cancer, but we also lost Billy Scott, a North Carolina Music Hall of Fame inductee, and a staple performer at the first three Dirty Dancing Festivals.

PERMIT REQUESTS

Because of the importance of this event to the businesses of the area, and the Pancreatic Cancer Action Network, we would like to respectfully ask for the following permits to be granted. The necessary permit application forms are also attached to this letter.

We would also appreciate any fees you could waive, or any non-profit discounts you could extend our way.

Morse Park Meadows Permits

1. Permit for Use of Town Rental Facilities

- a. Friday Night Lakeside Screening
- b. Saturday Dirty Dancing Festival rental fee of \$100)

② Approved
BY
TOWN MGR

2. Entertainment Permits

- a. Friday Night Lakeside Screening
- b. Saturday Dirty Dancing Festival

✓ APPROVED BY
TOWN MGR &
POLICE CHIEF

3. Fabric Structure Permits

- a. Festival Main Stage - ~~Town Council~~ APPROVED
- b. Dance Lessons Tent - ~~APPROVED~~ APPROVED
- c. Food and craft vendors tents - APPROVED

4. Parking Lot Use

- a. Permission to use the portion of the Morse Park parking lot for the dance lessons tent (see floor plan for reference)

✓ APPROVED

5. Wine & Beer Sales

- a. Permission to sell beer and wine on Morse Park Meadows both Friday evening at the Lakeside screening and Saturday during the Dirty Dancing Festival.
- b. Note: We will require anyone who wants to purchase alcohol to show ID. No alcohol will be allowed outside of the festival parameter. All alcohol vendors will be licensed and permitted by the ABC.

✓ APPROVED
BY
TOWN MGR
& POLICE CHIEF

Thank you in advance for your consideration of these requests and for your previous waivers and approvals for the inaugural **Dirty Dancing Festival at Lake Lure**. Please feel free to contact me should you have questions about any of these requests and we are REALLY excited to be hosting for our SIXTH year! See you soon.

Sincerely,



Jo Beyersdorfer, Festival Director
Dirty Dancing Festival at Lake Lure
jo@jnbevents.com / p. 310.809.4532
Cc: Michelle Yelton, Rutherford County Tourism
Cc: Valerie Hoffman, Event Partner, Town of Lake Lure



Structure: Main Tent

TOWN OF LAKE LURE
Lake Lure, North Carolina

APPLICATION FOR PERMIT
FABRIC STRUCTURE

Section 96.01 states that a permit is required "for all structures constructed of fabric, including tents, erected within the Town of Lake Lure which exceed 500 square feet in area. The Town Manager may issue permits for such structures erected for 30 days or less in any one calendar year and having an area of less than 2,000 square feet. Fabric structures erected for longer than 30 days in any one calendar year and having an area of 2,000 square feet or more must be approved by the Town Council." In order to assist the manager and council in their decision as to whether a permit should be granted or denied, the following information is required.

LOCATION

Location of proposed structure Morse Park Meadows Basketball Court

Name and address of property owner Town of lake Lure

2926 Memorial Hwy, Lake Lure, NC 28746 Phone 877.625.2725

If applicant is not owner, type of approval from owner (lease, contract, letter, etc.) contract

Size of property (acres) 1/2 - 1 Acre

DESCRIPTION OF STRUCTURE

Type of structure Tent

Structure will be used for Music and Performances

Length 60ft Width 40ft Height Area (square feet) 2400 sq ft

Date to be erected 08/13/15 Date to be removed 08/15/15

If previously permitted, date removed n/a

Maximum occupancy of structure

Please submit a site plan showing the proposed footprint of the structure and its relationship to the property lines, adjacent roads, existing structures, and natural features to demonstrate compliance with Town regulations.

APPLICANT

Name JNB Marketing LLC
Address 929 Colorado Ave Suite 114
Santa Monica CA 90401

Date 07.16.2015
Phone 310.809.4532
Fax 310.372.4600

Applicant agrees to comply with all applicable state, county and town regulations.

Signature 

ZONING REGULATIONS REVIEW

I certify that this structure (complies) (does not comply) with all requirements of the zoning regulations of the Town of Lake Lure.

Date _____

Sheila Spicer, Zoning Administrator

FIRE CODE REVIEW

I certify that this structure (complies) (does not comply) with all requirements of the fire code.

Date _____

Ron Morgan, Fire Coordinator

For fabric structures between 500 and 2,000 square feet in area to be erected for 30 days or less in any one calendar year.

This request is (APPROVED) (DENIED)

Date _____

Chris Braund, Town Manager

For fabric structures either having an area of 2,000 square feet or more or erected for longer than 30 days in any one calendar year or both.

This request is (APPROVED) (DENIED) by action of the Lake Lure Town Council.

Date _____

Bob Keith, Mayor

NOTE: This structure may require a building permit from Rutherford County. Call 828-287-6035

6th Annual Dirty Dancing Festival at Lake Lure

Lakeside Screening Site Plan

Friday, August 14th 2015, 7-10pm

Text in RED CAPS relates only to the Lakeside Screening event
Text in BLACK refers to the existing setup of the festival

Restrooms & hand
washing stations



Main stage tent
(closed during
Screening)

Open seating
areas

Food, beer and
wine vendors

Main Entrance

Merchandise
Sales

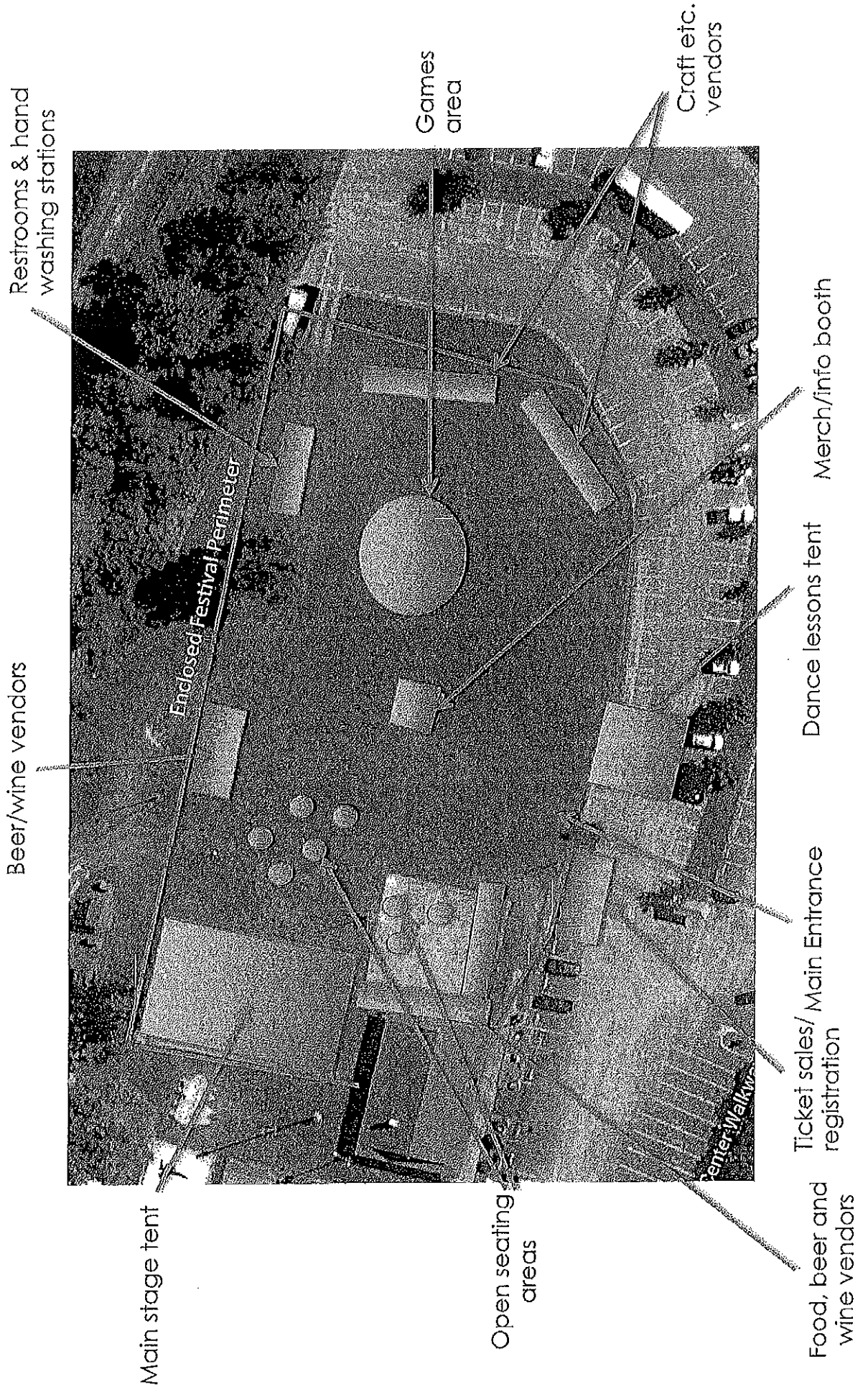
OPEN SEATING
AREA

INFLATABLE
MOVIE
SCREEN

6th Annual Dirty Dancing Festival at Lake Lure

Festival Site Plan

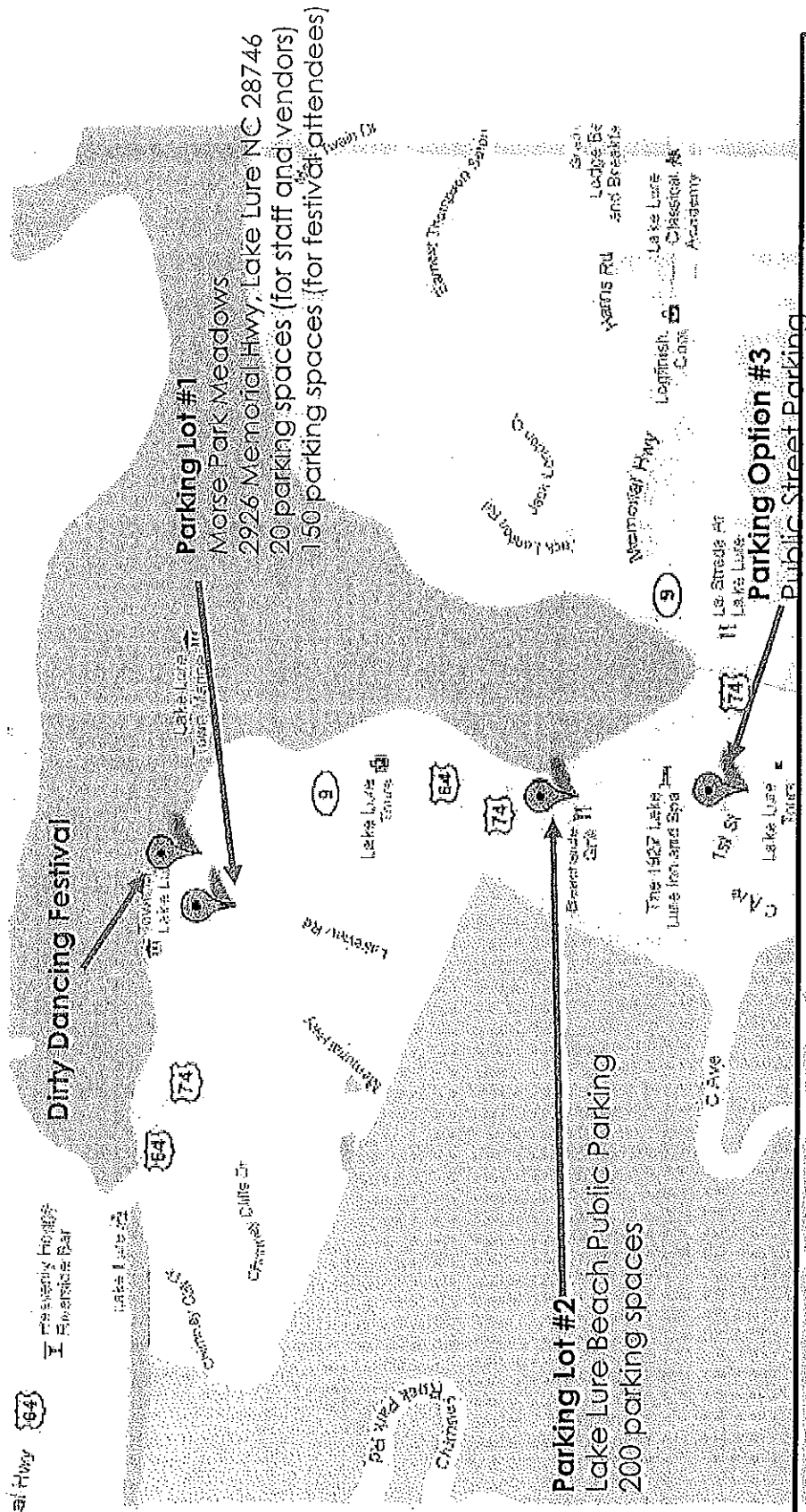
Saturday, August 15th 2015, 9am-5pm



6th Annual Dirty Dancing Festival at Lake Lure - Parking Plan

Parking Map for Lakeside Screening (Fri. August 14th 7-10p) and Dirty Dancing Festival (Sat. August 15th 9a-5p)

Location of both events: Morse Park Meadows



Total Parking Spaces: 750+

Additional Transportation Options / Notes:

- As we have done for the past 5 years, we will have about 10 county parking staff members directing guests where to park both days of the event Aug. 14th & 15th, 2015.
- Rumbling Bald Resort shuttle (for their guests)
- Lake Lure Adventure Company boat shuttles

**Based on the past four years' experience we don't need more parking than what is available within walking distance of the park. We also compared our event to the 4th of July Fireworks events of Lake Lure and believe this is the best solution. Parking attendants will be manning the main parking lot adjacent to the park.

Agenda Item: 9c

Town of Lake Lure
Ordinance No. 15-08-11
Grant Project Ordinance
Buffalo Creek Trail System - Phase 2

REVENUES

Recreational Trails Program	<u>\$200,000</u>
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APPROPRIATIONS

Trails	\$184,800
Final Trail Design	\$ 11,000
Land Acquisition Cost - Survey	\$ 2,000
Land Acquisition - Legal Fees	\$ 2,000
Environmental Permitting	<u>\$ 200</u>
Total Appropriations	<u>\$200,000</u>

NOTE: Costs could fluctuate. Amendments may need to be made to the Grant Project Ordinance as we move forward.

Adopted this _____ day of _____, 2015.

Bob Keith, Mayor

ATTEST:

Andi Calvert , Town Clerk

Agenda Item: 11a

Andi Calvert

From: Chris Braund
Sent: Tuesday, August 4, 2015 5:51 PM
To: Andi Calvert; Sam Karr
Cc: Commissioners; Julie Scherer; Patricia Maringer; Barbara Searcy; Stephen Webber; harlow@brownpa.net
Subject: Boys camp road repair Proposal/Contract
Attachments: Boys Camp Road Award Recommendation 8-4-2015.pdf

Andi: please include this email and the attached recommendation letter from Harlow Brown in the upcoming council agenda and packet.

We have \$190,000 budgeted for the Boys Camp Road repair project. Harlow has outlined two options, one of which would require a budget amendment. Details are within the letter.

Option A: Keep our \$190,000 current budget and complete first of two phases of road work

Option B: Add \$120,000 to the budget to complete this project

Construction	\$298,024
<u>Engr Contract</u>	<u>\$11,640</u>
Total Project	\$309,664
<u>FY 15 Budget</u>	<u>(\$190,000)</u>
Difference	\$119,664

Recommend Budget Amendment of \$120,000

Thanks –

Chris



August 4, 2015

Memorandum of Bid Award Recommendation

To: Chris Braund, Manager
Town of Lake Lure

From: Harlow L. Brown, PE
Chief Engineer

Cc: Sam Karr, Finance Director
Town of Lake Lure

Armand Rupp, Estimator
Harrison Construction Company
1188 Smoky Park Hwy.
Candler, NC 28715



Re: **Bid Award Recommendation**
Town of Lake Lure, Rutherford County, NC
Boys Camp Road Repair Project (1.97 Miles)

The bidding process was performed in accordance with NC Public Contracting Statutes.

An advertisement for the project was placed in The Daily Courier; an Affidavit of Publication is attached.

Three (3) sets of contract documents were issued to contractors.

Bids were taken on July 7, 2015 @ 11:00 AM, Lake Lure Town Hall, publicly opened and read by Corey Knox and Harlow Brown. Attached is a copy of the bid attendance sheet.

Bids were requested to be submitted in two (2) parts:

1. The Base Bid consisted of all components from priority # 1 of Mr. Braund's October 29, 2014 memo (copy attached) that divided the Boys Camp Road repair into two Priority Phases
2. The Alternative bid consisted of the components of Priority #2 from Mr. Braund's memo

Two (2) bids were submitted as follows; listed from lowest to highest: A detailed bid tabulation sheet is attached.

1. Harrison Construction Co.	Base Bid:	\$207,175
	Alternate:	\$191,290
2. Patton Construction Group, Inc	Base Bid:	\$297,620
	Alternate:	\$303,738

Both bidders are licensed and qualified to perform the work.

Harrison Construction Company, Inc is a licensed NC Unlimited, Unclassified Contractor, NC license 12459 and is qualified to perform the work under the laws of North Carolina. Proof of contracting licensure is attached.

The Town and Brown Consultants have worked with Harrison on the successful Dam Access Road Repair involving similar work. Our joint experience has been very positive, work is excellent and any deficiencies were promptly corrected.

Since the project Base Bid cost is under the \$300,000, the requirements for formal bidding do not apply and the two (2) bids received meet the bidding requirements for informal bidding. This also allows the Town to enter into negotiations with the low bidder for a final scope of work and cost.

Rather than repair the road in two (2) phases we decided to perform another detailed site inspection, with very accurate measurements to see if we could up-grade the road all at one time.

Town staff and Brown Consultants staff then met the contractor in the field and performed the site inspection and eliminated several items that were not needed, modified other items of work and used accurate field measurements. Town staff agreed to all these modifications. Harrison has submitted a revised bid of \$298,024.30 based upon the modifications. The revised bid is attached.

The current year's budget for what is described in Mr. Braund's memo for Priority # 1 is \$190,000.

At this point there are two options that can be considered:

Option A. Pare down the project to just surface treatment and guard rail installation; then pave the road next year under the FY 2017 budget. This would get the project well within the FY 2016 budget. Surface treatment is used to seal the existing road surface, enhance road strength and consists of applying liquid asphalt and then a layer of small crushed stone about 3/8 inch in size. The down side of postponing paving for a year is the surface will be rough to ride on and

initially may have loose stone which will be aggravating to travel on. Striping on surface treatment is much less effective than on asphalt.

Option B. Amend the FY 2016 budget to complete the entire project. This would eliminate the problems with traveling on surface treatment and eliminate additional costs of re-mobilization, cleaning the surface treatment, higher asphalt costs, adding a tack coat to bond the asphalt to the surface treatment, and re-striping the road again. The total turnkey cost today of \$298,024 is substantially less (\$163,976) than the anticipated cost of the project of \$462,000.

As your engineer, we highly recommend Option B. Your citizenry will not be happy traveling on surface treatment for a year and will wonder why money was spent to produce such a poor result. Putting paving off one year will increase costs as detailed above. At one time the Town can improve Boys Camp Road to a superior condition without having to return for any Phase II work. In My opinion, this improvement will give high quality performance for 15 to 20 years.

Brown Consultants PA recommends award of the project to Harrison Construction Company in the amount of \$298,024.30.

Brown Consultants will be available for a personal presentation of this bid and award process at the Council Meeting when the formal award will be considered.

Harrison's complete bid is on file with Brown Consultants.

**REQUEST FOR
INFORMAL BIDS**

Project Name: Town of Lake Lure: Boy's Camp Road Repair Project

Project Description: Provide all labor, equipment and materials to repair and pave approx. 2.2 miles the existing areas on Boys Camp Road, as per Road Assessment plans and specifications. Over the years the roads have deteriorated from use and weather elements.

Location: Town of Lake Lure, Boy's Camp Road Repair Project

Owner: The Town of Lake Lure, PO Box 255, Lake Lure, NC 28756

Engineer: Brown Consultants, PA, 30 Ben Lippen School Road, Asheville, NC 28806, 828-350-7888; Fax 828-350-7884

Bids Due: The Town will receive informal bids for the project until Tuesday, July 7, 2015 at 11:00 AM, at the Office of the Town Manager, Town Hall, Lake Lure, NC. Only contractors licensed to perform this work under the General Statutes of the State of North Carolina will be allowed to bid on this project. The owner reserves the right to open the informal bids in a private setting, and advise the bidders accordingly.

Drawings, specifications and contract documents may be obtained from the office of the engineer.

All specifications are intended to be performance based and are tied to final approval of the repair. No bidder may withdraw his bid within ninety (90) days after the actual date of the opening thereof. The Owner reserves the right to waive any informally, to reject any or all bids and/or to negotiate an alternate price.

**AFFIDAVIT OF PUBLICATION
STATE OF NORTH CAROLINA
RUTHERFORD COUNTY**

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths, personally appeared

Pam Dixon

who being first duly sworn, deposes and says: that they are

Sales Representative

(Owner, partner, publisher, or other officer or employee authorized to make this affidavit) of THE DAILY COURIER, a newspaper published, issued and entered as second class mail in the town of FOREST CITY, in said County and State; that they are authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached hereto, was published in THE DAILY COURIER on the following dates:

May 28, 2015

and that said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This the 1st day of June, 2015.

Pam Dixon

Pam Dixon, Sales Representative

Sworn to and subscribed before me this the 1st day of June, 2015

Cindy D. Branch

Cindy D. Branch, (Notary Public)

My commission expires: February 18, 2017.

Bid Opening Attendance Sheet:Project: Boy's Camp RoadTime/Date: 11:00 A.M. July 7, 2015 Town of Lake Lure, Town HallOwner: Town of Lake LureEngineer: Brown Consultants, PA

Please Sign-in Acknowledging Bid Opening Attendance

Name	EMAIL Signature	Representing
COREY KNOX	COREY@BROWNPA.NET	BROWN CONSULTANTS
Armand Huppe	ahuppe@harrisoncc.com	Harrison Construction Co.
HARLOW BROWN	HARLOW@BROWNPA.NET	BROWN CONSULTANTS
Tony Hennessee	publicworks@TownofLakeLure	Lake Lure
Nelson Patton	Nelson@PattonConstruction group.com	Patton Construction Group
Julie Scherer	acct@townoflakeLure.com	Town
Chris Brown		Town

BID TABULATION SHEET

Project # 15029

PROJECT: Boy's Camp Road Repair Project

BID DATE: 11:00 A.M. July 7, 2015 Lake Lure, Town Hall

Item	Description	Quantity	Harrison		Patton Construction	
			Unit Price	Total Price	Unit Price	Total Price
1	Mobilization	1	15,000.00	15,000.00	16,200.00	16,200.00
2	Full Depth Patching in Distressed Areas	360	184.00	66,240.00	208.00	74,880.00
3	Crack Sealing	1	27,500.00	27,500.00	39,100.00	39,100.00
4	Asphalt Surface Treatment	25,850	2.37	61,264.50	5.60	144,760.00
5	Striping	46,500	0.18	8,370.00	0.20	9,300.00
6	Guardrail Installation	200	116.50	23,300.00	35.00	7,000.00
7	Speed Limit Signs	22	250.00	5,500.00	290.00	6,380.00
	Base Bid Total			207,174.50		297,620.00
	Alternate					
8	1.5" Asphalt Overlay	25,850	7.40	191,290.00	11.75	303,737.50

6/10



CLOSE SEARCH WINDOW



RETURN TO SEARCH RESULTS

License Detail

NUMBER 12459

STATUS Valid

RENEWAL DATE 2015-01-01

Name APAC-Atlantic, Inc.

Address P. O. Box 21088
Greensboro, NC 27420-1088

County Gullford

Telephone (336) 412-6800

Limitation Unlimited

Classifications Unclassified

Qualifiers

Harris, Philip Edward	Hudson, David Everette	Loflin, Gary D.	Venable, Chris Glen
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Recommended Improvements - ESTIMATED COSTS

Boys Camp Road - Priority 1

From J.M. Teague estimates

BASE BID

Item #		
1.	Striping with Paint	\$5,000
5.	Full depth patching in distressed areas	\$60,000 (middle of range)
6.	Crack sealing 1/4" cracks	\$15,000 (middle of range)
7.	Chip Seal or Mat & Seal	\$70,000
12.	Guardrail installation	\$25,000 (middle of range)
14.	Install recommended signs	\$2,000
		\$177,000 ✓

Ridge Road - Priority 1

From Harrison Paving Proposal

1.	Slide repair with riprap, steel pipe & grating	\$30,000
2.	Wedge asphalt plus 1.5" overlay	\$13,500
3.	Asphalt curbing	\$1,800
4.	Install catch basin, connect to existing culvert	\$2,200
		\$47,500

Snug Harbor Circle - Priority 1

From Harrison Paving Proposal

1.	Slide repair with riprap, steel pipe & grating	\$28,000
2.	Wedge asphalt plus 1.5" overlay	\$11,000
3.	Asphalt curbing	\$1,500
4.	Install rip rap in opposite ditch	\$3,000
5.	Repair slope behind ditch	\$3,300
6.	Install catch basin, connect to existing culvert	\$2,200
		\$49,000

TOTAL OF PRIORITY 1 ITEMS	\$273,500
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ALTERNATE BID

<u>Boys Camp Road - Priority 2</u>		
7.	1.5" Asphalt Overlay	\$220,000
11.	Reshaping and replacement of ditches	\$40,000 (middle of range)
2.	Striping with high reflectivity markings	\$25,000
		\$285,000 ✓

TOTAL BUDGET \$462,000

Recommended Improvements - FUNDING STRATEGY

Beginning in 2013, we enacted a 3 cent tax dedicated to a fund for capital improvements improvements. That fund now has **\$352,060**, which includes the contribution for 2014/15 and the payment for the water system improvements on Washburn Road & Asa Gray. We add about \$250,000 each year to it. ~~\$273,500~~. If council agrees, then we will obtain multiple bids for the work and bring back contracts to council for a budget amendment appropriating these funds.

In a future year, we can evaluate the right time to address the Priority 2 items (along with any other priority needs that may emerge).

BOYS CAMP ROAD REPAIR
REVISED QUANTITIES

PROJECT # 15029

Item	Description	Quantity	Unit	Unit Price	Total Price
1	Mobilization	1	LS	15,000.00	15,000.00
2	Full Depth Patching in Distressed Areas	0		\$0.00	\$0.00
3	Crack Sealing	0		\$0.00	\$0.00
4	Asphalt Surface Treatment	21,800	SY	2.37	51,666.00
5	Striping	31,230	LF	0.21	6,558.30
6	Guardrail Installation	200		\$116.50	\$23,300.00
7	Speed Limit Signs	0		\$0.00	\$0.00
8	1.5" Asphalt Overlay	21,800	SY	7.50	163,500.00
Subtotal Base Bid					260,024.30
Additional Work Requested					
9	Mill to remove speed bumps	6	EA	1,000.00	6,000.00
10	Install neew speed bumps	6	EA	1,500.00	9,000.00
11	Asphalt wedge leveling coruse	200	TONS	115.00	23,000.00
Subtotal Additional Work					38,000.00
Project Total Cost					298,024.30

9/10



Harrison Construction Company

APAC-Atlantic, Inc.
1188 Smoky Park Hwy.
Candler, NC. 28715

Proposal And Contract

Return Proposal to:

PO Box 6939 Asheville, NC 28816

Phone: (828)865-1180 Fax: (828)865-9345

To: Town of Lake Lure
Attention: Harlow Brown
Project: Town of Lake Lure / Boys Camp Road / Revised
Date: 8/3/16 9:02 AM

We propose to furnish all labor, materials, equipment, and supervision required for the performance of the following described work in connection with construction of improvements for

Job Name: Town of Lake Lure / Boys Camp Road / Revised

County: Rutherfordton

State: NC

Owner: Town of Lake Lure

In accordance with conditions listed below and in strict accordance with plans and specifications listed below.

We Include:

ITEM #	DESCRIPTION	EST. QTY.	U/M	UNIT PRICE	AMOUNT
1	Mobilization	1	LS	\$15,000.00	\$15,000.00
2	Milling existing speed bumps.	6	EA	\$1,000.00	\$6,000.00
3	Asphalt Surface Treatment Split Seal.	21800	SY	\$2.37	\$51,666.00
4	Leveling Course.	200	Ton	\$115.00	\$23,000.00
5	Overlay with 1.5" of S9.5B surface asphalt.	21800	SY	\$7.50	\$163,500.00
6	Install new speed bumps.	6	EA	\$1,500.00	\$9,000.00
7	Striping.	31230	LF	\$0.21	\$6,558.30
8	Guardrail.	200	LF	\$116.50	\$23,300.00
TOTAL BID					\$298,024.30

Notes: If bond is required add 1.5%.

No testing included.

All permits by others.

Not responsible for erosion control.

The above price excludes prime coat.

Paving operations not guaranteed from November 15th through April 1st.

Harrison Construction is not responsible for drainage problems in areas with less than 2% slope.

Harrison Construction is not responsible for subsurface conditions not ascertainable by visual inspection.

All inspections and approvals are the responsibility of the owner.

grading by others will be within +/- 0.1' of subgrade.

Above price to be adjusted in accordance with NCDOT's Special Provisions SP109A & SP109B regarding price adjustments for fuel and bituminous material (liquid asphalt cement) based on July 2016 index of \$473.08

We Exclude Excavation; traffic control and flagging; barricades and signs; surveying or layout; pavement marking or marking layout; sealcoating; saw cutting; soil sterilization; utility adjustments and/or utility patching; curbing; wheel stops; primecoat; proof rolling; pavement milling; pre leveling; (unless specifically bid); gravel base; misc. patching (curbline, trenches, ramps); sweeping or pavement cleaning; colored, patterned or stamped asphalt; haul route or street use permits, plans or fees; as-built drawings; builders risk insurance; railroad insurance; bonds; participation in any apprenticeship and/or training programs; traffic control plans; cost of owner or general contractor required project specific safety training; cost of project-specific drug testing.

All proposals or contracts are contingent upon satisfactory financial arrangements.

Est. No:

Submitted By:

Armand Huppe, Estimator

10/10

Agenda Item: 11b

Board of Adjustment / Lake Structure Appeals Board**3 year term****Appointed**

Stephen M. Webber, Chairman of both
266 Burnt Ridge Rd
Lake Lure, NC 28746

674-3582 (Cell)

ustabearmy@aol.com

Term Expire
December 31, 2017

December 9, 2014
(original appt 9/17/02)

John Kilby
164 Neighborly Dr
Lake Lure, NC 28746

828-625-8186

john.kilby@ncfbins.com

Term Expire
December 31, 2015

January 8, 2013
(original appt 12/10/09)

Patricia Maringer
1491 Memorial Hwy
Lake Lure, NC 28746

625-0093 (Home)

gaestehaus@bellsouth.net

Term Expire
December 31, 2016

December 10, 2013
(original appt 3/8/11)

David Butts
207 Charlotte Drive
Lake Lure, NC 28746

704-999-4606

dbutts@camplurecrest.org

Term Expire
December 31, 2017

December 9, 2014
(original appt 10/8/13)

Melvin Owensby
1808 Memorial Hwy
Lake Lure, NC 28746

388-3888 (Cell)

judykellure@aol.com

Term Expire
December 31, 2017

December 9, 2014
(original appt 12/13/11)

Mark Hoek, Alternate Member
159 Lurewoods Manor
Lake Lure, NC 28746

501-551-7852 (Cell)

mark.hoek@yahoo.com

Term Expire
December 31, 2015

December 10, 2013

Ronald Erickson, Alternate Member
253 Watership Road
Lake Lure, NC 28746

625-8194 (Home)
912-398-4931 (Cell)

ericksonaia@aol.com

Term Expire
December 31, 2016

February 10, 2015

Liason - Comm. Bob Cameron
Appointment December 13, 2011

**BOARD OF ADJUSTMENT/LAKE STRUCTURES APPEALS BOARD
(Alternate Position)**

List of candidates to be considered for appointment to fill the remainder of Norman McGloghan's alternate position with a term expiring December 31, 201.

Candidates to be considered for appointment:

1. Debbie Ann Frandberg
2. David Lusk
3. Robin Proctor

Name of Candidate

Signature of Commissioner

Date August 11, 2015

Application for Appointment to Boards and Committees Appointed by the
Lake Lure Town Council

Request for Appointment to:

RECEIVED

JUN 19 2009

- ☒ Board of Adjustment & Lake Structures Appeals Board
☐ Lake Lure Zoning and Planning Board
☐ Lake Advisory Committee
☐ Golf Course Advisory Committee
☐ ABC Board
☐ Parks & Recreation Board

Name: Debbie Ann FRANDBERG
Address: 322 Vista Apt's Dr. #24
Home Phone #: 625 5579 Business Phone #: 447-1529
e-mail Address: yorkd46@yahoo.com.

How long have you been a resident of Lake Lure? 15 yrs

Employer: Gerryl Ponzell Employer Address: 303 E. Parrot

Professional Activities: Orlando, FL 32804
407 622-6082

Volunteer Activities: _____

Qualifications for Serving on Requested Appointment: WANT to get involved
WANT to learn, make a difference

List any other Board of Committees in which you have an Interest: _____

ABC, Lake Advisory

List any other Boards or Committees on which you Currently Serve: _____

Please attach a résumé or any additional information you feel is pertinent, especially current and prior occupation.

Date: 6-19-09 Signature: Debbie Frandberg



VOLUNTEER APPLICATION FORM

Name: David B. Lusk
Address: 217 SUNSET COVE Lake Lure Resident for 2 years
Home Phone: 625-5186 Cell Phone: 289-9847 Email: DavidBLusk@gmail.com
Employer: RETIRED Address: _____

PLEASE CHECK THE APPROPRIATE BOX AND INDICATE A PREFERENCE IF CHECKING MORE THAN ONE



Board of
Adjustment &
Lake Structure
Appeals Board



Zoning & Planning
Board



Lake Advisory
Board



Parks &
Recreation Board



ABC Board



Asset
Management Task
Force

Rationale and qualifications for serving: 46 yrs. construction experience, commercial
& Residential. 7 yrs. Project Manager with Hickory Nut Construction,
operating in the Lake Lure Area.

Other volunteer activities in which you are currently involved, including other Boards or Committees:

N/A

Other information you feel might be pertinent, including current or prior occupation or resume:

See ATTACHED

Signature: David B. Lusk Date: 7/8/2015

1994-1998 Verkler, Inc.

South Bend and Indianapolis, IN

Position: Project Manager

Responsibilities: Management of one (1) to four (4) projects at a time. Projects ranged between twenty-five thousand dollars (\$25,000) to ten million dollars (\$10,000,000). Projects included Health Care Facility remodels (hospital), new strip mall construction, elementary, secondary, and university construction for Notre Dame and Indiana University. Responsible for buying out projects, contracts, purchase orders, sub-contractors, job meetings, progress reports, review of drawings and specification, manpower, equipment, and cost control.

1986-1994 Verkler, Inc.

South Bend and Indianapolis, IN

Position: Owner and General Superintendent

Responsibilities: General Superintendent:

Coordinating 200 plus manpower, all equipment and tools between the South Bend and Indianapolis offices on projects covering four (4) state area. Manpower included laborers, cement masons, brick masons, carpenters, and iron workers.

Responsibilities: Co-Owner Verkler, Inc.

Purchased the company along with my father and oldest brother.

Member of the board and coordinated twenty (20) to fifty (50) projects annually.

1975-1986 Verkler, Inc.

South Bend and Indianapolis, IN

Position: Operating Engineer

Responsibilities: Four (4) year apprenticeship. Operated Backhoe, Lull, 20 ton Boom Crane, Dozers, Loaders, Buck Hoist, and Earth Movers.

1974-1975 Verkler, Inc.

South Bend and Indianapolis, IN

Position: General Construction

Responsibilities: Carpentry, Truck Driver.

Salary background information available upon request. References available upon request.



VOLUNTEER APPLICATION FORM

Name: Robin Proctor

Address: 328 Boys Camp Rd Lake Lure Resident for 18 years

Home Phone: 625-8811 Cell Phone: _____ Email: Rhp177@bellsouth.net

Employer: NC DENR Address: _____

PLEASE CHECK THE APPROPRIATE BOX AND INDICATE A PREFERENCE IF CHECKING MORE THAN ONE

☒☐☐☐☐

Board of Adjustment
& Lake Structure
Appeals Board

Zoning & Planning Board

Lake Advisory Board

Parks & Recreation Board

ABC Board

Rationale and qualifications for serving: familiar with Lake Structure regulation
and zoning regulation

Other volunteer activities in which you are currently involved, including other Boards or Committees:

Formerly on The L.A.B. ; Active in Friends of the
Hickory Nut Grove.

Other information you feel might be pertinent, including current or prior occupation or resume:

Signature: RK Proctor Date: 9-19-13

Please see other side for a description of Town Boards

Agenda Item: 11c



TO: Lake Lure Town Council

FROM: Andy Bell
Property Asset Management Task Force

DATE: July 21, 2015

RE: Recommendation on Spruce Hill Road

The council has the opportunity to accept a gift of nine lots in the Spruce Hill/Knob Hill development from Ms. Caroline Emanuel. Collectively these are .77 of an acre and \$109 of local tax revenues. The Property Asset Task Force has reviewed the opportunity and recommends two actions:

- 1) Accept the gift of the lots
- 2) Initiate a project to invest town funds to redevelop the area with several strategic public benefits in mind

Area

Spruce Hill Road is a short, unpaved street on the south side of Memorial Highway between Lakeview Rd. and Gene Stratton Porter Rd. (near the Burgess fruit stand). 23 lots lie along two forks of Spruce Hill road (an upper and lower). It is a privately-maintained road, which means maintenance and improvement is the collective responsibility of all of the property owners adjacent to the road. When subdivided, this area was named Knob Hill. At the top of the upper section, the road was to have connected with a platted cul-de-sac at the end of Benjamin Franklin drive, one of the many roads planned, but never fully implemented, in the 1920s Luremont subdivision. Today there are only two, small, weekend homes in this development, as the rest of the lots are too small to be practically developed. Like hundreds of similar lots in the Luremont area, they sit fallow without much hope of being improved. They don't have much property value, so they don't contribute a lot to the tax base. The town needs more water and sewer customers, but has very few in the area.

Background

For some years, the Town Manager and Environmental Management Officer have witnessed severe erosion on Spruce Hill Road—with little authority to correct it. The road is nearly impassable and, during heavy rains, a river of muddy sediment flows onto the highway and into the lake in the back of Grey Logs Cove. The sedimentation and erosion control laws only come into play with new development projects and do not apply to existing, privately-maintained roads and driveways. The town manager recently wrote a letter to all of the property owners along the road, including pictures that demonstrated the lack of attention to this road over the years has resulted in severe erosion that has been noted by neighbors and passing cars. The town invested \$10,000 in dredging at this spot last winter, in part due to the contribution from Spruce Hill. The letter exhorted the property owners to do something for their own benefit and to protect our lake. According to our own policies, the Town can't make any improvements to a privately-maintained road without Council's permission. And, if we were to do it for this road, there are 75 miles of other privately-maintained roads in Town and we would probably get a lot of requests to do the same.

Two property owners (John Melton, Jr. and Teresa Hawkins) responded to the letter with an interest in fixing the road (grading it and perhaps paving it), but they have been unable to get much cooperation from the rest of the owners. The town was also contacted by the son of Mrs. Caroline Emanuel, who owns nine lots (outlined in red in the attached maps). She's elderly and has no desire to own these lots. They are small and have minimal market value. They offered to give them to the Town and quickly connected with Chris Callahan to deliver the deeds that would accomplish this. Collectively, these nine lots generate about \$109 in local property taxes annually. If the Town takes ownership, they become tax exempt and we forego this revenue.

Subsequently, Michael Gray made the same offer to gift his lot in the area. With a gift or trade of two more lots along Memorial Highway (Melton and Turner), the town would own 8 contiguous lots on the east side and two double lots on the west side of Spruce Hill.

Analysis of the Task Force

We believe that the Town can improve the market value (and tax value) of these lots through a redevelopment effort.

Activity	Public Benefits
Accept the gift of the nine lots from Ms. Emanuel. Accept the gift of a lot from Michael Gray. Pursue a gift of one or more lots from John Melton as a contribution toward road paving.	With the Town owning property along Spruce Hill, it is then appropriate to invest in improving and paving the road—to reduce sedimentation into the lake and to eliminate an eyesore.
Combine the lots into larger lots that can accommodate from 2 to 4 new homes in the area.	Supports the construction of new homes that will increase tax values...on lots that will otherwise never be improved.

Activity	Public Benefits
Improve the infrastructure to support development: - Pave the road - Extend sewer from the manhole across Memorial Highway at the lake's edge - Upgrade the water line that already goes up Spruce Hill - Consider a special assessment for all lots along Spruce Hill to share in the cost of the road and utility improvements (that increase the value of their lots)	Supports the construction and sale of new homes that will be water and sewer customers. Eliminates the erosion of Spruce Hill Road and directs stormwater into appropriate ditches and culverts.
Partner with a builder to design and construct a cluster of attractive, energy efficient, 3-bedroom homes under \$225,000. The area is conveniently located to the school and the town center.	Helps to attract and retain year-round residents close to the Town Center (a strategic goal). Helps to provide affordable housing options for young families and members of the local workforce (a strategic goal).
Sell the homes	Recover the investment in road and utility infrastructure. Any profits from this demonstration project can be used to fund similar redevelopment efforts.

The Task Force views this project as an opportunity to demonstrate the market viability of well-planned, well-executed, housing targeted at year-round homeowners and working families. This is creative, mission-based development using a public-private partnership to share the risk and reward. There is plenty of undeveloped property around Lake Lure, but construction still seems stuck on the retiree, second-home or vacation rental market. The town is well positioned to be a catalyst for this kind of development because we can obtain the land at low or no cost and can borrow development funds at low interest rates (around 2%).

Rewards:

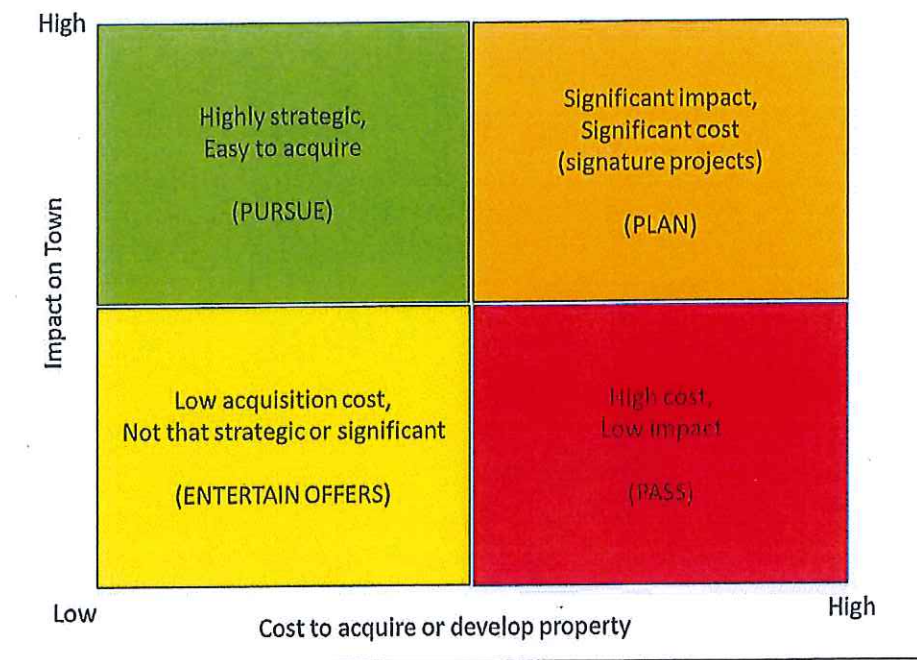
- The highly visible (and costly) erosion issue is mitigated.
- Several new homes and local families are added to the community.
- The water and sewer utility customer base grows.
- Success on this project stimulates excitement and demand for similar projects around town. Builders, developers and investors begin to bring projects to the Town for approval.
- The town and its builder/development partner both make a profit from the project.
- The citizens appreciate and applaud the active efforts of the Town's leadership to shape the community and to achieve strategic objectives.

Risks:

- The properties do not sell, or take a long time to sell.
- The properties sell, but the town doesn't fully recover the cost of development (note: this risk would be shared by the development partner)

- The properties are purchased by speculators or investors seeking a return in the tourism rental market. Not a bad outcome, it just doesn't support the objectives of adding year-round residents and affordable workforce housing.
- The public does not recognize the value or need for this kind of economic development, or does not agree that their local government should be involved in it. Citizens react negatively to Town Leadership that is actively investing public funds in this manner.

EVALUATING POTENTIAL PROPERTY ACQUISITIONS



Our task force uses the chart above to classify potential property acquisitions. The Spruce Hill lots fall into the **PURSUE** quadrant because of their low cost to acquire and develop and the positive strategic impact.

One Additional Aspect

The deeds of these Spruce Hill/Knob Hill lots contain a reference to an easement to reach the lake—via a 20-foot strip in the vicinity of the property line between the Forest Edwards and Derlie Johnston lots on the lake (just across Memorial Highway). If the Town wished to convey these rights to the new property owners, some legal work would need to be done to secure a right of access. Possibilities: The Town could construct a small pier and provide these new homes with deeded access to the lake (a real value). Or, since the Forest Edwards lots are already used in this manner, perhaps an agreement could be made that satisfies the easement rights via existing stairs and docks. At the far end of the lower Spruce Hill Road, Teresa Hawkins and Michael Burkhard own a double lot that they purchased from Bill and Maylee Keller. Their lot includes a deeded interest in a boat slip on the Forest Edwards lakefront pier.

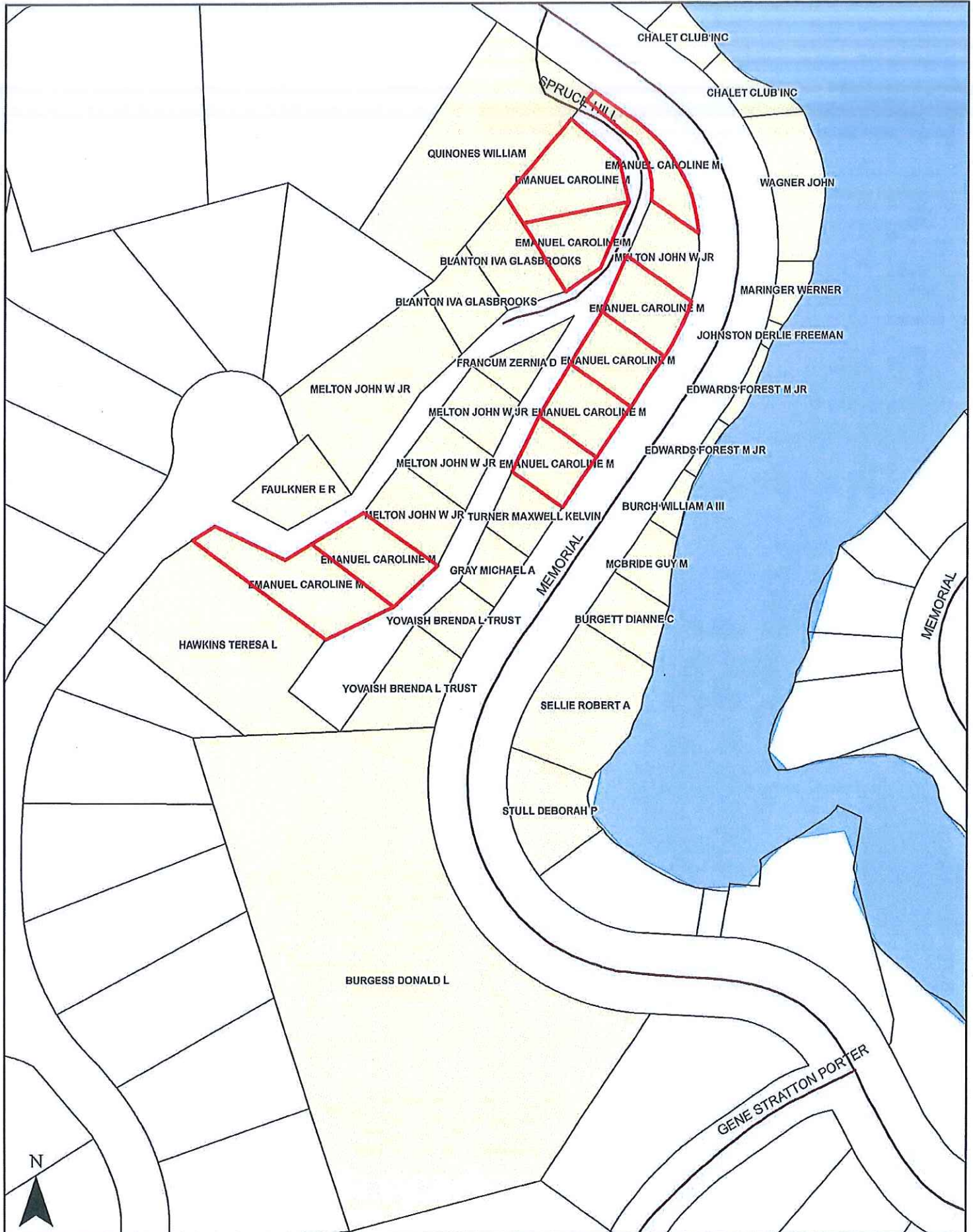
The task force considered these scenarios and the strategic objectives of the Spruce Hill redevelopment project and concluded that it would probably be best to NOT pursue these easements. To keep the price point of these homes low and to discourage a bidding war for lake-access properties, the Spruce Hill homes would be sold without lake access. Local property owners have several options for lake access already: free admission to the beach, year-round boat slips at Washburn Marina and rental boat livery options around the lake.

Respectfully Submitted,

Andy Bell and the Lake Lure Property Asset Management Task Force

Shannon Baldwin
Chris Braund
Pamela Buckingham
Charlie Ellis
Jonathan Hinkle
Michael Holden
Thomas McKay
Linda Turner

Spruce Hill Area Properties



1 inch = 100 feet

Spruce Hill Area Properties



1 inch = 100 feet









RESOLUTION NO. 15-08-11

WHEREAS Caroline M. Emanuel is the owner of Lots 1, 2, 12, 13, 19, 20, 21 and 22 of "Knob Hill-Park" Subdivision of the property of L. M. Pearson, as shown by Plat of same prepared by F. A. Wilkie, Surveyor, in September 1957 and in Plat Book 6, page 44, to which said Plat reference is hereby made; and also an area of land, bounded on the North and Northeast by U.S. Highway No. 74, on the West by Knob Hill Drive, as shown by Plat, above referred to and on 2 & 3 of Block 21 of the Chimney Rock Mountains, Inc. Property as shown on Plat Book 2, Page 17, said Registry. (This area is shown on Rutherford County Tax Map #515 as Lot 1-A of Block 1; and

WHEREAS erosion has created problems on the unpaved road through this property, which sedimentation flow threatens other properties; and

WHEREAS Caroline M. Emanuel is elderly and unable to rectify the problems caused by said erosion, she is willing to gift said property to the Town of Lake Lure without any paid consideration; and

WHEREAS Non Warranty Deed of Conveyance has already been prepared, signed and notarized by Caroline M. Emanuel;

NOW THEREFORE, the Board of Commissioners of the Town of Lake Lure hereby resolves to accept said Deed of Conveyance as a gift and authorizes the Town Clerk to record said Deed of Conveyance in the Rutherford County Registry.

Unanimously adopted this ____ of August, 2015.

Mayor

Attest:

Town Clerk

Approved as to form:

Town Attorney

Agenda Item: 11d

RESOLUTION NO. 15-08-11A

WHEREAS, Michael A. Gray and wife, Sara C. Gray are the owners of a 0.07 acre tract or parcel of land located in the Town of Lake Lure, which tract or parcel of land was acquired by Deed dated January 22, 2008, from Robert W. Wolf, Commissioner, and recorded in Deed Book 955, Pages 39-41, Rutherford County Registry; and

AND WHEREAS, this parcel of land is not needed by the Grantors Michael A. Gray and wife Sara C. Gray, who propose to gift this property to the Town of Lake Lure; and

AND WHEREAS a Non Warranty Deed of Conveyance has already been prepared by the Town Attorney;

NOW THEREFORE, the Board of Commissioners of the Town of Lake Lure hereby resolves to accept the proposed Deed of Conveyance as a gift when signed and delivered and authorizes the Town Clerk to record said Deed of Conveyance in the Rutherford County Registry.

Unanimously adopted this _____ of August, 2015.

Mayor

Attest:

Town Clerk

Approved as to form:

Town Attorney

Excise Tax: \$0.00

Recording Time, Book and Page

Tax Lot No _____ Parcel Identifier No. _____
Verified by _____ County on the _____ day of _____, 2010
By: _____

Mail after recording to _____

This instrument was prepared by: **J. Christopher Callahan, P. O. Box 108, Rutherfordton, NC 28139**

Brief description for the Index

QUITCLAIM DEED

THIS DEED made this 5th day of August, 2015, by and between:

GRANTOR

Michael A. Gray and wife, Sara C. Gray

GRANTEE

**TOWN OF LAKE LURE, A MUNICIPAL
CORPORATION**

2948 Memorial Highway
Lake Lure, NC 28746

WITNESSETH, that Grantor, as a gift to the the Town of Lake Lure, by these presents do remise, release and forever quit-claim unto Grantee, and to its heirs and assigns forever, all the claims, rights and interest in the following parcel of land, situate, lying and being the in the County of Rutherford, State of North Carolina, to wit:

Situate, lying and being in Chimney Rock Township, Rutherford County, North Carolina, being bound on the East by U.S. Highway 74/64, on the South by the property of Brenda L. Yovaish as described in deed recorded in Deed Book 834, Page 422, Rutherford County Registry; on the West by Knob Hill Drive; and on the North by the property of Maxwell K. Turner as described in deed recorded in Deed Book 412, Page 428, Rutherford County Registry, and being more particularly described as follows:

BEGINNING at an iron pin, said iron pin being the common Northwesternmost corner of the tract herein described and common Western or Southwesternmost corner of the property of Maxwell K. Turner as described in deed recorded in Deed Book 412, Page 428, Rutherford County Registry, and running thence

from said beginning point South 58 degrees 11 minutes 15 seconds East 60.82 feet to an iron pin; thence South 32 degrees 06 minutes 24 seconds West 50.00 feet to an iron pin; thence North 57 degrees 50 minutes 31 seconds West 60.42 feet to an iron pin; thence North 31 degrees 38 minutes 35 seconds East 49.64 feet to the BEGINNING, containing 0.07 acres, according to a map and survey by Professional Surveying Services, Nathan Odom, Registered Land Surveyor, dated May 4, 2007

Being Lot 24 of the Knob Hill Park Subdivision as originally shown on plat recorded in Plat Book 6, Page 44, Rutherford County Registry.

See also Rutherford County Tax Map 517/1/35.

Being the same and identical property which was conveyed to Grantors by Robert W. Wolf, Commissioner, by deed dated January 22, 2008, and recorded in Deed Book 955, Pages 39-41, Rutherford County Registry.

TO HAVE AND TO HOLD, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor either in law or equity, to the only proper use, benefit and behalf of the Grantee, and its heirs and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his and her hands and seals, the day and year first above written.

_____(SEAL)
Michael A. Gray

_____(SEAL)
Sara C. Gray

NORTH CAROLINA, RUTHERFORD COUNTY

I, _____, a Notary Public of the County and State aforesaid, certify that Michael A. Gray and wife, Susan C. Gray personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this _____ day of August 2015.

My commission expires:

Notary Public
