

LAKE LURE TOWN COUNCIL REGULAR MEETING PACKET

Tuesday, March 12, 2019



**Mayor Kevin Cooley
Mayor Pro Tem John Moore
Commissioner Bob Cameron
Commissioner John Kilby
Commissioner Stephen M. Webber**



REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL

March 12, 2019

5:00 p.m.

Lake Lure Municipal Center

AGENDA

- I. Call to Order
 - Invocation (Please rise and remain standing)
 - Pledge of Allegiance
- II. Agenda Adoption
- III. Mayor's Communications
- IV. Town Manager Communications
 - Hoist Project Update
 - NCDOT Projects
 - Bridge at Dam
 - Buffalo Creek Road Failure at Bald Mountain Lake
 - Chimney Rock State Park Egress
- V. Public Hearings
 - A. Proposed Ordinance No. 19-03-12 Commercial Lighting Amortization
 - B. Proposed 2019-2024 Capital Improvements Plan
- VI. Council Liaison Reports and Comments
- VII. Public Comment: The public is invited to speak on any non-agenda and/or consent agenda topics. Comments should be limited to less than five minutes.
- VIII. Consent Agenda
 - A. Adoption of the January 29, 2019 Special Meeting Minutes, the February 12, 2019 Regular Town Council Minutes, the February 12, 2019 Special Meeting Minutes, and the February 20, 2019 Special Meeting Minutes
 - B. Proposed Resolution No. 19-03-12 Dissolving the Asset Management Advisory Board

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March 12, 2019

- C. Proposed Resolution No. 19-03-12A Acknowledging Instruments and Agreements Between Lake Lure Community Education Foundation, Inc. and the Town of Lake Lure
- D. Proposed Resolution No. 19-03-12B Records Retention Schedule
- E. Budget Amendment 240 - Beach Walkway on Peninsula
- F. Approve a Contract Between the Town of Lake Lure and Martin Starnes & Associates, CPAs, P.A. to Audit Accounts for the Town of Lake Lure for Year Ended June 30, 2019

IX. Unfinished Business

X. New Business

- A. Request from Cecil Jones to waive the Peddling Ordinance and the security deposit for an event in the Meadows
- B. Request to Suspend Section 92.042(C)(1) of the Zoning Regulations: "Campgrounds" for the Olympiad's Lure of the Lake Swim Event
- C. Proposed Ordinance No. 19-03-12 Commercial Lighting Amortization
- D. Proposed 2019-2024 Capital Improvements Plan
- E. Golf Course Lease Agreement Review

XI. Closed Session in Accordance with G.S. 143-318.11(a) (1) to Consult the Town Attorney Concerning Legal Matters Made Confidential By Law

XII. Adjournment

IV
TOWN MANAGER
COMMUNICATIONS



Town Manager's Report – Submitted March 2019

Town of Lake Lure Projects Updated: March 7, 2019 @ 9:34 AM							
Community Development	%	Public Works	%	Parks, Rereation & Lake	%	Town Manager-Mayor*	%
Duck Cove Property-DEMOLITION	0	PD Entrance (Door Replacement)	50	Boys Camp Road Campground Plan Approval	95	*Assisted Living Facility	15
Land Donation - Stead	95	Geo-Tubes Installation	75	Boys Camp Road Campground	10	*Dam Evaluation	60
LLCEF Items - Morgan	95	Paving Streets	0	Morse Park Event Space Plan	25	*Dam Renovation	0
Workforce Housing Partnership Project	10	Small Generator Repair	65	Morse Park Event Space Remake	0	*New Sewer System Engineering Report Complete for DEQ	60
Potential Land Donation-Hawkins	10	Sewer Line Valve in Trunk Line at Pump Station	50	Floating Boardwalk Plan/Design	75	*New Sewer System Design	0
Welcome Center Renovation/Restrooms:Acquired from Mgr. 12-13-2018	35	Tryon Bay Circle Stormwater Culvert	10	Floating Boardwalk Construction	0	*New Sewer System Construction	0
Commercial Center Renovation:Acquired from Mgr. 12-13-2018	35	Replace Dam Intake Tower Gate Hoist	5	Debris Boom - Lake @ Dam	50	Hydro Electric Improvements Work Plan	25
Farmers Market Research (Hendersonville)	50	Baseboard at Town Hall	0	Volunteer Corps - David Lusk	50	FFC-CRV Water System Inter Connect Study (WR)	25
		Fill Dam Operator Position	0	Golf Course Lease Renewal	50	PARTF Contract for Boys Camp Road Campground	90
		Remove Tree at Flowering Bridge	0	Commercial boat lake use hours study	5		
		Storm Drain @ Dittmer Watts Park	0	SOP/EAP River Debris Boom Deployment & Removal	0		
		Sewer Trunk Line Bypass (Eliminate Valve, Junction Box & Manhole)	5	Parks & Recreation Work Plan	75		
		PIN Stock Metal Repair (Critical Patch Work)	0	Secure Written Approval from Chimney Rock Village for Camp Ground	0		
Fire	%	Finance	%	Communications	%	Police	%
Everbridge Procurement	70	Dam Financing - USDA Loan	25	Staff Profiles - Amy Wright	90	Narcan for Officers Use	85
Sunset Reserve - Lure Ridge Drive Hydrants Repair	60	RFP-Audit	90	Calendar of Events	90	Hire New Officer	75
Review the Dam EAP & Send to Schnabel	50	Cross Training Program	50	Everbridge Transition	10		
Repair the Reedy Patch gage and the blow the Dam gage	0	Budget-CIP Process	50	Lake Lure Spring Classic Boat and Auto Show	35		
Fire Boat Repairs and Maintenance	60	Budget-Operational	15	Market and coordinate Raptor Run and Ring Into Spring Event 4/27/19	25		
Annual Review of Preplans	0			Ad and Article for On the Lake Magazine	25		
				MoA with Rowing Training Organization	25		
				Greer Event Center Benchmarking Visit	60		
				Rumble 2019: Debriefing Meeting	50		
				Rowing Idea...	10		

February Activities

- NCDOT Conference call to discuss Bridge near Dam, 2/4
- Held Management Team Meeting, 2/4
- Met with Dean RE: Floating Boardwalk, 2/5
- Discussed Dam Operations w/Schnabel, 2/6
- Met w/DbD, 2/7
- Had lunch with MR Town Manager, 2/7
- Met w/Don Cason & CS RE: Cycle NC, 2/7
- Spoke w/Jeff Geisler RE Golf Course, 2/8
- Attended Duke Energy / Community Meeting, 2/11
- Held Management Team Meeting, 2/11
- Attended ABC Board & Town Council Joint Meeting, 2/12
- Attended Town Council Meeting, 2/12
- Attended Meeting with Vital Clarity & PRLD, 2/13
- Attended Meeting with Affinity, CWS, RBR & Mayor, 2/13
- Met w/Don Cason & CS RE: Cycle NC, 2/13
- Attended Employee Interview, 2/14
- Held Management Team Meeting, 2/18
- Attended CIP Workshop, 2/20
- Attended Mayor-Managers Meeting, 1/21
- Lunch w/WithersRavenel, 2/25
- Held Management Team Meeting, 2/25
- Attended Meeting w/Vital Clarity, PRB, Mayor & Staff, 1/26
- Participated in UAB Field Trip to Connetsee Falls, 1/29
- Met w/Kathleen Osta, 1/29

C. Shannon Baldwin

3-7-19

Town Manager

Date

All:

Please find attached February Finance report with detailed revenues and expenditures.
Items of interest for the month of February:

- We are starting to see our seasonal revenues (Boat Permits) starting to start to pick up.
- As we had to pay back engineering for the Green line, we are just starting to see a positive cash flow in Water/Sewer.
- We collected over \$107,935 in dam revenues this month!
- Received \$108,241 from NCDEQ for Dredging grant.
- Other than Non-Government Department-Insurance, all expenditures in the General Fund are well within per rata estimates.
- Sewer expenses have increased; Chemicals, and sludge hauling have been costly this past year.
- In Hydro-electric, John Wilson's expenses have increased and we are keeping an eye on Small Unit expenses.

Please let me know if you have any questions,

Sam

Sam A. Karr

Finance Director

**2948 Memorial Highway
Lake Lure, NC 28746**

Office: 828.625.9983, Ext. 102

Web: townoflakelure.com

Facebook: www.facebook.com/townoflakelure



Town of Lake Lure

Monthly Financial Summary Report as of: 2/28/2019

67%



Revenues in excess
of Expenditures

General Fund						General Fund						General Fund	
	Annual	Month	Annual	Y-T-D %		Annual	Month	Annual	Y-T-D %	Annual Budget		Annual Budget	
Revenues:	Budget:	To Date:	To Date:	Collected	Expenditures:	Budget:	To Date:	To Date:	Spent	Month To Date		Month To Date	
Taxes	\$ 3,081,734	\$ 76,106	\$ 1,726,200	56.01%	Governing Body	\$ 41,300	\$ 1,730	\$ 17,642	42.72%	Annual To Date	\$ (348,201)	Annual To Date	\$ (348,201)
State Shared Revenues	\$ 1,446,425	\$ 200,259	\$ 1,012,943	70.03%	Administration	\$ 753,738	\$ 44,700	\$ 495,244	65.71%				
Lake	\$ 495,600	\$ 48,302	\$ 218,922	44.17%	Central Services	\$ 101,500	\$ 7,859	\$ 64,282	63.33%				
Beach & Marina	\$ 164,800	\$ 17,850	\$ 190,965	115.88%	Police	\$ 743,197	\$ 47,662	\$ 480,123	64.60%				
*Miscellaneous Revenues	\$ 84,100	\$ 7,293	\$ 102,024	121.31%	Fire	\$ 770,792	\$ 40,539	\$ 505,931	65.64%				
Land Use Fees	\$ 28,400	\$ 2,682	\$ 15,990	56.30%	Sanitation	\$ 230,000	\$ 19,498	\$ 151,974	66.08%				
Loan Proceeds	\$ 102,000	\$ -	\$ -	0.00%	Public Works	\$ 460,906	\$ 36,924	\$ 299,927	65.07%				
Transfers	\$ 892,228	\$ -	\$ 15,000	1.68%	Economic Development	\$ 70,200	\$ 4,895	\$ 58,343	83.11%				
Total:	\$ 6,295,287	\$ 352,492	\$ 3,282,044	52.13%	Community Development	\$ 300,800	\$ 14,584	\$ 111,965	37.22%				
*Miscellaneous Revenues Interest, Beer & wine, Fire Tax, ABC Facilities Rentals, Grants, Sale of Assets, Misc., Town Promo, Copies Recycling Collections						Parks and Rec.	\$ 272,536	\$ 15,574	\$ 122,282	44.87%			
						Beach and Marina	\$ 12,000	\$ 792	\$ 6,754	56.28%			
						Golf	\$ 86,000	\$ 30	\$ 90,936	105.74%			
						Lake	\$ 558,143	\$ 8,224	\$ 345,686	61.94%			
						Capital Outlay	\$ 1,125,350	\$ 60,495	\$ 560,560	49.81%			
						Debt Service	\$ 299,515	\$ 4,871	\$ 189,548	63.28%			
						Non Governmental	\$ 132,500	\$ 407	\$ 129,048	97.39%			
						Transfers	\$ 336,810	\$ -	\$ -	0.00%			
						Longevity	\$ -	\$ -	\$ -	#DNV/0!			
						Contingency Reserve	\$ -	\$ -	\$ -	#DNV/0!			
						Total:	\$ 6,295,287	\$ 308,784	\$ 3,630,245	57.67%			

Water & Sewer Fund						Water & Sewer Fund						Water & Sewer Fund	
	Annual	Month	Annual	Y-T-D %		Annual	Month	Annual	Y-T-D %	Annual Budget		Annual Budget	
Revenues:	Budget:	To Date:	To Date:	Collected	Expenditures:	Budget:	To Date:	To Date:	Spent	Month To Date		Month To Date	
Water & Sewer charges	\$ 1,190,000	\$ -	\$ 821,124	69.00%	Water	\$ 180,246	\$ 14,091	\$ 110,271	61.18%	Annual To Date	\$ (58,804)	Annual To Date	\$ (58,804)
Taps & Connection fees	\$ 10,000	\$ 1,155	\$ 3,618	36.18%	Sewer	\$ 439,317	\$ 46,898	\$ 384,999	87.64%				
Interest & Transfer Fees	\$ 7,500	\$ -	\$ 6,086	81.15%	Capital Projects	\$ 57,000	\$ -	\$ -	0.00%				
Water Tank Rental	\$ 15,000	\$ 1,030	\$ 11,240	74.93%	Debt Service	\$ 130,265	\$ -	\$ 5,159	3.96%				
Transfer from Fund Balance	\$ -	\$ -	\$ -	#DNV/0!	Transfer to Fund	\$ 415,672	\$ -	\$ -	0.00%				
Total:	\$ 1,222,500	\$ 2,185	\$ 842,068	68.88%	Total:	\$ 1,222,500	\$ 60,989	\$ 500,429	40.93%				

Hydro Electric						Hydro Electric						Hydro Electric	
	Annual	Month	Annual	Y-T-D %		Annual	Month	Annual	Y-T-D %	Annual Budget		Annual Budget	
Revenues:	Budget:	To Date:	To Date:	Collected	Expenditures:	Budget:	To Date:	To Date:	Spent	Month To Date		Month To Date	
Power Generation	\$ 405,665	\$ 107,935	\$ 658,965	162.44%	Operations	\$ 355,093	\$ 29,389	\$ 222,246	62.59%	Annual To Date	\$ 378,537	Annual To Date	\$ 378,537
Interest	\$ 1,000	\$ -	\$ 974	97.40%	Transfer to General Fund	\$ -	\$ -	\$ -	0.00%				
Transfer from Fund Balance	\$ 118,428	\$ -	\$ -	0.00%	Transfer to Silt Reserve	\$ -	\$ -	\$ -	#DNV/0!				
Total:	\$ 525,093	\$ 107,935	\$ 659,939	125.68%	Cap. Outlay/Special Proj.	\$ 170,000	\$ 2,284	\$ 59,156	34.80%				
					Total:	\$ 525,093	\$ 31,673	\$ 281,402	53.59%				

Cash & Investment Position			Buffalo Creek Capital Project Fund to date			Capital Funds			Comments / Items of note		
			Expenditures	Budget	Actual						
Carolina Trust Bank						Balance to Date					
General Fund	\$	2,723,588		\$ 350,000.00	\$ 350,000.00	Capital Res. Fund			\$ 78,960		
Water & Sewer	\$	82,869				Silt Res. Fund			\$ 147,265		
Includes Greenline & Low Pressure						Strip Center			\$ 130,714		
Hydro	\$	586,426				Bridge Pres. Fund			\$ 75,000		
Total:	\$	3,392,883									
NC Capital Management Trust											
General (Cash)	\$	111,078		8/1/2015	\$ 91,010						
Water & Sewer	\$	20,403		10/25/2017	\$ 200,000						
Hydro	\$	56,385		5/15/2018	\$ 350,000						
Total:	\$	187,866									
Total Cash and Investments:	\$	3,580,749									



NAME: Community Development Director; Brad L. Burton

Department: Community Development

REPORT DATE:

March 4, 2019

PREPARED FOR:

Town Manager/Town Council

I. ACCOMPLISHMENTS

1. Zoning Administration/Code Enforcement

Certificate of Zoning Compliance Issued	11
Certificates of Zoning Compliance Denied.....	0
Certificates of Occupancy Issued.....	6
Vacation Rental Operating Permits Issued	1
Permanent Sign Permits Issued (1) Temporary (4).....	5
Complaints Logged.....	0
Complaints Investigated	1
Notices of Violation Issued	0
Civil Penalties Issued	0
Stop Work Orders Issued	1
Improperly Posted Address Notifications Issued.....	0
Abandoned/Dilapidated Structures Cases Open	0 (0 closed by demo)
BOA Hearings Processed	0
Demolition Permits Issued	0
VROPs Active to Date.....	326

2. Environmental

Land Disturbance Permits Issued.....	7
Complaints Logged.....	0
Stop Work Orders Issued	0

3. Lake Structures/Shoreline Stabilization

Lake Structure Permits Issued	1
Shoreline Stabilization Permits Issued	0

4. Subdivision Administration

Preliminary Plat:.....	0
Final Plat.....	0
Minor Subdivisions:.....	0
Exempt Plat Reviews:.....	0
Lots Approved	0

Review Officer (per GS 47-30):

Plats Reviewed: 4

Plats Approved: 4

5. Grants Administration

Total Grants in Progress:.....0

II. FOLLOW UP

Mike Stead Property Donation. Plat has been sent to Stead for endorsement and notarization; awaiting return back to the Town for recordation. Once recorded Wm. Morgan, Esq. will prepare General Warranty Deed.

LLCA/LLCEF. All instruments back and all complete. All parties are satisfied with the work product of the Town Attorney. Next step is for all parties to sign and subsequently record with Rutherford County Register as appropriate.

Duck Cove Properties (Hodge Property)– Default Judgment entered in this matter by the Honorable Thomas Davis on February 11, 2019. Defendants have 60 days to abate conditions on the property.

NC Court of Appeals 17-934 Eisenbrown v. Town of Lake Lure. Per Docket Sheet as viewed **03/04/2019**, the case is not closed. <https://appellate.nccourts.org/dockets.php?court=2&docket=2-2017-0934-001&pdf=1&a=0&dev=1>

Non-Compliant Commercial Lighting Amortization Ordinance –On Council’s agenda for the March 12, 2019 meeting.

Telecommunication Support Facility Regulations Amendments–Adopted by Council February 12, 2019

Spruce Hill LMI Housing Project– “On Hold” per Town Manager’s directive.

Commercial Center Redevelopment–Council Workshop held on January 29, 2019, with directions for the Community Development Director to: 1) Go ahead and send out RFP’s for the project 2) Consult with local commercial realtors as to their opinions of the “as is” value of the building and property 3) Examine the viability of Town-owned property on NC 9 across from Ingles as an ABC store site.

Update: RFP’s are being drafted. Burton meeting at NC9 site with S&ME (Geotechs) for site sufficiency evaluation 03/04/2019

Farmer’s Market–Burton has had extensive email correspondence with a party interested in setting-up a weekly farmers market on town property, and has provided that party a list of “next steps” necessary to get the matter before Council.

Data Requests–Burton has been working on data requests/compilations for the Mayor and to supplement upcoming operational budget submittal.

III. OTHER

I am delighted to report the hire of Mitchell Anderson as Development and Review Specialist for the Community Development Department. Mitchell will be coming on board once his position is filled at the Hydroelectric Facility.

A handwritten signature in black ink, appearing to read "Brad L. Burton", followed by a horizontal line.

Brad L. Burton, Community Development Director

MONTHLY PROGRESS REPORT

PUBLIC WORKS

FEB 2019

- 2-4-19 We hired our position for 3rd shift operator at Dam and Hydro.
- 2-4-19 We dug new powerline from Beach house to new pier out from Beach.
- 2-4-19 We dug footers for George at Beach for new overlook on Beach.
- 2-5-19 I inspected sewer tap at 380 Chapel Point today.
- 2-5-19 I met with owners of Carolina Equipment today. This is the ones that gave us the wrong price on the Mini X.
- 2-6-19 We met with contractor about replacing storm drain under Tryon Bay.
- 2-7-19 We removed vines hanging in Street on Tryon Bay.
- 2-7-19 We coved the wire we dug on Beach for George today.
- 2-7-19 We removed 2 large stumps off the roadside on Burnt Ridge today.
- 2-7-19 We collected and took Water Sample to Asheville today.
- 2-11-19 New operator started at Hydro Plant today.
- 2-12-19 We met with Freeman Gas today about moving Propane Tank at Dam. It will be relocated on the 14th.
- 2-14-19 The Propane Tank has been relocated at Dam. The State has asked for this to be moved for years. I contacted Dam Saftey inspector and told him it had been moved.
- 2-14-19 We hauled new Geo-Tubes and Chemical to WWTP today.
- 2-15-19 We cleaned Ditches on Lake Ridge today as requested.
- 2-15-19 We seeded slide area on Asa Grey today. Slide wasn't bad but didn't want it to get worse.
- 2-14-19 We changed out blow off Hydrant on Luther Burbanks today we couldn't stop it from leaking.
- 2-14-19 We met with DEQ out on Tryon Bay about Storm Drain replacement.
- 2-18-19 I met Myron Steepe and a valve rep. below Dam about valve being installed in Sewerline. This is a project the State wants us to do.
- 2-19-19 We saw cut pavement on Justice Drive so we can install new Storm Drain.
- 2-19-19 I met with Charlie Merick about his billing to the town and also so other projects for the Hydro Plant that need to be finished this Budget.
- 2-20-19 I met David Odom out on Tryon Bay to discuss storm drain replacement.

2-21-19 I contacted Keith Webb about his design for the Geo-Tube which would cost the Town an additional 5000.00 every time we change out tubes. I gave him my thoughts of using cheaper liner under the tubes which would only cost a few hundred dollars at a time. He agreed with my idea and is going to get approval from State.

2-21-19 We are working with engineers to find a fix for FFC-CCV .

2-21-19 We are painting office for Amy HR Director this week.

2-25-19 We raised lake level this week for RBR to be about to move there docks for repair.

2-26-19 Benton Roofing made repairs to City Hall today.

2-26-19 We installed new Storm Drain across Justice Drive today.

2-26-19 We installed new Brushes on big generator at Hydro while it was down for RBR dock work.

2-26-19 Contractor fixed call in lake level today.

2-27-19 We went to visit Conestee Falls WWTP today.

Lake Lure Fire Department

Monthly Report 3/1/2019

2/2- Missing Person/Search

2/4- Stroke Call. Landing Zone for stroke patient. Unconscious Medical call.

2/5- Rutherford County Chiefs meeting

2/6- Chest Pain call. Turbo draft Training at Bills Creek Fire to assist them with ISO inspection.

2/10- Structure Fire

2/12- Assisted Bills Creek with Fire Flow figures for their ISO inspection.

2/14- Cardiac Arrest.

2/16- Bouldering Event

2/18 Fire Boat came out of water for Maintenance. Code Tom Cancer presentation from Levine's Cancer Center. Medical In-service. Business / Training meeting

2/19- water leak at the fire station. Made repairs. MVC at Island Creek and Hwy #9 no injuries. Heart Problems Medical Call. Also a residential Fire Alarm.

2/22- MVC @ 1140 Memorial Hwy. Later in the evening MVC at 1920 Memorial Hwy.

2/24- Seizures call @ Lake Lure Beach.

2/25- Assisted with Bicycle Helmet fittings at LLCA for the third grade.

2/26- Assisted with Maintenance at the Dam on the stream gauges. We cleaned the Gauges out with the assistance of David Haynes. He also assisted us in calibrating the level at the Dam.

2/27- Completed Fire Apparatus annual service testing.

LLFD wrote 17 Burn Permits during the month of February.

LLFD Members reported 429 Hours of training for the month of February.

One call outside of our response area was a Structure Fire in Greenhill's Area.

Inspections:

Worked on Assisting Camp Lure Crest with their inspection of a bathroom addition.

Walk thru inspection at the LLCA Gym.

4%

2023-24
 2024-25
 2025-26

50%

SWF
PROLIFERATION
OF STROMA

23

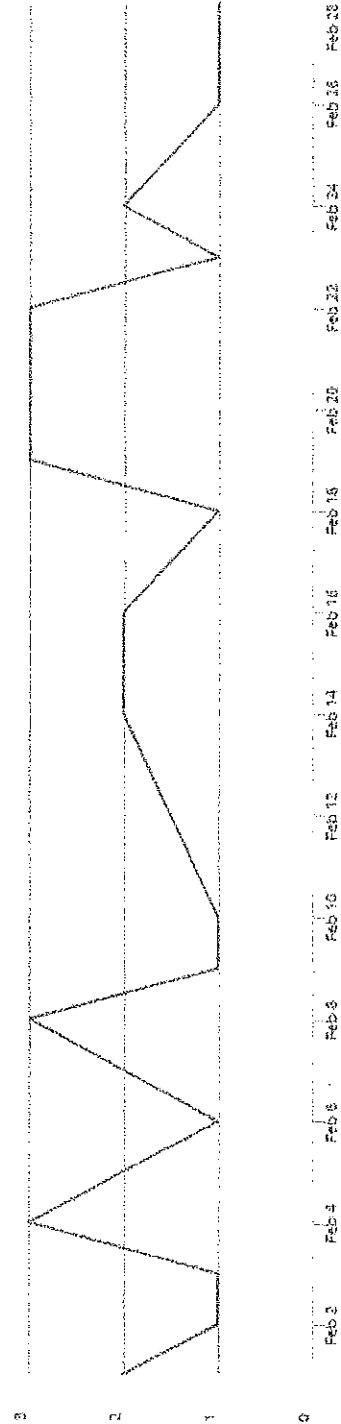
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2015-2016

82

DAYS

English version of



Contents

	West End	East End	North End	South End	Central	North West	South West	North East	South East	Total
Lake Lure Fire Rescue	2	9	4	10	1	.	.	.	.	26
UNKNOWNS	.	7	2	.	.	.	.	.	.	9
Total	2	13	6	10	1	.	.	.	.	32



Name: Dean Givens

Department: Parks, Rec and Lake

REPORT DATE:

February 28, 2019

PREPARED FOR:

Town Manager

I. ACCOMPLISHMENTS

1. Chimney Rock Village Planning board and Council approval on the Boys Camp Concept Master Plan.
2. River debris boom in place.
3. Underground power on beach peninsula.
4. Floating dock located at the beach.
5. New boardwalk/marina plans and cost estimate.
6. Found temporary solution for RBR dredging needs.
7. Set-up and had first planning meeting with Vital Clarity and P&R Board.

II. FOLLOW UP

1. **Boys Camp Concept Master Plan.** Next step, Sign PARTF grant, get final approval for flood plain permit, engineer MRF and construction drawings.
2. **River Debris Boom.** Create a new quick connect for deployment, and create an SOP/EAP for deploying boom in storm situations.
3. **Boardwalk/marina.** Finalize detail on land portion for dock connection, construction drawings with bid pack.
4. **Planning Meeting P&R Board,** Workshop is scheduled for March 6th from 1-5:30.

III. OTHER

1. Attended multiple meetings:
 - Staff, LAB, P&R, Council, SORBA, CRV Planning, CRV Council, Vital Clarity, TDA, CIP Budget, Boardwalk/Marina, RBR Dredging, New Bridge.
2. Collected water samples and delivered to lab.
3. Helped setup for bouldering event.
4. Called in to search lake for missing person.
5. Worked with property owner reference to park trails crossing private property.
6. Assisted Police Department in listening out for officers, while short staffed.
7. Worked on multiple projects:
 - Boys Camp Concept Master Plan, Morse Park event space, Boardwalk/Marina, Debris Boom at Dam, Volunteer Corps, Golf Course Lease Renewal, Commercial boat lake use hours study, River debris boom, P&R work plan, Classic Boat & car show, Dredging, CIP budget process.

8. P&R Maintenance Activities:

- Pruned in Morse Park Gardens. Hollies, camellias, daylilies
- Removed dead Am> Holly and cleanup of area.
- Removed trash in parks and town center areas. Four times per month
- Cleaned of park grills. Four times per month.
- Compiled requirements for mulching contract.
- Met with a landscape contractor to show them the areas for mulching.
- Removed down tree in Morse Park Gardens.
- Blew town hall parking lots and sidewalks.
- Cleaned up bio hazard in Morse Park.
- Took John Deere Z Track to Shelby
- Cleaned up in Morse Park Gardens
- Attended P&R Board meeting
- Went to Hendersonville to purchase items for new shop
- Worked on organizing new shop at P&R complex
- Pruned roses.
- Went to Shelby to drop off Z-Track 757 for yearly service, pick up Z-Track 900, and picked up Anita Taylors memorial stone.
- Cut back ornamental grasses in Morse Park Gardens
- Cut tree off of pump station at LLCA
- Cut tree on Raptor Ridge in Diittmer/Watts.
- Cleaned off goose poo at LL Police.
- Picked up trash on roadside at Ingles.
- Installed Do Not Enter sign on Diittmer/Watts trail. Hiked to location, trail is very wet.
- Removed drain pipe from entrance of Morse Park, replacing with river rock.
- Went to Shelby to pick up JD Z-Track 757
- Pruned roses.
- Filled mutt mitts
- Cleaned banner for Rumble 2019
- Marked off wet grass area at police boat house where people keep parking. Duh.
- Changed message on sign @ Washburn Marina.
- Went to Wal-Mart for electric pressure washer.
- Went to Lowe's in Hendersonville to purchase lawn tools for PR&L dept.
- Helped move office furniture in Amy's office. Twice.
- Attended PR&L Special Meeting
- Put up peg board and tool hangers
- Pruned roses
- Picked up trash at Diittmer/Watts park
- Searched for letters that were blown off of Marina sign 3/25
- Went to Hendersonville for front tires.
- Mowed/edged and blew parking area and sidewalks at town hall.
- Worked on the drainage at the entrance to Morse Park Gardens.

Fecal Coliform Results

Water Quality 2018/19

Fecal Count (CFU per 100ml)

Date Collected	July	AUG	SEP	APR	MAY	JUN			
	30th	27th	24th						
1. Pool Creek	76	66	50						
2. Beach Swim	59	58	36						
3. Beach Slide	54	80	46						
4. Broad River	30	49	330						
5. Tryon Bay		7							
6. Dam		1							
7. Sunset Cove	5								
8. Hummingbird Cove	4	4							
9. Havnors Cove	2	2							
10. Rumbling Bald Beach	39	2	10						
11. Broad River - WWTP									
12. Broad River + WWTP									
13. Edward's Cove	6								
14. Pier Point									
15. RBR Chimney Rock Park									
16. Reedy Patch Creek									
17. Hicory Creek									
18. Fire Fly Cove									
19. LLVR	3	1							
20. Picnic Point									
21. Deerwood/Thomas Dr.									
22. Rockcrest Cove									
23. Dam Marina									
24. Grey Logs COVE									
	0-99 Good		99-199 Marginal			199+	Concern		

Lake Enforcement & Patrol

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Year
Patrol hours	144	146	133	75	41	18	2	2					561
Warnings	5	26	18	2	21	2	0	0					74
Citations	0	0	0	0	0	0	0	0					0
Assistance to Boaters	8	13	22	8	4	2	0	0					57
Camera Violations	0	0	0	0	0	0	0	0					0
Camera Citations	0	0	0	0	0	0	0	0					0

Town Manager STAT Report from Lake Lure Police Department

Date: 02/28/2019

299 Police Activities Logged for Month (Total) *Partial breakdown below*

1 Reported B&E w/Larceny or Larceny	20 Traffic Stops
14 Citations	5 Warning Citations
2 Verbal Warnings	3 Accidents
4 Total Arrests	0 Motorcycle Mufflers Checked
0 Roadside Checkpoints	0 Boys Camp Road Complaints

Citations- Cumulative Total of Citations = 14 (Hard Copies)

Citations Totals by Charge = 16 (1 citation may have up to 2 charges).

DWLR – 5 Expired Registration – 1 Driving While Intoxicated - 2 Speeding - 1

Other – 7 Other Misdemeanors/Infractions

Arrests- Cumulative Total of Arrests = 3

2- Warrant Transport 2 – DWI

Happenings in the Department

February was busier than the normal February with incidents in town and happenings in the department.

All staff were required to go through CJIS (Criminal Justice Information Standards) Training, a requirement that we must undergo to request and possess criminal reports for investigations from our Admin Assistant. The Admin Assistant who also went through the same training, was also required to review course studies and test for the General Inquires Exam, which she passed. This allows her to pull FBI/SBI National reports for individuals officers are investigating. She will further take another exam in July for National Criminal History Inquiries (NCIC). In addition to this, our department passed their bi-annual audit by the SBI which includes all records and information in our department.

Officer Tommy Lytle is currently attending a two week Instructors Course. This will add a third instructor to our department which will assist us in training.

Our new hire, Carlos Sanchez has gone through all testing and requirements and should begin the first part of March. He will go through extensive training on departmental procedures and be trained on policing in Lake Lure. He will be assigned to Sergeant Gittens crew.

Two officers, Sergeant Gittens and Officer Tommy Lytle assisted Rutherford County Sheriff's Department in apprehending a fugitive. The search began off of Island Creek and led to the Greenhill area where officers located the fugitive hiding in a business he broke into. He ran, however was apprehended just moments later.

Our department worked with LLFD and successfully located a missing woman in Lake Lure. Officers also were called to a car accident where a truck rolled on its side over an embankment just feet from an occupied home. The driver left the scene on foot and was apprehended by Officer Bailey Worley who booked the driver on several charges including Driving While Intoxicated.

Name: Laura Krejci

Department: Communications

REPORT DATE:

February 28, 2019

PREPARED FOR:

Town Manager

I. ANALYTICS

1. Facebook Analytics

a. Posts: 95% successful in writing and posting key information weekly to ensure internal and external stakeholder are well informed with 15 posts, compared to 8 in 2/17. See a summary of posts below.

Published	Post	Type	Targeting	Reach	Engagement
02/28/2019 12:44 PM	 The Town of Lake Lure, NC has been notified that Duke Energy has			990	10 3
02/27/2019 6:27 PM	 A MESSAGE FROM THE MAYOR: Community Growth & Development			2.3K	361 37
02/27/2019 2:57 PM	 The Town of Lake Lure, NC officially began the 2020 budget process			1.4K	80 23
02/20/2019 6:10 PM	 BBBRRR: Can you imagine rowing on a day like today? If you have			3.7K	499 179
02/19/2019 1:44 PM	 WINTRY MIX ACROSS MUCH OF THE NC MOUNTAINS AND HIGH			3K	242 70
02/18/2019 6:08 PM	 WINTER WEATHER ADVISORY IN EFFECT FROM 6 PM TUESDAY TO			5.4K	561 215
02/18/2019 5:16 PM	 Town of Lake Lure, NC updated their address.			1.2K	29 15
02/16/2019 10:52 AM	 ROW, ROW, ROW YOUR BOAT: Did you know that the Town of Lake			11.1K	2K 694
02/14/2019 4:39 PM	 Happy Valentine's Day from the Town of Lake Lure, NC. Lake Lure is			9.9K	797 1K
02/07/2019 5:20 PM	 The Hickory Nut Gorge Outreach team held an official ribbon-cutting			1.6K	113 52
02/05/2019 8:17 PM	 PLEASE JOIN US: The Town of Lake Lure, NC monthly Town Council			1.7K	50 24
02/04/2019 2:24 PM	 PLEASE BE CAREFUL DRIVING ACROSS TOWN TODAY: It's			1.5K	45 42
02/04/2019 11:47 AM	 PLEASE BE CAREFUL: It's another stunning day in Lake Lure! Please be			2.8K	174 164
02/02/2019 3:47 PM	 DID YOU HEAR? The groundhog didn't see his shadow today...just			1.2K	27 18

b. Event Posts:

Past Events

	Rumble 2019 - Climbing Event and Competition Town of Lake Lure, NC Fri Feb 15, 5:00pm	Not boosted	1K	25
	Hickory Nut Gorge Citizens and Duke Energy Meeting Town of Lake Lure, NC Mon Feb 11, 3:00pm	Not boosted	1.2K	42
Event		Budget Spent 	 Reach	★ Responses
	American Red Cross Blood Drive Town of Lake Lure, NC Wed Mar 13, 12:00pm	Boost Event	1.1K	23
	Ring in Spring at the Lake Lure Flowering Bridge Town of Lake Lure, NC Sat Apr 27, 11:00am	Boost Event	No data	0
	Lake Lure Spring Classic Boat & Car Show Town of Lake Lure, NC Fri May 10, 11:00am	Boost Event	34.2K	2K
	Lake Lure Classic Boat and Car Show Town of Lake Lure, NC Fri May 10, 3:00pm	Boost Event	24.3K	1.4K
	Symphony at Sunset Chimney Rock Village Sat May 11, 6:30pm	Boost Event	24.3K	1.8K
	July 3rd Fireworks over Lake Lure Lake Lure Beach Wed Jul 3, 8:00pm	Boost Event	29.8K	1.8K

c. Inquiries: 100% successful in monitoring and responding to all Facebook inquiries within 48 hours, collaborating with key leaders as needed to address questions in their respective areas.

d. Benchmarking: Benchmark with at least 1 other municipal site per month to identify strong practices to enhance the ToLL Facebook Page. Benchmarked with Black Mountain and found the following results:

Town	Population	Followers	Likes	Average Posts/Month	Notes/Strong Practices
Lake Lure 2/19	1,151	13,636	13,461	15 (2/19)	Consistent posts to update the weather. Great photos.
Greer	30,899	2,749	2,677	10 (2/19)	Posts seemed comparable to ToLL posts. Notifications were made for job openings, events and construction updates.

e. Rating: Lake Lure's Facebook page has a rating of **4.7 out of 5**, based on the opinion of 117 raters.

f. Followers: 38% increase in followers 2/19 compared to 2/18 with **13,636 followers** as of 2/28/19 (Compared to 9,892 in 2/18.)

g. Reach: 311% increase in monthly reach in February with 85,690 for the month of 2/19. (Compared to 20,847 in 2/18.)

2. Website Analytics:

- a. **Users:** 13% increase in users in 2/19 with 7,050 users, compared to 6,247 in 2/18
- b. **New Users:** 14% increase in new users with 6,458 new users in 2/19 compared to the 5,648 2/18.
- c. **Page Views:** 9% increase in page views with 18,208 page views in 2/29, compared to 16,734 in 2/18.
- d. **Inquiries:** All web inquiries answered timely.

III. MISCELLANEOUS/OTHER

Completed:

- 1. **Coordinated Hickory Nut Gorge Citizens and Duke Energy Meeting with 40 participants.** Click [here](#) for a summary of the meeting.
- 2. **Published Blue Ridge Health Meeting Summary:** Click [here](#) to review the summary.
- 3. **Published article on one of our new employee, Amy Wright,** to help staff get to know her better. (See Attachment A)
- 4. Attended **Parks and Recreation Board** to support their efforts, as needed.
- 5. Represent the Town at monthly **Chamber of Commerce** Meetings.
- 6. Continue to support the **Hickory Nut Gorge Outreach** by communicating their accomplishments and supporting their efforts.
- 7. Prepared materials to support **Rumble 2019** booth. Will work to enhance materials for future events.
- 8. **Events Calendar:** Developed calendar of events for this year.

V
PUBLIC HEARING

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

Meeting Date: March 12, 2019

SUBJECT: Ordinance No. 19-03-12 Commercial Lighting Amortization

AGENDA INFORMATION:

Agenda Location: Public Hearing and New Business
Item Number: A and C
Department: Community Development
Contact: Brad L. Burton, Community Development Director
Presenter: Brad L. Burton, Community Development Director

BRIEF SUMMARY:

This Ordinance adds a “Non-Conforming Commercial Lighting” section to Chapter 7 of the Zoning Regulations. The Ordinance establishes a ten (10) year amortization program for non-conforming commercial lighting to be removed and replaced or retrofitted appropriately to comply with the Town’s current commercial lighting standards as found in § 92.058 “Conditional Use Outdoor Lighting Standards and Requirements.”

RECOMMENDED MOTION AND REQUESTED ACTIONS:

Move to recommend approval of Ordinance No. 19-03-12

FUNDING SOURCE: n/a

ATTACHMENTS: Ordinance No. 19-03-12

STAFF’S COMMENTS AND RECOMMENDATIONS:

The Ordinance is consistent with the objectives of Policy CA-1-4.1(1) of the Town of Lake Lure 2007-2027 Comprehensive Plan, and was recommended by the Zoning and Planning Board for approval.

ORDINANCE NUMBER 19-03-12
AN ORDINANCE ESTABLISHING AN AMORTIZATION
PROGRAM FOR THE REPLACEMENT OR RETROFITTING OF
EXISTING NON-CONFORMING COMMERCIAL LIGHTING

WHEREAS, the current zoning regulations of The Town of Lake Lure contain standards for commercial lighting in the context of new commercial construction; and

WHEREAS, the Town Council has determined that these lighting standards as amended herein are consistent with the objectives of the Town of Lake Lure 2007-2027 Comprehensive Plan and in particular with Policy CA-1-4.1(1) of the Town of Lake Lure 2007-2027 Comprehensive Plan as the amendments will enhance the Town's efforts to develop regulations to restrict light pollution and will strike a balance between public safety and illumination of business areas; and,

WHEREAS, the Lake Lure Town Council has determined that the most effective way to assure uniform adoption of commercial lighting standards that are consistent with the objectives of the Policy CA-1-4.1(1) of the Town of Lake Lure 2007-2027 Comprehensive Plan is to implement a ten (10) year commercial lighting amortization program; and,

WHEREAS, there exists commercial structures and parking areas currently in operation within the corporate limits of the Town that predate the commercial lighting standards; and,

WHEREAS, the Lake Lure Town Council has determined that the proposed amendments are reasonable and in the public interest and promotes the public health, safety and welfare for reasons including, but not necessarily limited to: (1) excessive illumination can have a detrimental effect to wildlife that depend on the natural cycle of day and night for survival; (2) the safety and welfare of pedestrians, cyclists, and motorists depend upon the reduction of glare and the establishment of consistent and well-defined levels of lighting; and (3) the Lake Lure Town Council wishes to promote sound environmental policies which will benefit residents and serve as a positive example to surrounding communities; and

WHEREAS, the Zoning and Planning Board has recommended certain modifications to the Zoning Regulations of the Town of Lake Lure as noted in the title of this Ordinance; and

WHEREAS, the Lake Lure Town Council, after due notice as set forth in NCGS 160A-364, conducted a public hearing on the 12th day of March, 2019, upon the question of amending the Zoning Regulations in this respect.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE:

SECTION ONE. Authority; Title. This Ordinance is enacted pursuant to the grants of authority contained in Sections 160A-174 and 160A-381 of the North Carolina General Statutes. It shall be known and may be referred to as the “Ordinance Adopting a Ten-Year Amortization Program for Non-Conforming Commercial Lighting.”

SECTION TWO. Section 92.119 of the Zoning Regulations of the Town of Lake Lure, is hereby adopted as follows:

§ 92.119 Nonconforming Commercial Lighting:

- (A) Any commercial lighting existing on the date of enactment of this ordinance which does not conform to the requirements of § 92.058 “Conditional Use Outdoor Lighting Standards and Requirements” of the Town of Lake Lure Zoning Regulations shall be taken down and removed or brought into compliance by the owner, agent, or person having the beneficial use of the building, land, or structure upon which such lighting may be found within a period of ten years.
- (B) The amortization period for nonconforming commercial lighting is ten years. All commercial lighting must be in compliance by March 12, 2029.
- (C) Repair of nonconforming lighting: Any commercial lighting existing on the date of enactment of this article shall not be repaired if 50 percent or more of the value of the fixture must be restored in order for it to be deemed in good repair; instead, such lighting shall be removed and a new lighting fixture which conforms to the regulations set forth by § 92.058 shall be erected. The 50 percent standard shall not be applicable to the retrofitting of fixtures to achieve conformance as per § 92.058 “Conditional Use Outdoor Lighting Standards and Requirements.”
- (D) Relocation of nonconforming lighting: Any commercial lighting fixture existing on the date of enactment of this article exhibiting light trespass as per § 92.058(D) shall be taken down and removed or brought into compliance on or before March 12, 2029 by the owner, agent, or person having the beneficial use of the building, land, or structure upon which such lighting may be found.
- (E) Emergency lighting, or lighting deemed essential by OSHA or any other regulatory agencies to enhance worker safety in hazardous environments shall not be subject to the requirements of this section.
- (F) Enforcement: Enforcement of the provisions of this section shall be as provided in § 92.999, “Enforcement and Penalties,” as found in the Town of Lake Lure Zoning Regulations.

SECTION THREE. In administering this Ordinance, the Town shall have all the remedies and enforcement powers contained in Chapter 10 of the Town Code of Ordinances and Chapters 5 and 13 of the Zoning Regulations, as supplemented herein, and as provided by the North Carolina General Statutes in NCGS 160A-365 and 160A-175.

SECTION FOUR. All Ordinances or parts of Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION FIVE. If any Section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION SIX. The enactment of this Ordinance shall in no way affect the running of any amortization provisions or enforcement actions, or otherwise cure any existing zoning violations.

SECTION SEVEN. This Ordinance shall be in full force and effect from and after the date of enactment.

Adopted this 12th day of March, 2019.

Kevin Cooley, Mayor

ATTEST:

Michelle Jolley, Town Clerk

Approved as to content & form:

William C. Morgan, Jr.
Town Attorney

LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: March 12, 2019

SUBJECT: Proposed 2019-2024 Capital Improvements Plan

AGENDA INFORMATION:

Agenda Location: Public Hearing/New Business
Item Number: B and D
Department: Administration
Contact: Sam Karr, Finance Director
Presenter: Sam Karr, Finance Director

BRIEF SUMMARY: A draft of the 2019-2024 Capital Improvements Plan (CIP) was presented to the Town Council at their meeting in February. A public hearing will be held on March 12 where staff will present a brief summary of the Plan. As a reminder, the CIP is a financial planning tool that looks into the future to forecast the Town's equipment, building and infrastructure needs. Generally speaking, an item is included in the Town's CIP if it has a life expectancy of greater than one year and a value of greater than \$5,000.

RECOMMENDED MOTION AND REQUESTED ACTIONS: None at this time.

FUNDING SOURCE: General Fund, Water and Sewer Fund and Electric Fund

ATTACHMENTS: Proposed 2019-2024 Capital Improvement Plan Summary

STAFF'S COMMENTS AND RECOMMENDATIONS: At your March meeting, I will do a brief presentation to introduce the projects within the CIP and determine if there are projects that Board members or the public feel need to be added, modified or even deleted from the plan. I will be happy to incorporate any comments we receive from the public hearing as well as from Board members, into the draft CIP. The Board will then have a month to review the CIP before its scheduled adoption in April.

GENERAL FUND
CAPITAL EXPENDITURES

GENERAL FUND CAPITAL EXPENDITURES

SUMMARY ALL DEPARTMENTS

PROJECT DESCRIPTION	PRIORITY CODE	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FUTURE	TOTAL
411 Commission								
Sub-Total: Commission		0	0	0	0	0	0	0
		0	0	0	0	0	0	0
413 Administration								
HVAC System Replacement		35,000	0	0	0	0	0	35,000
Sub-Total: Administration		35,000	0	0	0	0	0	35,000
431 Police								
Police Vehicle Replacement		45,000	45,000	45,000	45,000	45,000	45,000	270,000
Radio Replacement		5,600	5,600	0	0	0	0	11,200
Mobile Data Terminals		3,800	3,800	3,800	3,800	0	0	15,200
Sub-Total: Police		54,400	54,400	48,800	48,800	45,000	45,000	296,400
434 Fire								
SCBA Apparatus Replacement		35,000	0	0	0	0	0	35,000
Fire Department Expansion	FINANCED		24,000	24,000	24,000	24,000	180,000	276,000
Utility Terrain Vehicle		12,000	0	0	0	0	0	12,000
Ladder Truck		0	150,000	0	0	0	0	150,000
Vehicle Replacement - Tahoe		0	0	50,000	0	0	0	50,000
Vehicle Replacement - Pumper		0	0	0	0	50,000	450,000	500,000
Refurbish Fire Boat		0	0	0	0	0	200,000	200,000
Sub-Total: Fire		47,000	174,000	74,000	24,000	74,000	830,000	1,223,000
451 Public Works								
Local Street Paving		185,000	185,000	185,000	185,000	185,000	185,000	1,110,000
Speed Limit Signs		12,000						
Truck Replacement - 88		80,000	0	0	0	0	0	80,000
Trailer-Mini Ex		5,500						5,500
Public Works Facility		0	90,900	90,900	90,900	90,900	1,545,300	1,908,900
Truck Replacement - 03		45,000	0	0	0	0	0	45,000
Sub-Total: Public Works		327,500	275,900	275,900	275,900	275,900	1,730,300	3,149,400

GENERAL FUND CAPITAL EXPENDITURES

PROJECT DESCRIPTION	PRIORITY CODE	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FUTURE	TOTAL
472 Sanitation								
Sub-Total: Sanitation		0	0	0	0	0	0	0
492 Economic Development								
Website Update/App Devp.		15,000	0	0	0	0	0	15,000
Sub-Total: Economic Devel.		15,000	0	0	0	0	0	15,000
493 Community Development								
Duck Cove Properties-Demolition		165,000	0	0	0	0	0	165,000
Street Light Replacement		40,000	0	0	0	0	0	40,000
Vehicle Replacement - 03		32,000	0	0	0	0	0	32,000
Sub-Total: Community Devel.		237,000	0	0	0	0	0	237,000
613 Parks, Recreation & Lake								
Truck Replacement - 2000		40,000	0	0	0	0	0	40,000
Lake Operations Boathouse					22,000	22,000	176,000	220,000
Small Area Rec Plan #2		10,000						
Landscaping Morse Park		6,500						6,500
Barge		?/Finance						
Campground		GRANT						
Marina and Boardwalk		FINANCED	103,000	103,000	103,000	103,000	1,300,000	1,712,000
Ext. Office Renovation		0	0	50,000	0	0	0	50,000
BCP Trailhead Parking Lot		0	0	150,000	0	0	0	150,000
Sub-Total: Parks & Recreation		56,500	103,000	303,000	125,000	125,000	1,476,000	2,178,500
615 Beach and Marina								
Main Beach House Repairs		20,000	0	0	0	0	0	20,000
Small Beach House Restrooms		0		0	0	0	0	0
Sub-Total: Beach and Marina		20,000	0	0	0	0	0	20,000

GENERAL FUND CAPITAL EXPENDITURES

PROJECT DESCRIPTION	PRIORITY CODE	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FUTURE	TOTAL
617 Golf								
Cart Path Repair	10	5,000	5,000	5,000	5,000	0	0	20,000
Clubhouse Remodel	19	11,500	5,000	0	0	0	0	16,500
Creekbank Erosion	20	20,000	0	0	0	0	0	20,000
Clubhouse Front Porch Repair	C	0	5,000	0	0	0	0	5,000
Equipment Replacement	C	0	36,660	36,660	36,660	36,660	36,660	183,300
Sub-Total: Golf		36,500	51,660	41,660	41,660	36,660	36,660	244,800
GENERAL FUND TOTALS								
		828,900	658,960	743,360	515,360	556,560	4,117,960	7,399,100
Expenditure Classifications								
Planning/Design/Engineering		33,600	0	0	0	0	0	33,600
Land		0	0	0	0	0	0	0
Construction		453,400	407,900	607,900	136,000	315,900	3,210,300	5,131,400
Equipment		321,900	246,060	135,460	379,360	240,660	907,660	2,231,100
Hardware/Software		10,000	5,000	0	0	0	0	15,000
TOTAL		818,900	658,960	743,360	515,360	556,560	4,117,960	7,411,100
Revenue Classifications								
Operating Revenues-General		750,900	511,960	675,360	430,400	130,900	334,000	2,833,520
Operating Revenues-Powell Bill		68,000	68,000	68,000	68,000	68,000	68,000	408,000
Debt/Financing		0	79,000	0	16,960	357,660	3,535,960	3,989,580
Grant		0	0	0	0	0	180,000	180,000
Other		0	0	0	0	0	0	0
TOTAL		818,900	658,960	743,360	515,360	556,560	4,117,960	7,411,100

WATER AND SEWER FUND
CAPITAL EXPENDITURES

713000 - WATER

713000 - WATER

SUMMARY

The Lake Lure Water Department protects and enhances the health and economic stability of the community through the provision of clean drinking water. The Department is committed to ensuring that all customers have a safe and reliable source of clean drinking water, while striving to offer a high level of customer service.

PROJECT DESCRIPTION	PRIORITY CODE	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FUTURE	TOTAL
Firefly Cove Well System	1	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000
Water Tank Maintenance	3	\$ -	\$ -	\$ -	\$ 18,200	\$ -	\$ 18,200
Water Line Replacement	C	\$ -	\$ 155,000	\$ 200,000			\$ 355,000
TOTALS		\$ 75,000	\$ 155,000	\$ 200,000	\$ 18,200	\$ -	\$ 448,200
Expenditure Classifications							
Planning/Design/Engineering		\$ -	\$ 20,000	\$ 10,000			\$ 30,000
Land		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction		\$ 75,000	\$ 135,000	\$ 190,000	\$ 18,200		\$ 418,200
Equipment		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Hardware/Software		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTALS		\$ 75,000	\$ 155,000	\$ 200,000	\$ 18,200	\$ -	\$ 448,200
Revenue Classifications							
Operating Revenues - Water		\$ 75,000	\$ 155,000	\$ 20,000	\$ 18,200	\$ -	\$ 268,200
Operating Funds - Other		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt/Financing		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Grant		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTALS		\$ 75,000	\$ 155,000	\$ 20,000	\$ 18,200	\$ -	\$ 268,200

ELECTRIC FUND
CAPITAL EXPENDITURES

720000 - ELECTRIC OPERATIONS

CAPITAL SUMMARY

The Town of Lake Lure's Hydroelectric Department is responsible for the Dam Hydroelectric System and the wastewater system. The primary responsibility in managing the hydroelectric system is to maximize electricity generation while controlling the level of the lake.

PROJECT DESCRIPTION	PRIORITY CODE	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FUTURE	TOTAL
Replace Bearings-Small Generat	1	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000
Head Gate Hoist Replacement	2	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 300,000
Penstock Repairs	3	\$ 50,000	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000
Penstock Rebuild		\$ -	\$ -	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000
Emergency Shutdown-Generato	4	\$ 25,000	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000
Ceiling Repair		\$ -	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ 30,000
Automate Trash Gate		\$ -	\$ -	\$ 30,000	\$ -	\$ -	\$ -	\$ 30,000
Automate Taintor Gates		\$ -	\$ -	\$ 150,000	\$ -	\$ -	\$ -	\$ 150,000
Lighting-Taintor Gates		\$ -	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ 10,000
Lighting-Powerhouse		\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ 10,000
Stream Gauges	5	\$ 25,000	\$ 50,000	\$ 25,000	\$ -	\$ -	\$ -	\$ 100,000
Lake Level System	6	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000
SCADA System		\$ -	\$ -	\$ -	\$ 50,000	\$ -	\$ -	\$ 50,000
Dredge Tailrace	7	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000
Replace Runners/Impellors		\$ -	\$ -	\$ -	\$ 200,000	\$ 400,000	\$ -	\$ 600,000
Update OMI Manual		\$ -	\$ 50,000	\$ 50,000	\$ -	\$ -	\$ -	\$ 100,000
Install Meters		\$ -	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ 10,000
Turbine Water Seal	C	\$ -	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ 60,000
Install Fans	C	\$ -	\$ 30,000	\$ 20,000	\$ -	\$ -	\$ -	\$ 50,000
Storage/Mezzanine	C	\$ -	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ 30,000
Structural Supports-Power House	C	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000
Tainter Gate Hoist Cover	D	\$ -	\$ -	\$ 90,000	\$ -	\$ -	\$ -	\$ 90,000
Rebuild Staircase-PRL Building	D	\$ -	\$ 30,000	\$ -	\$ 125,000	\$ -	\$ -	\$ 155,000
Beautification	D	\$ -	\$ -	\$ -	\$ 90,000	\$ -	\$ -	\$ 90,000
TOTALS		\$ 430,000	\$ 415,000	\$ 385,000	\$ 465,000	\$ 450,000	\$ -	\$ 2,145,000

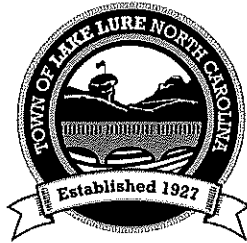
Expenditure Classifications

\$	-	\$	50,000	\$	50,000	\$	50,000	\$	-	\$	-	\$	150,000
\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
\$	430,000	\$	365,000	\$	335,000	\$	415,000	\$	450,000	\$	-	\$	1,995,000
\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
\$	430,000	\$	415,000	\$	385,000	\$	465,000	\$	450,000	\$	-	\$	2,145,000

Revenue Classifications

[illegible]

VIII
CONSENT AGENDA



MINUTES OF THE SPECIAL WORKSHOP MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, JANUARY 29, 2019, 10:00 A.M. AT THE LAKE LURE MUNICIPAL CENTER

PRESENT: Mayor Kevin Cooley
Mayor Pro Tem John W. Moore
Commissioner Bob Cameron
Commissioner John Kilby
Commissioner Stephen M. Webber
Shannon Baldwin, Town Manager

ABSENT: N/A

CALL TO ORDER

Mayor Kevin Cooley called the meeting to order at 10:04 a.m. and gave the invocation. Council members led the pledge of allegiance.

APPROVE THE AGENDA

Commissioner Bob Cameron made a motion to approve the Agenda, as presented. Commissioner Stephen Webber seconded and the motion carried 4-0.

III. COMMERCIAL CENTER REDEVELOPMENT DISCUSSION

Community Development Director Brad Burton presented a PowerPoint presentation of the Commercial Center redevelopment (attached). He mentioned that Maple Leaf presented a Build Budget Proposal with a total estimate of \$522,295. In summary, he explained that the desire has been to distribute one Request for Proposal (RFP), including both projects, in an effort to see if a bidder favorably would consider the economies of scale that would potentially manifest by having two significant projects less than a mile apart, the Welcome Center RFP information needs some refreshing but is ready, and the information provided hopefully provides an insight into potential expenditures concerning the Commercial Center/ABC space renovation. Mr. Burton then presented a video showing a walkthrough of the interior of the Commercial Center.

Mayor Cooley asked that Council review why this project came about, what the Town wants to accomplish and where are we now, and what has been spent and what is left. Mayor Pro

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Tem John Moore provided some background of the project explaining that Chris Braund, previous Town Manager, brought this before Council as an opportunity to buy the Commercial Center property, with figures on the cost estimates to move the ABC Store, which would then free up the valuable piece of property to make the site available for a more suitable and profitable establishment. The Town purchased the property for \$325,000. He stated that Chris Braund left and a new Manager came in and had other priorities. After the loan was acquired, an architect was hired who came up with an elaborate plan with notes to be demolished. The former Town Manager instructed the Public Works Department to demolish the interior of the building, which Council did not approve spending the additional money for. Mayor Pro Tem John Moore suggested that there could potentially be other town owned properties that might be suitable as a site for the new ABC Store, noting that the Commercial Center property could then be sold as is. He suggested speaking with a local realtor about getting an estimate of the building, as is, and comparing it with an estimate of renovations on a different piece of property that the Town owns before committing to this property. Commissioner Webber pointed out that the underground drainage issues were not known when the property was purchased.

Mayor Cooley stated that we should also consider the business model of the arrangement the Town has with the ABC Store, mentioning that the store sits on exceptionally valuable land that the Town owns and the Town's approach has been to lease the facility at a rental rate far below a reasonable market for a retail operation. He pointed out that there are three options of the future ownership of that building: the Town own it, the possibility of the ABC Board buying the building, or project sale. The Board ensued in discussion regarding options of the Commercial Center. Commissioner Stephen Webber questioned the demographics and customer base if the ABC Store is moved to a different location other than the Commercial Center. The Board discussed the possibility of moving the ABC Store to property the Town owns across from Ingles or as an outparcel at Ingles.

Mr. Baldwin noted that the ABC Store does not make a lot of money in its current location. Finance Director Sam Karr stated that the ABC Store generates an annual revenue of around \$30,000 and pays the Town around \$1,300 a month in rent. Commissioner Bob Cameron suggested that the Town send out an RFP and ask for alternate engineering to be included as well. The Board discussed concerns with access for delivery trucks noting that the Commercial Center site does not provide enough space for a tractor trailer to make deliveries. Mr. Burton noted one option might be that the Town quick claim a portion of the neighboring property, if possible, to help remedy the issues with deliveries. Mayor Cooley suggested distributing two separate RFP's; one for the ABC Store and one for the Welcome Center restrooms so that one project does not potentially hold up the other.

Mr. Burton stated that he would speak with local realtors to see what the Commercial Center property might be worth as is, explore the property across from Ingles as a potential building site, and draft and send out an RFP for the Welcome Center restrooms and the ABC Store. Commissioner Cameron stated that he would work with Mr. Burton on the wording for the RFP's.

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Commissioner Stephen Webber moved to adopt this plan. Commissioner Cameron seconded and the motion carried 4-0.

ADJOURN THE MEETING

With no further business, Commissioner Bob Cameron made a motion to adjourn the meeting at 12:00 p.m. Mayor Pro Tem John Moore seconded and the motion carried 4-0.

ATTEST:

Michelle Jolley,
Town Clerk

Mayor Kevin Cooley



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, FEBRUARY 12, 2019, 5:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

PRESENT: Mayor Kevin Cooley
Mayor Pro Tem John W. Moore
Commissioner Bob Cameron
Commissioner John Kilby
Commissioner Stephen M. Webber

William Morgan, Jr., Town Attorney
Shannon Baldwin, Town Manager

ABSENT: N/A

CALL TO ORDER

Mayor Kevin Cooley called the meeting to order at 5:08 p.m. and gave the invocation. Council members led the pledge of allegiance.

APPROVE THE AGENDA

Mayor Kevin Cooley proposed moving "Presentations" before the "Town Manager Communications" and adding an agenda item for "Resolution No. 19-02-12 Appointing Laura Krejci Assistant Town Clerk." Commissioner Webber suggested adding the Resolution to the "Consent Agenda" as item "I." Commissioner Webber proposed adding an item under the "Consent Agenda" to call a Special Meeting on February 20, 2019 at 10:00 a.m. to discuss the 2019-2024 Capital Improvements Plan and adding "Closed Session" at the end of the Agenda to discuss personnel matters.

Commissioner Bob Cameron made a motion to approve the Agenda, as presented. Mayor Pro Tem John Moore seconded and the motion carried 4-0.

MAYOR'S COMMUNICATIONS

None

PRESENTATION

A. BLUE RIDGE HEALTH SERVICES PRESENTATION

Rebecca Mathis, Director of Community Engagement and Outreach with Blue Ridge Health Services, and Richard Hudspeth, Physician with Blue Ridge Health Services, presented a PowerPoint presentation regarding services that will be provided by Blue Ridge Health. (Presentation attached as a separate document).

PRESENTATION

**B. 2017-2018 AUDIT PRESENTATION – MARTIN-STARNES & ASSOCIATES
CPA, LLC**

Jennifer Rice, Auditor with Martin-Starnes & Associates, presented the 2017-2018 annual Audit to the Board (Presentation attached as a separate document).

TOWN MANAGER COMMUNICATIONS

- Parks, Recreation, and Lake Director Dean Givens provided an update on dredging stating that dredging is continuing on schedule and noted the next step will be to dredge in the navigational channel of the lake. He mentioned that once that is done, we can discuss dredging in other areas of the lake.
- Mr. Givens provided an update on the Lake Lure Spring Classic Boat and Car Show stating that the event will be held on Mother's Day weekend, May 10-11. He mentioned that the Town website will provide information on how to register a boat or car for the show.
- Mr. Givens then provided an update on the floating boardwalk noting that we have received a preliminary price and drawings for the boardwalk and marina. However, he stated that we have not received the drawings for the walkway that will replace the current wooden boardwalk. Commissioner Webber noted that the floating boardwalk will produce additional revenue for the Town. Mr. Givens stated that building the Marina creates 212 slips, which would provide an available slip to everyone on the waiting list, adding that this brings roughly \$265,000 a year in additional income to the Town.
- Fire Chief Dustin Waycaster provided an update on the transition from Code Red to Everbridge explaining that Everbridge adds the ability to send one post out to multiple other social media sites as well. He noted that during the transition, we would continue to use Code Red temporarily to make the process of switching over go smoothly. He pointed out that people will be able to use the Town website to sign up.

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- Public Works Director David Arrowood reported on the Tryon Bay storm drain replacement mentioning that the pipe that needs repaired is very old and is in bad shape. He stated that it may take 1-2 weeks to finish these repairs, noting that signs will be needed to direct traffic. He mentioned that once the Town gets the okay from the State we could begin the repairs.
- Mr. Arrowood reported that the mini excavator that was purchased is working great and has been a huge help.
- Community Development Director Brad Burton stated that we will be evaluating and improving the current regulations to address commercial lighting noting that this would come before the Board in March. Mr. Burton mentioned that the provision to the regulations allows updates to non-conforming lights in the Town. He added that Duke Energy replaces lights, as needed, with LED bulbs which is in line with our regulations. Commissioner Cameron asked that someone check town street lights to make sure that they are all working. Mr. Baldwin stated that we could work with the Police Department on this matter.
- Mr. Burton then provided an update on Duck Cove Properties mentioning that he was in court yesterday for the hearing and the judge granted a default judgement. Attorney Morgan added that the court gave the defendant 60 days to abate the nuisance. If after 60 days the nuisance has not been abated, the Town may elect to abate the property itself. Mr. Burton noted that he has added a request on the upcoming Capital Improvements Plan for \$165,000 to cover this expense.
- Town Manager Shannon Baldwin reported on the Dam evaluation mentioning that Schnabel Engineering has finished up with their wet side evaluation. He stated that they are requesting the gate hoist at the intake be replaced in the future. Mayor Cooley noted that we are speaking with Tim Edwards, dredging contractor, about using his barge to replace the hoist gate instead of using a helicopter.
- Mr. Baldwin then reported on the low-pressure sewer system mentioning that the Town's Engineer has submitted his report to the State who has in turn asked for numerous revisions to the Report before the design process can begin.

PUBLIC HEARING

A. PROPOSED ORDINANCE NO. 19-02-12, WIRELESS TELECOM FACILITY

Mayor Kevin Cooley opened the public hearing concerning proposed Ordinance No. 19-02-12, an Ordinance amending the Town of Lake Lure Zoning Regulations, specifically §92.042 "Special Requirements for Certain Uses."

Community Development Director Brad Burton stated that the current regulations concerning Telecommunications Facilities and Antennae, also contemporarily known as Wireless Telecommunications Facilities, were initially adopted in 2003. The regulations brought to Council for review reflect new Federal and State mandated changes to local

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telecommunications regulations, and also reflect contemporary advances in facility siting and technology specific to the telecommunications industry. Mr. Burton explained the changes in the regulations noted in the proposed Ordinance.

Mayor Cooley noted that no members of the public requested to speak on this matter.

Commissioner Bob Cameron made a motion to close the Public Hearing. Commissioner Stephen Webber seconded and the motion carried 4-0.

COUNCIL LIAISON REPORTS & COMMENTS

Commissioner Stephen Webber reported the activities of the Board of Adjustment and the Parks and Recreation Board. He noted that the Parks and Recreation Board will hold a Special Workshop Meeting on February 25th to develop a work plan for parks and recreation.

Mayor Pro Tem John Moore reported the activities of the Zoning and Planning Board and Asset Management Advisory Board. He recognized the new members of the Zoning and Planning Board.

Commissioner Bob Cameron reported the activities of the Utilities Advisory Board.

Mayor Kevin Cooley reported the activities of the Lake Advisory Board.

Commissioner John Kilby reported the activities of the ABC Board.

Commissioner Bob Cameron recognized the new executive director of the Chamber of Commerce, Laura Doster.

PUBLIC FORUM

Mayor Kevin Cooley invited the audience to speak.

Joyce Bare, 159 Deer Trail and Vice President of Lake Lure Village, voiced her concerns with drones being flown near her property and questioned if there was a drone policy in place. Mr. Givens stated that the Town does not have a policy on drones. Mayor Cooley stated that the Town could look into a drone policy. Commissioner Stephen Webber questioned tasking the Zoning and Planning Board to discuss drones. Mayor Pro Tem John Moore felt that we should look into how other communities are addressing drones first.

Julia Morrison, 202 Deer Trail, questioned the mountain lighting ordinance voicing her concern with a property owner on her street that has numerous lights around that are extremely

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bright and that shine in her bedroom at night. Mr. Burton stated that the standards for Mountain and Hillside Development contains a section regarding the deployment of lighting and fixtures; however, he added that there is currently nothing in the current regulations to address residential issues.

CONSENT AGENDA

Mayor Kevin Cooley presented the Consent Agenda and asked if any other items should be removed before calling for action. Commissioner Stephen Webber proposed adding Resolution No. 19-02-12, Appointing Laure Krejci Assistant Town Clerk, under the "Consent Agenda." Commissioner Bob Cameron proposed amending Resolution No. 19-02-12, Amendment to the LAB's Establishing Resolution, to Resolution No. 19-02-12A. He also proposed amending Resolution No. 19-02-12, Appointing Laure Krejci Assistant Town Clerk, to Resolution No. 19-02-12B.

Commissioner Stephen Webber made a motion to approve the Consent Agenda, as amended. Commissioner Bob Cameron seconded. Therefore, the Consent Agenda incorporating the following items was unanimously approved and adopted:

- A. Adopt the January 3, 2019 Special Meeting Minutes, the January 8, 2019 Regular Meeting Minutes, and the January 16, 2019 Special Meeting Minutes
- B. Resolution No. 19-02-12, Amendment to the UAB's Establishing Resolution

RESOLUTION NO. 19-02-12

**RESOLUTION TO AMEND RESOLUTION NO. 15-11-10B
CREATING A UTILITY ADVISORY BOARD
AMENDING SECTION 6**

WHEREAS, Resolution No. 15-11-10B was duly adopted by the Town Council of Lake Lure, North Carolina on November 10, 2015 in order to create a Utility Advisory Board; and

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

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

(ADDITIONS TO TEXT ARE UNDERLINES; DELETIONS ARE ~~STRUCK THROUGH~~)

SECTION 1. That Section 6 is hereby amended as follows:

SECTION 6.

That members of the Utility board annually shall elect from their membership a Chairman, and Vice-Chairman, ~~and Secretary~~ to fulfill the normal responsibilities of such offices.

This Resolution shall be effective upon its adoption.

C. Resolution No. 19-02-12A, Amendment to the LAB's Establishing Resolution

RESOLUTION NO. 19-02-12A

**RESOLUTION TO AMEND RESOLUTION NO. 92-03-24
CREATING A LAKE ADVISORY BOARD
AMENDING SECTION 6**

WHEREAS, Resolution No. 92-03-24 was duly adopted by the Town Council of Lake Lure, North Carolina on March 24, 1992 in order to create a Lake Advisory Board and has been amended on several occasions since the date of its adoption; and

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

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

(ADDITIONS TO TEXT ARE UNDERLINES; DELETIONS ARE ~~STRUCK THROUGH~~)

SECTION 1. That Section 6 is hereby amended as follows:

SECTION 6.

That members of the Lake Committee annually shall elect from their membership a Chairman, and Vice-Chairman, ~~and Secretary~~ to fulfill the normal responsibilities of such offices.

This Resolution shall be effective upon its adoption.

D. Suspension of the Peddling Ordinance for the 2019 HNG Sale on the Trail

E. Budget Amendment 239 – Emergency Shut Off Valve in Main Sewer Trunk Line Below Dam

F. Request from Mountains Branch Library for Additional Community Banners

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- G. Request to Waive the Noise Ordinance, the Peddling Ordinance, the Alcohol Ordinance, the 21' maximum boat length restriction, daily boat permits for show cars, close the public parking along the Beach from Pool Creek to the waterpark, to be open for event show cars only, allow vehicles and boat trailers on the Beach, and allow temporary signage on the street in the event site for the auto show not to exceed 8 square foot per side and not located in any intersection site triangle for the Lake Lure Spring Classic Boat and Car Show.
- H. Parks and Recreation Work Plan Proposal
- I. Resolution No. 19-02-12B, Appointing Laure Krejci as Assistant Town Clerk

**RESOLUTION NO. 19-02-12B
APPOINTING LAURA KREJCI
ASSISTANT TOWN CLERK**

WHEREAS, a town clerk has certain statutory duties including signing, certifying and attesting various documents as the town clerk; and

WHEREAS, from time to time the town clerk must be absent from town hall and during the clerk's absence various documents must be signed by the town clerk; and

WHEREAS, the Town Council may appoint an assistant town clerk for the purpose of assuring that someone is present in town hall with authority to sign as town clerk and take further actions statutorily assigned to the appointed town clerk during the town clerk'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 Laura Krejci as the Assistant Town Clerk to serve in said role for a period of six (6) months from the effective date of this Resolution. This Resolution shall become effective on the date of adoption.

UNFINISHED BUSINESS:

A. LAKE LURE TOURS CONTRACT ADDENDUM

Dean Givens, Parks, Recreation, and Lake Director, explained that last month Council approved the Lake Lure Tours Contract Addendum, except for the provision related to the Beach. Lake Lure Tours is requesting that provision be approved this month regarding the Lake Lure Tours' Beach operation renewal terms. Commissioner Stephen Webber pointed out a correction needed on the last page, third paragraph, of the Addendum stating that the word "commending" should be changed to "commencing."

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Commissioner John Kilby made a motion to adopt the Lake Lure Tours Concession Agreement Addendum, as amended. Commissioner Stephen Webber seconded and the motion carried 4-0.

UNFINISHED BUSINESS:

B. FINAL REPORT FROM THE ASSET MANAGEMENT ADVISORY BOARD

Charlie Ellis, Asset Management Advisory Board (AMAB) Member, presented a final report from AMAB and a request to disband the Board.

Mr. Ellis stated that a completed inventory and assessment of town properties and a recommendation for managing town assets has been completed and provided by the AMAB. He pointed out that the Town owns 62 separate pieces of real estate encompassing over 2,700 acres. Mr. Ellis asked that Council finalize, date, adopt, and publish the inventory. He noted that the AMAB recommended specific steps to be taken for certain properties that have been broken down by area in the report. Mr. Ellis mentioned that AMAB also recommends Council consider adopting specific policies on how to appropriately monetize town assets noting that there is good opportunity for branding and naming that would help bring in revenue to the Town. Lastly, Mr. Ellis stated that the AMAB recommends to dissolve the Board effective upon the presentation of the final report to Council. They asked that the final work product be maintained and updated as needed by town staff with input and assistance from the Zoning and Planning Board.

Commissioner Cameron and Commissioner Webber thanked the AMAB members for their input and contributions. Commissioner Cameron asked that the information provided by the AMAB be placed on the town website.

Commissioner Stephen Webber made a motion to accept the final report, and prepare a resolution to dissolve the Asset Management Advisory Board to be brought back to Council next month. Commissioner Bob Cameron seconded and the motion carried 4-0.

UNFINISHED BUSINESS:

C. ORGANIZATION CHART REVIEW

Town Manager Shannon Baldwin explained that the Organization Chart included in the packet reflects previously discussed and agreed upon positions and associated restructuring and pointed out those changes to the Chart. He stated that some staff are being consolidated into different areas noting that Lake Operations and Parks and Recreation have been consolidated under Dean Givens and three administrative staff have now been placed under Finance Director Sam Karr's supervision.

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Commissioner Stephen Webber made a motion to receive and acknowledge the Organizational Chart for use by the Town Manager. Commissioner Bob Cameron seconded and the motion carried 4-0.

NEW BUSINESS:

A. PROPOSED ORDINANCE NO. 19-02-12 – WIRELESS TELECOM FACILITY

Commissioner Stephen Webber made a motion to adopt Ordinance No. 19-02-12, amending the Lake Lure Zoning Regulations, specifically §92.042 “Special Requirements for Certain Uses,” as presented. Commissioner John Kilby seconded and the motion carried 4-0.

ORDINANCE NUMBER 19-02-12

AN ORDINANCE AMENDING THE ZONING REGULATIONS OF THE TOWN OF LAKE LURE; AMENDING § 92.042, “SPECIAL REQUIREMENTS FOR CERTAIN USES.”

WHEREAS, N.C.G.S. 160A-381 authorizes municipalities to adopt zoning ordinances regulating, among other things, "the location and use of buildings, structures, and land;" and,

WHEREAS, N.C.G.S. 160A-174 authorizes municipalities to define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the city; and,

WHEREAS, the Town’s zoning regulations require certain uses to have special requirements,

WHEREAS, the Town recognizes that some uses are substantially unique and have potential impacts or other hazards, difficulties or impacts that are, in the appropriate circumstances, more efficiently considered and reviewed in a quasi-judicial format; and,

WHEREAS, “Telecommunication Tower[s]” standards and requirements, last amended in 2003, are located in § 92.062(C)(7) of the table of uses for the R-1 zoning district and require a conditional use permit with additional standards as enumerated therein; and,

WHEREAS, the Town zoning regulations when describing zoning districts R-1, R-1A, R-1B, R-1C, R-2, R-3, CG, M-1, and S-1 within their respective table of uses repeatedly list “Telecommunications Towers” as requiring a conditional use permit by directly referencing the statement “All conditional uses listed in the R-1 Residential District”; and,

WHEREAS, the Town Council feels that such standards and requirements could be accessed

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easier and more efficiently as a standalone section located in § 92.042 of the zoning regulations; and,

WHEREAS, as previously stated standards and regulations concerning telecommunication facilities and antennae have not been amended in 16 years; and,

WHEREAS, the Town is desirous of contemporizing these regulations concerning Telecommunications Support facilities and Antennae to comply with current Federal and State law, to reflect dynamic changes in telecommunications technology since the regulations were originally drafted, and to provide the Zoning Administrator the option of administrative or quasi-judicial review, as appropriate, of an application for Telecommunications Support facilities and Antennae; and,

WHEREAS, Town Council further finds that this Ordinance amending the Special Requirements for Certain Uses which by adoption also would amend the Wireless Telecommunications Support Facilities and Antennae regulations is not inconsistent with any goals, objectives or policies of the 2007-2027 Town of Lake Lure Comprehensive Plan; and,

WHEREAS, the Zoning and Planning Board has recommended certain modifications to the Zoning Regulations of the Town of Lake Lure as noted in the title of this Ordinance; and

WHEREAS, the Lake Lure Town Council, after due notice, conducted a public hearing on the 12th day of February, 2019, upon the question of amending the Zoning Regulations in this respect.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE:

SECTION ONE. *Authority; Title.* This Ordinance is enacted pursuant to the grants of authority contained in Sections 160A-174 and 160A-381 of the North Carolina General Statutes. It shall be known and may be referred to as the "Ordinance Amending Special Requirements for Certain Uses."

SECTION TWO. Section 92.042 of the Zoning Regulations of the Town of Lake Lure, is hereby amended as follows:

§92.042 Special Requirements for Certain Uses.

The special requirements contained in this section apply to the named uses whenever they are identified as conditional uses or as permitted uses subject to special requirements. Notwithstanding any other provisions of this chapter, whenever these regulations provide that a use in a nonresidential zone or a nonconforming use in a

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residential zone is permissible with a zoning permit, a conditional-use permit (see § 92.046) shall nevertheless be required if the administrator finds that the proposed use would have an extraordinary impact on neighboring properties or the general public. In making this determination, the administrator shall consider, among other factors, whether the use is proposed for an undeveloped or previously developed lot, whether the proposed use constitutes a change from one principal use classification to another, whether the use is proposed for a site that poses peculiar traffic or other hazards or difficulties, and whether the proposed use is substantially unique or is likely to have impacts that differ substantially from those presented by other uses that are permissible in the zoning district in question. **(Amended 10-14-14) (Amended XX-XX-XX)**

- (A) Residential Vacation Rentals. Residential vacation rentals are hereby recognized as a use within the planning jurisdiction of the Town of Lake Lure. Except as provided herein, on and after 1 January 2010, it shall be a violation of these Zoning Regulations to operate a residential vacation rental without a vacation rental operating permit from the Town. **(Adopted 10-13-09, Effective 01-01-10; Amended 02-28-12, 10-14-14) (Amended 03-13-18)**

- (1) Exceptions. The following activities and / or uses shall not be deemed residential vacation rentals and the requirements of this section shall not apply to them. **(Adopted 10-13-09, Effective 01-01-10; Amended 02-28-12) (Amended 03-13-18)**

- (a) Incidental residential vacation rentals, defined to mean no more than two such rentals in any calendar year where the total annual rental period for both rentals does not exceed two weeks.
- (b) Rentals of property in any hotel, lodge, motel, bed & breakfast establishment, or boarding & rooming house, with a valid certificate of zoning compliance. For purposes of this Regulation, the term does not include multi-family dwellings nor does it apply to duplexes other than those situated within the R-1, R-1A, R-1B, R-1C, R-1D, R-2 and M-1 zoning districts. **(Amended 03-13-18)**

- (2) Vacation Rental Operating Permits. Every residential vacation rental not excepted as above shall require a vacation rental operating permit issued pursuant to the regulations contained herein. The vacation rental operating permit may also function as a certificate of zoning compliance for a residential vacation rental. Any Vacation Rental Operating Permit issued prior to 28 February 2012 is recognized as having a vested status to operate under the ordinance as amended on 28 February 2012. Additionally, anyone that can establish via Tourism and Development Authority tax records or other suitable proof that they were engaged in vacation rental activity at their home prior to January 1, 2010 (the effective date of the ordinance) would also have vested status. Any future revisions and amendments to this Ordinance shall not apply to those vested residences. This status is transferable; although, a new vacation rental operating permit must be obtained in the name of the new owner. This status is forfeited if there is no

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vacation rental activity at the home for a period of five years. **(Adopted 10-13-09, Effective 01-01-10; Amended 02-28-12)**

- (a) *Application.* In order to obtain a Vacation Rental Operating Permit the owner or the operator shall submit an application for each such residential vacation rental which complies with the requirements of the Town's zoning regulations and the additional requirements as found in § 92.042(A)(3), below, and shall pay all applicable fees in accordance with the Town's adopted fee schedule **(Amended 03-13-18)**
- (b) *Procedure.* From and after the effective date of this Ordinance, applications for a Residential Vacation Rental use shall submit an application for a Vacation Rental Operating Permit, to be processed as a Certificate of Zoning Compliance application with all additional supporting documentation as per § 92.042(A)(3) **(Amended 03-13-18)**
- (3) Contents of Application: The application for a vacation rental operating permit shall contain the following information. **(Adopted 10-13-09, Effective 01-01-10 (Amended 02-28-12)(Amended 03-13-18)**
 - (a) The address of the property.
 - (b) Name and contact information for the owner of the property.
 - (c) Name and contact information for the operator if other than the owner.
 - (d) A site plan showing the off-street parking area(s) for the property. One (1) parking space for every two rental bedrooms shall be required. Parking areas shall not encroach into any road right-of-ways or neighboring private properties. **(Amended 03-13-18)**
 - (e) The number of bedrooms on the property intended to be used for occupancy.
 - (f) A copy of the Rutherford County Revenue Department "Property Information Card" for the subject property. **(Amended 03-13-18)**
 - (g) If the property is served by the Town's sewer system, a certificate from a qualified licensed professional that the connection to the Town's system is operational and free of detectable leaks.
 - (h) If the residential vacation rental includes the use of a boat on Lake Lure, proof of a valid Town commercial boat license.
 - (i) Proof that the property is registered with the Rutherford County Tourism Development Authority.
 - (j) A copy of the standard rental agreement used for the residential vacation rental which contains information required by this section.
 - (k) An acknowledgment that the applicant is aware of the occupancy restrictions on the use of the property as a residential vacation rental and the applicant's agreement to abide thereby.

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- (l) A statement by the operator, under oath, that the information in the application is correct. **(Amended 2-28-12)**
- (4) Inspections: In conjunction with an application for a vacation rental operating permit, the Town shall conduct an initial inspection to confirm compliance with the requirements of this section. **(Adopted 10-13-09, Effective 01-01-10)**
- (5) Operational Requirements: The following operational requirements shall apply to all residential vacation rentals. **(Adopted 10-13-09, Effective 01-01-10)(Amended 03-13-18)**
 - (a) Occupancy Limits. On those occasions when the property is being utilized for vacation rental activity, the overnight occupancy shall not exceed two persons per bedroom plus four additional persons. For any permits issued subsequent to 28 February 2012, occupancy shall be the lesser of the total determined by the foregoing formula or twelve persons. Bedrooms used in calculating occupancy limits shall be taken from the application as affirmed by the owner/manager and shall be the same as the number of bedrooms as listed on the Rutherford County Revenue Department's Property Information Card to also assure the sufficiency of the wastewater system on site. **(Amended 2-28-12)(Amended 03-13-18)**
 - (b) Signs. In the R-1, R-1A, R-1B, R-1C, R-1D and M-1 zoning districts, residential vacation rental properties shall not have any signs visible from the exterior of the premises which advertise the use of the property as a residential vacation rental, other than as required by this section. In the remaining zoning districts, residential vacation rental properties may have signage as authorized by Article 10 of these regulations.
 - (c) Display of Contact Information. Residential vacation rental operators shall prominently display on the exterior of the residential vacation rental property the name and 24-hour per day, 365 days-per-year telephone number for the residential vacation rental operator who will take and resolve complaints regarding operation of the residential vacation rental property and its occupants and guests. The Town will prescribe the form of this display which shall also include a telephone number to report violations of this section to the Zoning Administrator.
 - (d) Parking. Occupants or guests of any residential vacation rental property shall not park vehicles on the property other than within parking area(s) designated on the application for the residential vacation rental. Vehicles parked in undesignated areas, or in the street so as to violate the town's street ordinances, shall be subject to towing at the vehicle owner's expense. **(Amended 2-28-12)**
 - (e) Trash Disposal. Household trash must be bagged and disposed of in trash receptacles. Trash receptacles shall be the size and number authorized by existing refuse contracts and shall be animal resistant. **(Amended 2-28-12)**
- (6) Contract Addendum: Every residential vacation rental contract shall contain an addendum, in a form prepared by the Town, setting forth the requirements of this section and other applicable provisions of law. The operator shall obtain a signed

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acknowledgment from the renter(s) that they have received such addendum prior to delivering possession of the residential vacation rental property. This requirement shall be deemed satisfied if the provisions of the addendum are included as part of the rental contract. **(Adopted 10-13-09, Effective 01-01-10; Amended 2-28-12)**

- (7) Duties of the Operator to Respond to Complaints: To assure prompt response to complaints and issues concerning a residential vacation rental, the operator shall comply with the following: **(Adopted 10-13-09, Effective 01-01-10)**
- (a) Maintain a call center that is staffed by a live person and fully responsive at any time that the property is used as a Residential Vacation Rental. **(Amended 2-28-12)**
 - (c) Continuously maintain on file with the Town the operator's current address, telephone number, and facsimile number and/or email address.
- (8) Non-Compliance with Vacation Rental Operating Permit/Residential Vacation Rental Regulations **(Amended 03-13-18)**
- (a) Failure to comply with the standards and regulations as found in this section shall be enforced by the remedies and penalties as provided in Chapter 10 of the Code of Ordinances of the Town of Lake Lure and Chapters 5 and 13 of the Town of Lake Lure Zoning Regulations, as applicable. **(Amended 03-13-18)**
- (9) Notification to Contiguous Property Owners of the issuance of a Vacation Rental Operating Permit **(Amended 03-13-2018)**
- (a) Upon issuance of the permit, the zoning official shall, by First Class US Mail, notify all contiguous property owners of the decision to allow the use of the property as a Residential Vacation Rental. **(Amended 03-13-18)**
- (B) Breweries, Distilleries and Wineries. An applicant seeking authorization to develop and/or operate a brewery, brewpub, distillery, micro-brewery, micro-distillery, micro-winery, nano-brewery or winery shall obtain a sewer use permit for the facility prior to issuance of such authorization, whether it be a certificate of zoning compliance or a conditional use permit. **(Adopted 10-14-14)**
- (C) Campgrounds shall comply with the general standards and procedures for conditional uses contained in Section 92.045, below, as well as the specific standards and procedures contained herein. **(Adopted 7-14-15)**
- (1) **Campground standards for all campgrounds.** The following standards shall apply to all campgrounds containing two or more campsites or camp lots, including sites for tents, accommodations for backpackers and recreational vehicles (RVs).

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- (a) *Size.* All proposed campgrounds shall be a minimum of three acres in size.
- (b) Certificate of compliance required. Any proposed campground shall not be allowed to open until such campground has met all planning and building requirements of this ordinance for the Town of Lake Lure and the State of North Carolina.
- (c) Fire prevention and protection. The application for a conditional use permit shall include a plan for fire prevention and protection to be reviewed by the fire marshal. The applicant shall be provided with a copy of the fire marshal's comments and recommendations and shall address those at the hearing on the conditional use permit application.
- (d) Other permanent structures. Permanent structures other than camp platforms and recreational support and sanitary facilities shall be prohibited unless the developer or owner can demonstrate the necessity or desirability for such a structure. Structures commonly deemed necessary or desirable include a gatehouse, office, laundry area, video/amusement area, common area shelters, picnic table shelters for campsites, and camping cabins.
- (e) Storage of RVs. Storage of all types of recreational vehicles within campgrounds shall be limited to no more than one stored RV per ten RV sites. Such storage area shall be buffered and screened, preferably by vegetation, from the campground or outside areas.
- (g) Number of days permitted to camp. With the exception of campers who work for the campground, camping shall be restricted to a period of no more than 90 consecutive days within any one-year period. Tent camping shall be limited to a period of 30 consecutive days within a 60-day period.
- (h) Access to water for all campsites/RV utility islands. Each campground shall have reasonable access to a source of potable water approved by the applicable health authority and building codes.
- (i) Road circulation pattern. The road circulation pattern should be a one-way paved or gravel reinforced system attached to a main two-way circular thoroughfare. If a loop system is used, it shall contain a pull-through site arrangement or back-in site ranging from a 45- to a 90-degree angle. Parking on all access roads to the entire campground area shall be prohibited. A turning radius for all emergency vehicles shall be required as approved by the fire department. The turning radius in loops and turns shall not be less than those required by the fire department, including those for parking spurs at individual RV sites.
 - (i) Road width/slope in campground—Road widths on the one-way loop shall be at least 15 feet wide. Double lane roads shall have a minimum width of 20 feet. The circulation system shall parallel existing contours as closely as possible, and shall not exceed a 16-percent slope.

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- (ii) Land disturbance—A soil and erosion sedimentation plan shall be filed and approved by the Town prior to any construction.
 - (j) Campfires shall be contained and controlled. Campfires are permitted only within fire rings, which shall not be placed within ten feet of a bottled gas container or other combustible source of fuel. The campground management shall require that no open fire is left unattended.
 - (k) Refuse disposal. All campgrounds shall provide fly-proof, watertight, containers for the disposal of refuse. These containers shall also be constructed and located such that they are not subject to rodent infestation or dog and bear invasion. Containers shall be provided in sufficient number and capacity to properly store all refuse. Refuse for camping areas shall be collected at least once a day.
 - (l) Overflow parking area. All campsites shall be limited to a total of one non-RV parking space. An additional area for parking of such vehicles shall be provided equal to one parking place for every ten campsites. Such parking area can be surfaced with gravel. At no time shall parking be permitted on access roads to the campground.
 - (m) Insect control. Owners of such parks shall be responsible for adequate insect control in the camping area such as the periodic spraying for mosquitoes.
 - (n) Lighting. Cut-off, overnight lighting for all bathhouses and centralized water sources shall be required. Reflectors denoting paths to above mentioned structures are recommended. Other minimal lighting should be installed as needed for the safety and comfort of campground residents.
 - (o) Flood plains. Campgrounds proposed to be developed in whole or in part in flood plains shall demonstrate compliance with the Flood Damage Prevention Regulations contained in Section 95.001, et seq., of the Town Code.
 - (p) Emergency Evacuation. The application for a conditional use permit shall contain an emergency evacuation plan which is adequate to protect the safety of those utilizing the campground.
- (2) Campsites for accommodation of independent RVs.
- (a) RVs shall not be permitted to hook up to electricity or water for occupation on individual camp lots unless as part of an approved campground.
 - (b) Density of sites. To prevent intensive site use, and to maintain an aesthetic camping atmosphere, density shall not exceed 15 sites per acre.
 - (c) RV parking sites material/slope. Each recreational vehicle site with individual parking shall contain at least five inches of crushed gravel leveled to not more than three percent slope.

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- (d) RV utility islands. Each RV site shall contain, within the utility island, hookups to water, sewer, and electrical service.
 - (e) RV utility islands water/sewer plumbing requirements. Campgrounds with access to a sewage system shall provide that each campsite contain a sewer connection with suitable fittings to permit a watertight junction with the RV outlet. Each sewer connection shall be constructed so that it can be closed, and when not in use shall be capped to prevent escape of odors. All water taps or outlets serving RV campsites shall be of a type compatible with garden hose connections. Sewer and water piping and installation shall be constructed as specified in the North Carolina Building Code.
 - (f) Electrical outlets. Each RV site shall have access to electrical power. All electrical outlets shall be located in a properly constructed utility island.
 - (g) Parking dimensions RV sites. A parking plan shall be submitted which is adequate to accommodate the campground's expected clientele. Parking spurs shall be located so that trailer doors face away from interior roads and into the site. Parking for all recreational vehicles and any additional vehicle shall be of a minimum five-inch gravel base.
 - (h) RV campsite spacing. RV parking sites shall be at least 20 feet apart (this 20-foot area will include any yard, cooking areas, dining areas, and utility island for next RV site), edge-to-edge, and the center of all camping units should be at least ten feet from the edge of the campground road.
 - (i) RV dump station. A sanitary dump station built to the requirements of the local health department shall be provided at the entrance to the campground or other location convenient to all campsites. The dump station shall be located so that the left rear of vehicles will slope slightly toward the dump station when connected for emptying.
- (3) Sanitary facilities for accommodation of dependent RVs and tent campsites.
- (a) All campgrounds for the accommodation of dependent RVs and tents shall provide sanitary facilities connected to a sewerage system. Whenever possible, these facilities shall be connected to a public sewerage system.
 - (b) Toilets, lavatories, and bathing facilities shall be as provided under North Carolina State Building Code Volumes 1C and 2.
 - (c) Toilet facilities shall be plainly marked, separate for each sex, lighted at night, and shall be located no farther than 200 feet from any camp pad.
 - (d) Toilet facilities may be located in a central building or in two or more buildings according to the size of the campground and location of the campsites in relation to the facilities.

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- (e) Adequate provisions shall be made for the disposal of dishwater according to the size of the campground. A suggested ratio is one disposal unit per ten campsites.
- (4) Campsites for tents. Construction of tent pads is not required for pup tents or other small shelters used by backpackers. Provisions for walk-in campgrounds are contained below.
 - (a) Each tent site should contain a minimum space of 30 x 30 feet. Density shall not exceed 15 sites per acre. Tent sites with individual parking arrangements shall contain one automobile parking space at least 18 feet x 9 feet.
 - (b) Each site should contain a reinforced, fairly level tent pad. The pads shall be approximately 16 x 16 feet to provide maximum flexibility of use, but shall not contain less than an area of 12 x 12 feet. The tent pad shall be a minimum of six inches high and constructed of gravel, crushed aggregate, or equivalent material that will allow run-off from precipitation to flow through the pad. Pads constructed of tamped earth, asphalt or other impervious materials are prohibited. Tent pads in excess of ten percent slope should be leveled. A three-percent slope is preferable.
 - (c) Provisions for sanitary facilities are the same as for dependent RVs set out hereinabove.
- (5) Walk-in campgrounds.
 - (a) Camping is prohibited in areas where a source of potable water and access to sanitary facilities is not provided.
 - (b) Walk-in campgrounds shall have access to potable water within 75 feet of all sleeping areas. In locations where a water supply system is not possible, potable water may be supplied by an approved well with a hand pump or by water from pickup stations.
 - (c) All walk-in campgrounds shall have access to the use of a toilet facility to be located within 300 feet of each camping space.
- (6) Campsites for mixed uses. Campgrounds may be developed to provide more than one type of camping site in the same area. When uses are mixed, the highest, or most strict, standards shall apply to development of the entire campground with the exception of walk-in camping areas in a campground designed for mixed uses. In such a development, walk-in camping shall be separated from other types of campsites so that campfire smoke or noise will not constitute a nuisance to other campers.
- (7) Campground design. The campground shall be designed in a manner which is compatible with the natural features and topography of the tract undergoing development, and in a manner which provides safe, healthful and convenient camping facilities for campground users consistent with minimum land disturbance.
 - (a) A complete master plan of any new, expanded or altered park shall be submitted to the Town of Lake Lure for approval before construction in accordance with the checklist for campgrounds found in the appendices.

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- (b) All campgrounds containing two or more campsites or camp lots, including sites for tents, accommodations for backpackers and RVs require a conditional use permit.
- (c) Density shall not exceed 15 sites per acre.
- (d) Campgrounds shall be developed to minimize noise, campfire smoke, or trespassing so as not to create a nuisance to abutting properties.
- (e) Sanitary and bathing facilities shall be provided per the state building code. Sanitary dump stations built to the requirements of the local health department shall be provided at the entrance to the campground or other location convenient to all campsites. The dump station shall be located so that the left rear of vehicles will slope slightly toward the dump station when connected for emptying.
- (f) All campsites shall be limited to a total of one non-RV parking space per site or RV parking space. An additional area for parking of such vehicles shall be provided equal to one parking place for every ten campsites in a common location or spread throughout the campground.

§ 92.042(D) Telecommunication Support Facilities and Antennae

Section 1. Purpose and Intent

The Town of Lake Lure desires to encourage the orderly development of wireless communication technologies for the benefit of the Town and its citizens. The Town also recognizes the need to protect the character and appearance of its community. As a matter of public policy, the Town desires to encourage the delivery of new wireless technologies throughout the Town while controlling the proliferation of communication towers. Such development activities will promote and protect the health, safety, prosperity and general welfare of persons living in Lake Lure. Unless superseded by Session Law 2013-185, the Cell Tower Deployment Act, or Session Law 2017-159, Wireless Communication Infrastructure Siting, both of which shall control, the following provisions shall apply to the erection or replacement or modification of a wireless facility. (Amended XX-XX-XX)

Section 2. Severability

1. If any word, phrase, sentence, part, section, subsection, or other portion of this Section or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed Application thereof, shall be severable, and the remaining provisions of this Section, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.
2. Any Zoning Permit issued pursuant to this Section shall be comprehensive and not severable. If part of a permit is deemed or ruled to be invalid or unenforceable in any

material respect, by a competent authority, or is overturned by a competent authority, the permit shall be void in total, upon determination by the Town.

Section 3. Definitions

For purposes of this Section, and where not inconsistent with the context of a particular section, the defined terms, phrases, words, abbreviations, and their derivations shall have the meaning given in this section. When not inconsistent with the context, words in the present tense include the future tense, words used in the plural number include words in the singular number and words in the singular number include the plural number. The word "shall" is always mandatory, and not merely directory.

1. "Accessory Facility or Structure" means an accessory facility or structure serving or being used in conjunction with Wireless Telecommunications Facilities or Complexes, including but not limited to utility or transmission equipment storage sheds or cabinets.
2. "Amend", "Amendment" and "Amended" mean and shall relate to any change, addition, correction, deletion, replacement or substitution, other than typographical changes of no effect.
3. "Applicant" means any Wireless service provider submitting an Application for a Zoning Permit for Wireless Telecommunications Facilities.
4. "Application" means all necessary and required documentation that an Applicant submits in order to receive a Zoning permit and building permit if applicable for Wireless Telecommunications Facilities.
5. "Antenna" means a system of electrical conductors that transmit or receive electromagnetic waves or radio frequency or other wireless signals.
6. "Council" means the Town Council of the Town of Lake Lure.
7. "Certificate of Completion" or "COC" means a required document issued by the Town that confirms that all work represented in the application i) was properly permitted; ii) was done in compliance with and fulfilled all conditions of all permits, including any final completion deadline; iii) was fully constructed as approved and permitted; and iv) a final inspection was requested, conducted and the Facility or Complex passed the final inspection.
8. "Town" means the Town of Lake Lure, North Carolina

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9. "Co-location" means the use of an approved telecommunications structure to support Antenna for the provision of wireless services.
10. "Commercial Impracticability" or "Commercially Impracticable" means the inability to perform an act on terms that are reasonable in commerce, the cause or occurrence of which could not have been reasonably anticipated or foreseen and that jeopardizes the financial efficacy of the project. The inability to achieve a satisfactory financial return on investment or profit, standing alone and for a single site, shall not deem a situation to be "commercially impracticable" and shall not render an act or the terms of an agreement "commercially impracticable".
11. "Completed Application" means an Application that contains all necessary and required information and/or data as set forth in this Ordinance and that is necessary to enable an informed decision to be made with respect to an Application and action on the Application.
12. "Complex" means the entire site or Facility, including all structures and equipment located at the site.
13. "DAS" or "Distributive Access System" means a technology using antenna combining technology allowing for multiple carriers or Wireless Service Providers to use the same set of antennas, cabling or fiber optics.
14. "Eligible Facility" means an existing wireless tower or base station that involves collocation of new transmission equipment or the replacement of transmission equipment that does not constitute a Substantial modification. An Eligible Facility Application shall be acted upon administratively and shall not require a Special Use Permit, but shall require Staff Administrative Approval.
15. "Expert Assistance Fee" means a set fee intended to prevent taxpayer subsidization for the Town's review of an application for Telecommunication Support Facilities, WTF's, DAS systems, or Antennae.
16. "FAA" means the Federal Aviation Administration, or its duly designated and authorized successor agency.
17. "Facility" means a set of wireless transmitting and/or receiving equipment, including any associated electronics and electronics shelter or cabinet and generator.
18. "FCC" means the Federal Communications Commission, or its duly designated and authorized successor agency.

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19. "Height" means, the distance measured from the pre-existing grade level to the highest point on the Tower or support structure, even if said highest point is an Antenna or lightening protection device. As regards increasing the height of an existing structure, Height means the height above the top of the structure prior to any work related to a wireless Facility.
20. "In-Kind Replacement" means replacing a component(s) that is malfunctioning with a properly functioning component of the same weight and dimensions and that does not enable an increase in revenue for the service provider or increase the compensation paid to the owner or manager of the support structure.
21. "Maintenance" means plumbing, electrical, carpentry or mechanical work that may or may not require a Zoning permit and building permit if applicable, but that does not constitute a Modification of the WTF.
22. "Modification" or "Modify" means, the addition, removal or change of any of the physical and visually discernable components or aspects of a wireless Facility or Complex with identical components, including but not limited to antennas, cabling, equipment shelters, landscaping, fencing, utility feeds, changing the color or materials of any visually discernable components, vehicular access, parking and/or an upgrade or change-out of equipment for better or more modern equipment. Adding a new wireless carrier or service provider to an existing support structure or Tower as a co-location is a Modification, unless the height, profile or size of the compound is increased, in which case it is not a Modification.
23. "Necessary" or "Necessity" or "Need" means what is technologically required for the equipment to function as designed by the manufacturer and that anything less will result in the effect of prohibiting the provision of service as intended and described in the narrative of the Application. Necessary, Necessity or Need does not mean what may be desired, preferred or the most cost-efficient approach and is not related to an Applicant's specific chosen design standards.
24. "NIER" means Non-Ionizing Electromagnetic Radiation.
25. "Person" means any individual, corporation, estate, trust, partnership, joint stock company, association of two (2) or more persons having a joint common interest, or any other entity.
26. "Personal Wireless Facility" See definition for 'Wireless Telecommunications Facilities'.
27. "Personal Wireless Services" or "PWS" or "Personal Telecommunications Service" or "PTS" shall have the same meaning as defined and used in the 1996 Telecommunications Act.

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28. "Repairs and Maintenance" means the replacement or repair of any components of a wireless Facility or Complex where the replacement is identical to the component being replaced, or for any matters that involve the normal repair and maintenance of a wireless Facility or Complex without the addition, removal or change of any of the physical or visually discernable components or aspects of a wireless Facility or Complex that will impose new visible burdens of the Facility or Complex as originally permitted. Any work that changes the services provided to or from the Facility, or the equipment, is not Repairs or Maintenance.
29. "Stealth" or "Stealth Siting Technique" means a design or treatment that minimizes adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such Wireless Telecommunications Facilities, which shall mean building the least visually and physically intrusive facility and Complex that is not technologically or commercially impracticable under the facts and circumstances. Stealth technique includes such techniques as i) DAS or its functional equivalent; or ii) camouflage where the Tower is disguised to make it less visually obtrusive and not recognizable to the average person as a Wireless Facility or Complex.
30. "State" means the State of North Carolina.
31. "Structural Capability" or "Structural Capacity" or "Structural Integrity" means, notwithstanding anything to the contrary in any other standard, code, regulation or law, up to and not exceeding a literal 100% of the designed loading and stress capability of the support structure.
32. "Substantial Modification" means a change or Modification that
 - a. increases the existing vertical height of the structure by the greater of (a) more than ten percent (10%) or (b) the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet; or
 - b. except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable, adding an appurtenance to the body of a wireless support structure that protrudes horizontally from the edge of the wireless support structure the greater of (i) more than 20 feet or (ii) more than the width of the wireless support structure at the level of the appurtenance; or increases the square footage of the existing equipment compound by more than 2,500 square feet.
33. "Telecommunications" means the transmission and/or reception of audio, video, data, and other information by wire, radio frequency, light, and other electronic or electromagnetic systems.
34. "Telecommunications Site" See definition for Wireless Telecommunications Facilities.

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35. "Telecommunications Structure" means a structure used primarily to support equipment used to provide wireless communications or was originally constructed primarily for such purpose.
36. "Temporary" means not permanent in relation to all aspects and components of this Section and that will exist for fewer than ninety (90) calendar days.
37. "Tower" means any structure designed primarily to support an antenna and/or other equipment for receiving and/or transmitting a wireless signal and is the lesser of i) more than ten feet (10') taller than the adjacent buildings or trees; or ii) taller than forty feet (40').
38. "Wireless Telecommunications Facility or Facilities (WTF or WTFs)", "Facility", "Site", "Complex", "Telecommunications Site" and "Personal Wireless Facility Site" all mean a specific location at which a structure that is designed or intended to be used to house, support or accommodate antennas or other transmitting or receiving equipment is located. This includes without limit, Towers and support structures of all types and kinds, including but not limited to buildings, church steeples, silos, water Towers, signs or other any other structure that is used or is proposed to be used as a support structure for Antennas or the functional equivalent of such. It expressly includes all related facilities and equipment such as cabling, radios and other electronic equipment, equipment shelters and enclosures, cabinets and other structures associated with the Complex used to provide, though not limited to, radio, television, cellular, SMR, paging, 911, Personal Communications Services (PCS), commercial satellite services, microwave services, Internet access service and any commercial wireless telecommunication service whether or not licensed by the FCC.
39. "Zoning Permit" means a permit denoting compliance with this ordinance and other applicable zoning requirements and standards that must be granted as a prerequisite to applying for and being granted any other required permit. AMENDED XX-XX-XXX

Section 4. General Policies and Procedures for Applications under this Section

- (1) It shall be unlawful for any person, corporation, partnership or other entity to erect any wireless facility without first obtaining a zoning permit from the Administrator. A permit shall also be required for the erection of a replacement wireless support structure or the modification of an existing wireless support structure.

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- a. Existing wireless support structures owned by government agencies and designed for non-commercial emergency communications may be replaced with a wireless support structure equal in height to the existing wireless support structure; however, all other ordinance provisions are applicable.
 - b. The placement or collocation of wireless facilities on existing structures, including electrical transmission towers, water towers, buildings, and other structures capable of structurally supporting the attachment of wireless facilities requires a zoning permit in compliance with requirements of this ordinance.
 - c. Wireless support structures are allowed, with standards as in this article, in all zoning districts.
- (2) The Administrator or Board of Adjustment, shall approve or disapprove the zoning permit based upon the receipt of a completed site plan as required above and the following provisions:
 - (a) The wireless facility design plan was prepared by a professional engineer registered in the state of North Carolina, including engineer's signature, seal and address.
 - (b) The site plan shall illustrate, with details, the foundation and base of the wireless support structure, the foundation for all the guy line anchors and support structures, all proposed buildings, and any other proposed improvements including access roads and utility connections within and to the proposed site.
 - (c) In addition to any other materials required for a standard permit under this section or any other ordinance of the Town of Lake Lure, all applicants for permits to construct a telecommunications support facility or antenna shall submit visual impact demonstrations using photo or similar graphic simulations of the proposed facility as it would be seen from residential areas, public rights of way, and public parks and other sites.
 - (d) Location requirements:
 - i. The applicant shall identify all possible alternatives considered within the service area for the proposed wireless facility location and explain

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why the proposed wireless facility is necessary and why existing wireless facilities or other structures cannot accommodate the proposed antenna(s).

- (3) Wireless support structure height, operational limitations/requirements, and access infrastructure (for traditional wireless support facilities).
- (a) A wireless support structure shall not exceed an overall height (OAH) of 200 feet including the height of all antennae and lightning rods.
 - (b) A wireless support structure located on any major mountain ridge shall be monopole and no taller than 30 feet higher than the vegetative canopies immediately surrounding the base of the tower.
 - (c) The proposed wireless support structure shall be designed and constructed for collocation of at least three additional telecommunication antenna systems. The wireless facility area shall be of sufficient size to accommodate the accessory equipment for at least three additional telecommunication providers.
 - (d) Contingent upon space available, the wireless facility operator shall also be equitable to allowing government emergency service communications to collocate on their facility at a reduced industry standard price.
 - (e) The wireless facility access road must be a minimum of 12 feet in width accommodating, to the satisfaction of the Town Fire Marshal, all emergency equipment and vehicles; and, if gated, shall employ a Siren Operated Sensor access system.
- (4) The applicant shall be required to provide written documentation certifying compliance or when appropriate, exemption from all applicable federal and state regulations.
- (5) The applicant shall present to the Administrator or Board of Adjustment, if applicable, proof of either fee simple ownership, an option to purchase or lease, a recorded leasehold interest, or an easement, from the record owner of all property involved and any necessary rights-of-way to the wireless facility site.
- (6) Signage shall be limited to a sign identifying the owner(s) and operator(s) of the tower, an emergency telephone number and any other signage as required by any government agency. Signage shall be placed

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in a clearly visible location on the premises of the tower.

(7) Setback requirements (traditional facilities).

(a) A tower shall be separated from other on-site and off-site towers and supporting structures such that one tower will not strike another tower or its support structure if it falls. Towers shall be set back from property lines in accordance with the twice the setback requirements for the district or 110 percent of the tower height, whichever is greater. Additionally, telecommunications towers must set back from any residential districts or uses a distance equivalent to the fall radius of the tower being erected times ten percent.

(b) Wireless facilities located within transmission line easements are not required to meet (a) above.

(c) There shall be no setback requirement from structures located on the same parcel as the proposed wireless facility as long as a professional engineer, registered in the State of North Carolina, certifies that the fall zone of the wireless support structure is designed to avoid said structures and the owner of the structures in question records a legally valid Hold Harmless agreement, indemnifying the Town of Lake Lure from all liability and claims for damages arising from the performance of the telecommunications facility designer, contractor and installer; including any subcontractors or consultants associated with the project.

(8) The wireless support facility shall be constructed to the Electronics Industries Association/Telecommunications Industries Association 222 Revision F Standard entitled "Structural Standards for Steel Antenna Towers and Antenna Support Structures," as the same may be amended from time to time. Any tower shall also comply with the requirements of the North Carolina Building Code, National Electrical Code, Uniform Plumbing Code, and Uniform Mechanical Code. The wireless support structure shall be designed to meet the ANSI/EIA/TIA-222-G (as minimum) one-half inch of solid radial ice standard.

(9) The wireless facility and any guy wires shall be surrounded by a

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commercial grade chain link secure fence at least eight feet in height, which may include no more than two feet of barbed or razor wire.

- (10) Lighting on wireless support structures shall not be permitted except as required by federal and state regulations.
- (11) Wireless support structures shall be light gray except when specific colors and color patterns are required by federal or state regulations or a different natural color, as approved by the administrator, which would make the tower blend into its natural surroundings more readily.
- (12) All wireless facilities shall be landscaped by semi-opaque vegetative screening on all sides. All plants and trees shall be indigenous to western North Carolina and shall be drought resistant.
- (13) Stealth wireless facility.
 - a) Antennas must be enclosed, camouflaged, screened, obscured
or otherwise not readily apparent to a casual observer.
 - b) The structure utilized to support the antennas must be allowed within the underlying zoning district. Structures may include, but are not limited to flagpoles, bell towers, clock towers, crosses, monuments, parapets, and steeples.
- (14) A DAS system that is owned or operated by a commercial carrier and is part of a commercial wireless system, or are used for commercial purposes, is expressly included in the context of this Section, regardless of the location or whether the Facility or any of its components is located inside or outside a structure or building.
- (14) Wireless facilities shall comply with all other applicable regulations of this ordinance, and, where applicable, shall meet the requirements for a conditional use permit.
- (15) The applicant shall provide the Administrator with a certificate of general liability insurance in the minimum amount of \$1,000,000. The certificate shall contain a requirement that the insurance company notify the Town 30 days prior to cancellation, modification or failure to renew the insurance coverage required.
- (16) The co-location of facilities and/or stealth technology shall be considered a mitigating factor to a variance request and may be justification for the request.

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(17) Any tower constructed under a permit pursuant to this ordinance shall be removed within 180 days of the date which it ceases to be in active use, or upon notice from the ordinance Administrator, whichever is more favorable to the owner.

(18) Collocation of Small Wireless Facilities

a) Pursuant to guidance as provided by North Carolina General Statute 160A-400.54, the town shall allow collocation of small wireless facilities on eligible facilities pursuant to the following guidelines:

i. A zoning compliance permit is required

ii. All ground support equipment shall require semi-opaque vegetative landscape screening on any sides visible to the motoring public such as can be accomplished without compromising underground utilities, and while maintaining a 12' x 25' sight triangle from intersections, and 15' of clear area along perpendicular streets culminating at a corner lot.

iii. Each new facility in the right-of-way shall not extend more than 10 feet above the utility pole, city utility pole, or wireless support structure on which it is collocated. Extensions proposed higher than 10 feet shall require a variance from the Board of Adjustment.

iv. Each new utility pole and each modified or replacement utility pole or city utility pole installed in the right-of-way shall not exceed 50 feet above ground level. In residentially zoned areas, the height limit for new pole installation shall be forty feet unless granted a variance by the Board of Adjustment.

v. Wireless providers are responsible for damages due to their activities to Town rights-of-way while occupying, installing, repairing or maintaining wireless facilities, wireless support structures, city-owned or other utility poles.

- vi. Collocations on private support structures shall require a letter of consent from the owner of the structure (Adopted XX-XX-XX)

Section 6. Fees

Subject to the provisions of North Carolina General Statutes 160A-400.54(e), 160A-54(f), 160A-296(a)(6) and 160A-206(b) all fees and charges, including but not limited to Application fees, Inspection fees and Permit fees, shall be as set forth in the Town's Schedule of Fees and Charges. For new towers, support structures, or substantial modifications, an Expert Assistance Fee shall be established in advance to prevent taxpayer subsidization of the Applicant. This fee shall be \$5000.00, and shall be tendered in cash or a certified cashier's check upon submittal of the Telecommunications Support Facility application. It shall be held by the Town's Finance Officer in an escrow account, whereby it may be drawn upon as necessary for payment of professional services related to the Town's review of the application. (Adopted XX-XX-XX)

SECTION THREE. In administering this Ordinance, the Town shall have all the remedies and enforcement powers contained in Chapter 10 of the Town Code of Ordinances and Chapters 5 and 13 of the Zoning Regulations, as supplemented herein, and as provided by the General Statutes.

SECTION FOUR. All Ordinances or parts of Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION FIVE. If any Section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION SIX. The enactment of this Ordinance shall in no way affect the running of any amortization provisions or enforcement actions, or otherwise cure any existing zoning violations.

SECTION SEVEN. This Ordinance shall be in full force and effect from and after the date of enactment.

NEW BUSINESS:

B. 2019-2024 CAPITAL IMPROVEMENTS PLAN

Town Manager Shannon Baldwin reported that we plan to schedule a workshop next week to review the 2019-2024 Capital Improvements Plan.

NEW BUSINESS:

C. CLOSED SESSION MINUTES POLICY

Mayor Cooley noted he had no changes to the policy as present but questioned the meaning of sealed and unsealed minutes. Attorney Morgan explained that sealed minutes from a closed session are kept confidential. He stated that once minutes are unsealed, they are made available if someone requests them. He noted that minutes are permanent record.

Commissioner Stephen Webber made a motion to adopt the Closed Session Minutes Policy as presented. Commissioner Bob Cameron seconded and the motion carried 4-0.

**CLOSED SESSION MINUTES
POLICY**

“(1) Full and accurate written minutes and a written general account shall be kept of each closed session in such form that a person not in attendance would have a reasonable understanding of what transpired. The written minutes and general account of closed sessions may be combined into one record called ‘minutes.’

“(2) The minutes shall be taken by the Town Clerk. In the absence of the Town Clerk, the minutes shall be taken by the Town Attorney. Draft minutes may be made available only to the Town Clerk, Town Manager, Assistant Town Manager, Town Attorney and Town Council Members.

“(3) Closed session minutes shall be approved by the town council during a subsequent closed session or in Open Session as part of the Consent Agenda. In either case, each Board member shall initial his/her copy and all copies shall be retrieved by the Town Clerk or Town Attorney.

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“(4) All minutes of closed sessions shall be sealed, unless sealing is not legally permissible.

“(5) The Town Attorney, Town Manager, and Town Clerk are authorized and directed to review periodically (no less than annually and preferably every six months) each set of closed session minutes created since the previous such review, and earlier sets that remained sealed following previous reviews, to determine if their disclosure would no longer frustrate the purpose for which the closed session was held.

“(6) Minutes pertaining to the attorney-client privilege shall be brought by the Town Clerk or Town Attorney to the Town Council for unsealing, unless said minutes pertain to lawsuits or legal issues that have been fully and finally resolved or otherwise definitively mooted. Other minutes may be brought to the town council by the Town clerk or Town Attorney for unsealing or may be unsealed as provided below.

“(7) If minutes are not required to be brought to the Town Council for unsealing, the Town Council authorizes the Town Attorney to unseal the minutes (with redactions as appropriate) if the Town Attorney finds that disclosing the closed session minutes (or some redacted part of them) would not frustrate the purpose for which the closed session was held and is not otherwise precluded by state or federal law. No further council action is necessary to unseal closed session minutes pursuant to this paragraph.

“(8) Following the unsealing of closed session minutes by the Town Attorney or Town Council, the unsealed minutes shall be returned to the Town Clerk, maintained in a separate volume of unsealed minutes (whether in hard copy or electronic form) and made available for public inspection upon request.”

(9) This policy shall become effective upon adoption. It is intended that this policy be applied retroactively to all closed session minutes since the Town’s incorporation. If specific closed session minutes are requested which were created prior to the adoption of this policy, said minutes shall be examined as set forth in paragraph 5 above.

CLOSED SESSION

Commissioner Stephen Webber made a motion to enter into Closed Session in accordance with G.S. 143-318.11(a)(6) for the purpose of discussing personnel matters. Commissioner Bob Cameron seconded. The motion carried 4-0.

While in Closed Session, Council discussed an incident that occurred involving two Lake Lure personnel.

Commissioner Stephen Webber made a motion to leave Closed Session. Commissioner Bob Cameron seconded and the motion carried 4-0.

Commissioner Bob Cameron made a motion to enter into regular session. Commissioner John Kilby seconded and the motion carried 4-0.

ADJOURN THE MEETING

With no further business, Commissioner Bob Cameron made a motion to adjourn the meeting at 8:30 p.m. Commissioner Stephen Webber seconded and the motion carried 4-0.

ATTEST:

Michelle Jolley,
Town Clerk

Mayor Kevin Cooley



**MINUTES OF THE SPECIAL JOINT WORKSHOP MEETING OF THE LAKE LURE
TOWN COUNCIL AND THE ABC BOAD HELD TUESDAY, FEBRUARY 12, 2019, 3:30
P.M. AT THE LAKE LURE MUNICIPAL CENTER**

PRESENT: Mayor Kevin Cooley
Mayor Pro Tem John W. Moore
Commissioner Bob Cameron
Commissioner John Kilby
Commissioner Stephen M. Webber
William Morgan, Jr., Town Attorney
Shannon Baldwin, Town Manager

ABC Board Members Present:
Tony Brodfuhrer, Chairman
MaLee Keller, Board Member
Linda Samarotto, Board Member
Woody Price, Store Manager

ABSENT: N/A

I. CALL TO ORDER

Mayor Kevin Cooley called the meeting to order at 3:32 p.m. and gave the invocation. Council members led the pledge of allegiance.

II. APPROVE THE AGENDA

Commissioner Bob Cameron made a motion to approve the Town Council Special Joint Workshop Meeting Agenda as presented. Commissioner John Kilby seconded and the motion carried 4-0.

III. COMMERCIAL CENTER REDEVELOPMENT DISCUSSION

Mayor Kevin Cooley opened by explaining the details on what has been done with the Commercial Center project thus far. He stated the purpose of the meeting today is to have a detailed discussion with the ABC Board.

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Town Manager Shannon Baldwin and Community Development Director Brad Burton presented a presentation on the Commercial Center Redevelopment (attached). Mr. Burton showed Council and the ABC Board members a computer generated rendering of the current site as it relates to the necessary course that trucks making deliveries into the Commercial Center must follow.

Town Manager Shannon Baldwin stated that he spoke with the Lake Lure Ingles Store Manager who pointed out that a market study suggested they pursue a hardware store in the Town. Mr. Baldwin noted that Ace Hardware Stores are connected to some Ingles stores. He stated that he shared with the store manager that the Commercial Center may not be as viable as once thought and discussed a possible option of leasing a space at Ingles for the future ABC Store site. The Ingles Manager stated that he would speak with the corporate office on this matter. Mr. Brodfuhrer questioned if the Town could sell the Commercial Center site and leave the ABC Store where it currently is. Commissioner Webber noted that all options are still being considered. Mr. Brodfuhrer mentioned that the Town receives close to \$60,000 a year in rent and distribution from the ABC Store in their existing location and if they leased from Ingles the Town would be losing that revenue. Mr. Price explained that restaurants must purchase alcohol from the closest ABC Store, noting that if they purchase at another store in the County they must continue buying from that store for 12 consecutive months. The boards ensued in discussion regarding possible location sites for the ABC Store.

ADJOURN THE MEETING

With no further business, Commissioner Bob Cameron made a motion to adjourn the joint meeting at 4:30 p.m. Commissioner Stephen Webber seconded and the motion carried 4-0.

ATTEST:

Michelle Jolley,
Town Clerk

Kevin Cooley
Mayor



MINUTES OF THE SPECIAL WORKSHOP MEETING OF THE LAKE LURE TOWN COUNCIL HELD WEDNESDAY, FEBRUARY 20, 2019, 10:00 A.M. AT THE LAKE LURE MUNICIPAL CENTER

PRESENT: Mayor Kevin Cooley
Mayor Pro Tem John W. Moore
Commissioner Bob Cameron
Commissioner John Kilby
Commissioner Stephen M. Webber
Shannon Baldwin, Town Manager

David Arrowood, Public Works Director
Brad Burton, Community Development Director
Dean Givens, Parks, Recreation & Lake Director
Sean Humphries, Police Chief
Sam Karr, Finance Director
Laura Krejci, Communications Director
Dale Minick, Lake Lure Golf Course Superintendent
Dustin Waycaster, Fire Chief

ABSENT: N/A

CALL TO ORDER

Mayor Kevin Cooley called the meeting to order at 10:00 a.m.

APPROVE THE AGENDA

Commissioner Stephen Webber made a motion to approve the Agenda, as presented. Commissioner Bob Cameron seconded and the motion carried 4-0.

III. DISCUSSION CONCERNING THE 2019-2024 CAPITAL IMPROVEMENTS PLAN

Finance Director Sam Karr presented the 2019-2024 Capital Improvements Plan (CIP). Mr. Karr noted the only request in Administration is for an HVAC System Replacement. Commissioner Cameron recommended a larger unit with gas packs that are much more efficient noting that the generator can operate them. He asked that the Police Department be wired to run

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on the gas packs as well. He requested moving the HVAC System Replacement to the FY 19-20 Budget at \$35,000. Council then reviewed the Capital Expenditures for the Police Department and agreed with the requests as presented.

Fire Chief Dustin Waycaster presented the Fire requests. He explained that the Fire Department expansion includes a bedroom and a bathroom to be added which would help accommodate staff with additional areas to shower and sleep. He stated that \$270,000 is the total for the project but would be financed with an anticipated debt of \$18,000 for the first year. Commissioner Cameron recommended no more than \$24,000 a year if the loan is changed from 20 years to 15 years. Mr. Baldwin mentioned that Mr. Karr is researching and comparing our town to other towns in regards to debt. Commissioner Webber requested to see those numbers before the budget process. Chief Waycaster stated that his request for a new John Deere Gator would replace the 2003 model they currently have that was handed down to them from the Police Department. Commissioner Cameron suggested handing down the current John Deere Gator to the Golf Course to use. Chief Waycaster stated that he would still like the opportunity to use it if needed. Mr. Baldwin suggested speaking with the fire departments in the Lake Lure district about equipment use during mutual aids and compiling a master list of the equipment that each department has so that each department could purchase different pieces of equipment. Chief Waycaster noted that we have no control over the maintenance of other department's equipment stating that their equipment may not meet the needs of the Town. Mayor Cooley suggested looking into this further. The Commissioners agreed with the Fire Department requests as submitted.

Public Works Director David Arrowood presented his requests in the CIP. Commissioner Webber did not feel that \$185,000 a year would be enough to cover the upkeep and maintenance of town roads. Mayor Cooley pointed out that some town roads will be trenched when the new low-pressure sewer system is installed stating that we would not want to pave roads before they are trenched. The Commissioners agreed to leave the proposed amount as presented for Local Street Paving for FY 19-20. In regards to the request for a truck replacement, Commissioner Cameron suggested purchasing a used truck instead of a new truck and the budget be set at \$80,000 for it. Council then discussed the Public Works Facility. Mr. Baldwin mentioned that this facility is included in the Comprehensive Plan noting that several options for a new location have been discussed. He stated that Chimney Rock Park is looking into using the Town Center as an egress in the future for the Park but a timeline for that is not yet known. Mayor Cooley did not believe that the Public Works Facility would be done this year and suggested moving it out a year or two and include funds for the whole project at \$2 million.

Communications Director Laura Krejci requested a Website Update/App Development to make the town website mobile-compatible. Commissioner Webber questioned if the update could be done in one year or if it needs to be spread over two years. Ms. Krejci stated that it could potentially be done in one year but would need the full \$15,000 budgeted. The Commissioners agreed to change the total to \$15,000 for FY 19-20.

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Community Development Director Brad Burton presented his requests. He noted that the court granted the Town a default judgement and ordered the demolition of the Duck Cove Property within 60 days. However, Mr. Burton did not feel the property owner would uphold this order and therefore requested \$165,000 in the FY 19-20 budget for demolition of this property noting that the Town's only option for reimbursement of funds is to place a lien on the property. Mr. Baldwin mentioned that the Town is not required to demolish this property. Mr. Burton noted that this property is still shifting further down into the lake. Mr. Baldwin suggested discussing the Duck Cove Property further during a closed session at the next Council meeting. The Commissioners agreed to leave the money in the CIP for this project at this time and agreed with all other Community Development requests.

Parks, Recreation & Lake Director Dean Givens presented his requests. Mr. Givens mentioned that he is requesting replacing the current 2008 truck with a smaller, more economic vehicle and passing his current truck on to the new Parks & Recreation Coordinator employee. Mr. Baldwin pointed out that Mr. Givens also serves as a sworn law enforcement officer noting that having a reliable vehicle is important. The Commissioners agreed to leave this request as presented in the CIP as well as the request for radios and landscaping for Morse Park. Mayor Cooley suggested including the PARTF grant money that is designated to be used on the current spoils pit site and the Boys Camp Road project into the CIP. Commissioner Webber added that Luremont Trail Development should also be included into the CIP. Mayor Cooley suggested identifying dredging in the Capital Expenditures as well as the Operational Budget but stated as long as it is shown in the CIP somewhere he is okay with it. He also suggested including the barge into the CIP for FY 19-20 for the upcoming hoist replacement. Mayor Pro Tem John Moore suggested researching this project further and bringing the research back to Council at the next CIP meeting. Commissioner Cameron suggested new speed limit signs that flash to slow traffic down and asked to budget \$12,000 for the signs and installation. He also suggested budgeting \$9,000 for two flashing crossing walk signs to put up at the Beach. Mr. Arrowood pointed out that DOT would have to come out and do a traffic study and give permission before this could be done. Commissioner Kilby questioned getting a stop sign with flashing lights at the bottom of Highway 9 and Mr. Arrowood stated that he could speak with DOT regarding this. Mayor Cooley stated that we could add signs into the CIP as a placeholder until researched further. Council then discussed the Boardwalk and Marine project. Mr. Givens stated that we do have a construction estimate of \$1.3 million and would like to finance the \$1.3 million and start funding it this upcoming year. He noted that the \$300,000 requested this FY 19-20 year is for financing for a 15 year loan. Mr. Givens stated that the \$1.6 million could be removed from the CIP for FY 20-21. Mayor Cooley noted that we may need more to cover the engineering costs as well. Council agreed to fund the Parks, Recreation, & Lake requests for FY 19-20. Commissioner Webber asked for a picture view showing the floating docks and the entire Marina and Boardwalk project.

Mr. Givens presented the Beach and Marina request for Main Beach House Repairs and Council agreed with this request as presented.

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Dale Minick, Lake Lure Golf Course, presented the requests of the Golf Course. Mr. Minick pointed out that the study of the creekbank erosion for repairs was recommended by a previous employee of the Town. Commissioner Cameron stated that he prefers funding the same amount for the repairs needed instead of funding for a study. Mr. Baldwin suggested that Mr. Minick speak with Mr. Burton regarding this project. Commissioner Webber pointed out that the \$5,000 in FY 20-21 for the Clubhouse Remodel could be removed since it was included in the Clubhouse Front Porch Repair. He then suggested also adding the Golf Course as an asset under the Parks, Recreation & Lake Department. Council approved Mr. Minick's requests in the CIP, funding work for the repairs needed for creekbank erosion versus funding a study.

Council discussed the Hydro Fund. Commissioner Cameron suggested that Council hire an engineer with a crane company to come and match up the exact hoist needed and get an estimate of what it would cost for the hoist replacement. He suggested getting the ladder system up first and then getting the hoist specifications and estimate to change it out. Mr. Baldwin asked that Commissioner Cameron meet up with him later to discuss this matter further. Mr. Baldwin provided a handout to Council that included a list of priorities for repairs needed at the Hydro Plant and an estimate of costs needed for those projects. He mentioned that these projects are very expensive noting that this list would undergo another review to get the numbers right to validate these projects. Mr. Arrowood reported that the propane tank at the Hydro Plant has been moved next to the pump station.

Council discussed the Water and Sewer Fund and the Electric Fund in the CIP. Mr. Baldwin provided an update on the low-pressure sewer system project.

ADJOURN THE MEETING

With no further business, Commissioner Bob Cameron made a motion to adjourn the meeting at 12:45 p.m. Commissioner Stephen Webber seconded and the motion carried 4-0.

ATTEST:

Michelle Jolley,
Town Clerk

Mayor Kevin Cooley

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

Meeting Date: March 12, 2019

SUBJECT: Resolution No. 19-03-12 Dissolving the Asset Management Advisory Board

AGENDA INFORMATION:

Agenda Location: Consent
Item Number: B
Department: Administration
Contact: Shannon Baldwin, Town Manager
Presenter: Shannon Baldwin, Town Manager

BRIEF SUMMARY: Last month Council voted to bring back a resolution to disband the Asset Management Advisory Board. Part of the Resolution is to accept the final set of minutes of the AMAB dated January 30, 2019, since the Board will no longer be meeting.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To adopt Resolution No. 19-03-12 Dissolving the Asset Management Advisory Board.

FUNDING SOURCE: n/a

ATTACHMENTS: Resolution No. 19-03-12 and AMAB minutes from January 30, 2019

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends to adopt the Resolution as presented.

RESOLUTION NO. 19-03-12
RESOLUTION TO DISSOLVE THE
ASSET MANAGEMENT ADVISORY BOARD

WHEREAS, the Town Council of Lake Lure, North Carolina established an asset management task force in June 2014 to assess the inventory of town-owned assets (primarily land and buildings) in light of the Town's long-term objectives and needs; and

WHEREAS, the Town Council of Lake Lure, North Carolina authorized and created an Asset Management Advisory Board as a more formal board in June 2016 to study and make recommendations to council concerning management of Town assets; and

WHEREAS, the Town Council of Lake Lure, North Carolina accepts the January 30, 2019 minutes of the Asset Management Advisory Board; and

WHEREAS, the Asset Management Advisory Board has completed its tasks and provided a town inventory list and final report to Town Council in February 2019.

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

(ADDITIONS TO TEXT ARE UNDERLINES; DELETIONS ARE ~~STRUCK THROUGH~~)

SECTION 1. The Asset Management Advisory Board is hereby and herewith dissolved.

SECTION 2. Effective Date.

This Resolution shall be effective upon its adoption.

Adopted this 12th date of March, 2019

Kevin Cooley
Mayor

I hereby certify this is a true and correct copy of this Resolution, duly adopted by the Town of Lake Lure on the 12th day of March, 2019 as it appears of record in the official minutes.

ATTEST:

Michelle Jolley
Town Clerk



Minutes of the Special Meeting of the
Asset Management Advisory Board

January 30, 2019

Lake Lure Municipal Center

Present: Charlie Ellis
Andy Bell
Bob Wald
Mike Holden
Linda Turner
Tom McKay
John Moore, Town Council Liaison

Also Present: Michelle Jolley, Town Clerk

Absent: n/a

CALL TO ORDER

Mr. Ellis called the meeting to order at 2:03 p.m. and welcomed those present.

APPROVAL OF THE AGENDA

Mr. Wald made a motion to approve the Agenda as presented. Mr. McKay seconded and the motion carried 5-0.

APPROVAL OF THE MINUTES

Mr. Holden made a motion to approve the November 27, 2018 Minutes. Mr. Wald seconded and the motion carried 5-0.

DISCLOSURE OF POTENTIAL CONFLICTS

There were no potential conflicts with the items on the Agenda.

ELECTION OF OFFICERS

Mr. Ellis stated that since it will be the recommendation to Council that this board dissolves, no election of officers is needed.

STATUS REPORTS

- a) Potential Acquisitions – There have been no new property acquisitions.
- b) Properties Identified for Disposition – No properties have been identified for disposition.
- c) Property Development Activity – No property development activity discussed.

UNFINISHED BUSINESS

- a) Discussion and Recommendation to Council of Town Owned Assets – Chairman Ellis presented a draft report of recommendations from the AMAB to Town Council asking that the Board review these recommendations to create a final report that he can present to Town Council for adoption at their February 12th meeting. He mentioned that the report includes the Board's work over the last four years, recommendations for town owned properties, and a recommendation that the Board be dissolved as a result of completion of the work that the Board was tasked to do. Mr. Ellis also suggested that the adopted report be included on the Town's website.

The Board extensively reviewed the draft report provided by Mr. Ellis and discussed recommendations to be added. Mr. Bell inquired about town property located across the highway from the Ingles grocery store mentioning that it is a prime piece of property and suggested the idea of a dog park there. Mr. Ellis noted that he included an option for a dog park under the "Golf Course Area." He stated that the NC 9 area was omitted from his report and the Board agreed to rename "Golf Course Area" to "NC 9/Golf Course Area." The Board discussed ideas for the golf course property and efficient utilization of that land and suggested recommending that Town Council task the Parks and Recreation Board to look into the golf course area to determine the highest and best use of that property. Ms. Turner suggested changing the language from "Golf course unprofitable as currently configured and managed" to "Golf course historically unprofitable as currently conceived and configured."

Mr. Wald suggested the Town publicize and promote that the Beach is accessible after hours and in the off-season. Mr. Bell made a suggestion to add a new bullet point under "Town Center" to include coordination with NCDOT or State Parks for the new entrance to the Chimney Rock State Park. Council Liaison John Moore provided an update on the ABC Store relocation. The Board ensued in discussion regarding the old Lakeview Store property. Mr. Wald suggested encouraging Council to develop the current spoils pit into an event space.

Mr. Holden made a motion to accept this draft report with the recommendations made during discussion. Ms. Turner seconded and the motion carried 5-0.

The Board felt it would be a good idea to recommend that the Zoning and Planning Board review this report from time to time and recommend updates to Council as needed.

NEW BUSINESS

None

ADJOURNMENT

There being no further business, Mr. Holden made a motion to adjourn the meeting. Mr. Ellis seconded and the motion passed 5-0. The meeting was adjourned at 3:47 p.m.

Note: This being the final set of minutes, the Board did not meet again to approve. Town Council voted at their regular meeting on February 12, 2019 to accept these minutes.

ATTEST

Michelle Jolley, Town Clerk

**LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: March 12, 2019**

SUBJECT: Resolution No. 19-03-12A LLCEF Updates

AGENDA INFORMATION:

Agenda Location: Consent
Item Number: C
Department: Community Development
Contact: Brad Burton, Community Development Director
Presenter: Brad Burton, Community Development Director

BRIEF SUMMARY: A resolution affirming that both the Lake Lure Community Education Foundation and the Town of Lake Lure have reached an accord as to instruments and agreements deemed necessary concerning utility maintenance, access for properties and technology infrastructure for current and future development endeavors at the Lake Lure Classical Academy site and Town-owned property contiguous to that site.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

"I [Commissioner _____] recommend approval of Resolution No. 19-03-12A."

FUNDING SOURCE: n/a

ATTACHMENTS: Resolution No. 19-03-12A

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff would recommend approval.



RESOLUTION NO. 19-03-12A
ACKNOWLEDGING INSTRUMENTS AND AGREEMENTS BETWEEN
LAKE LURE COMMUNITY EDUCATION FOUNDATION, INC. AND
THE TOWN OF LAKE LURE

WHEREAS, the Lake Lure Community Education Foundation, Inc., hereinafter “LLCEF,” has planned, constructed, and established the Lake Lure Classical Academy, a charter school located within the corporate limits of the Town of Lake Lure; and,

WHEREAS, the Town of Lake Lure has provided substantial assistance in these efforts by donating the land on which the school has been built and by providing public water and sewerage collection to the facility; and,

WHEREAS, formal agreements and understandings are necessary between the Town of Lake Lure and LLCEF as to these utilities and their respective maintenance, access to and from the property, and future development efforts: whether actual construction or technological advancements on the part of both parties; and,

WHEREAS, through the concerted efforts of both parties, instruments and agreements as to these areas of concern have been crafted and finalized and shall be recorded as appropriate with the Rutherford County Register; and,

NOW, THEREFORE, BE IT RESOLVED that the Lake Lure Town Council formally acknowledges these efforts to be at this time sufficient and complete and expresses its gratitude to the LLCEF for assisting in the culmination of this process as pertaining to the current development on the LLCEF and surrounding Town of Lake Lure properties.

READ, APPROVED AND ADOPTED, this 12th day of March, 2019.

ATTEST:

Michelle L. Jolley, Town Clerk

Mayor Kevin Cooley

LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: March 12, 2019

SUBJECT: Resolution No. 19-03-12B General Records Retention and Disposition Schedule

AGENDA INFORMATION:

Agenda Location: Consent
Item Number: D
Department: Administration
Contact: Shannon Baldwin, Town Manager
Presenter: Shannon Baldwin, Town Manager

BRIEF SUMMARY: Beginning in 2019, *all* local records retention schedules will update on an annual basis. These annual updates will include any updates to the General Records Standards as well as any scheduled updates to the Program Records Standards. Updating the schedules in this fashion will create greater consistency among government agencies and will allow agencies with older schedules to use the most current retention periods for their general office records, even if their program records standards are not updated simultaneously. The first update is planned on March 1, 2019. All subsequent updates will be issued on January 1 of each year.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Adopt Resolution No. 19-03-12B General Records Retention and Disposition Schedule

FUNDING SOURCE: None

ATTACHMENTS: Resolution No. 19-03-12B, Email from Emily Sweitzer with the NC Department of Natural and Cultural Resources.

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends approval of this update to the current Retention Schedule.

RESOLUTION NO. 19-03-12B

**A RESOLUTION APPROVING AN AGREEMENT
BETWEEN THE NORTH CAROLINA DIVISION OF
ARCHIVES AND HISTORY AND THE TOWN OF
LAKE LURE FOR MUNICIPAL RECORDS
RETENTION AND DISPOSITION**

WHEREAS, the Division of Archives and Records of the North Carolina Department of Cultural Resources has developed a comprehensive records schedule governing the retention and disposition of municipal records, all based upon applicable statutory authority; and,

WHEREAS, the State has requested the acceptance and approval of the newly prepared retention and disposition schedule by the Town of Lake Lure in the form of an agreement between the State and the Town; and,

WHEREAS, it is the desire of the Town Council of the Town of Lake Lure, North Carolina to accept and approve this schedule and the proposed agreement as presented;

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

Section 1. The March 12, 2019 Municipal Records Retention and Disposition Schedule and the Agreement between the North Carolina Division of Archives and Records and the Town of Lake Lure is hereby accepted and approved.

Section 2. The Mayor, Town Clerk and Town Manager are hereby authorized and directed to execute the Agreement described in Section 1 of this Resolution.

Section 3. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this 12th day of March, 2019.

ATTEST:

Michelle Jolley
Town Clerk

Kevin Cooley
Mayor

From: Sweitzer, Emily <Emily.Sweitzer@ncdcr.gov>
Sent: Thursday, January 17, 2019 2:58 PM
To: City and County Clerks
Subject: [clerks] New Retention Schedule Model for North Carolina Local Governments

Since 1960, when the State Archives of North Carolina (SANC) first published a retention schedule for county governments, SANC has updated local government records retention and disposition schedules as records, recordkeeping processes, and the laws governing local agencies have changed. Currently, SANC amends schedules when legal changes necessitate only a few records series to be updated, and full updates are postponed until recommended changes reach a critical mass. This approach to writing retention schedules is practical, but it results in different retention periods for the records commonly created by all local government agencies, depending on when a particular schedule was most recently updated. This can present challenges:

- Counties that have a centralized Records Management program cannot effectively create uniform retention policies that apply to all departments
- Employees who perform the same work in multiple agencies have to keep track of multiple retention schedules for their day-to-day records
- Agencies with a large quantity of unique, program-specific records may have to wait longer to receive current retention periods for their general office records because their schedules may take longer to update
- Certain County programs like Animal Control and GIS may have different retention periods for their records depending on where the county has located them administratively

To mitigate these challenges, the Government Records Section of the State Archives of North Carolina is transitioning the process for updating local records retention schedules to a new model.

General Records

While some local government records are specific to the mission of the agency that creates them (for example, a Sheriff's case files, or a Health Department's patient records), many of the records created on a daily basis (for example, payroll and personnel) are common to all government agencies. Under the new model, we will update all of these general records on an annual basis. This will also allow us to keep local records retention periods consistent with State records retention periods where applicable, creating greater consistency in records management for the State of North Carolina as a whole.

Records standards that will update on an annual basis include:

- Administration and Management Records
- Budget, Fiscal, and Payroll Records
- Geographic Information System (GIS) Records
- Information Technology Records
- Legal Records
- Personnel Records
- Public Relations Records
- Risk Management Records

Program Records

Most local government records retention schedules have a section titled "Program Records," which includes those records unique to the creating agency's mission. Retention schedules that don't have this section, such as the County Management and Municipal Schedules, still have sections of the schedule that apply to only one department (for example, Parks and Recreation records). These standards will update on a rotating cycle. We will also be updating Law

Enforcement Records on a rotating basis, for greater consistency between municipal police departments and sheriffs' offices. The current timetable for updating the program records standards is as follows:

- 2019 – Local Health Departments, Soil and Water Conservation Districts
- 2020 – Agricultural Extensions, County Management, Local Education Agencies, Municipalities, Regional Councils of Government, Tourism Development Authorities
- 2021 – County Social Service Agencies, County Veterans Services, Law Enforcement Agencies, Public Libraries, Public Transportation Systems and Authorities
- 2022 – Alcoholic Beverage Control Boards, County Boards of Elections, County Tax Administrations, Local Management Entities, DMH/DD/SAS Local Management Entities (LME), DMH/DD/SAS Provider Agencies
- 2023 – County Registers of Deeds, Land Use and Environmental Services Agencies, Public Hospitals, Water and Sewer Authorities and Sanitary Districts

What Does This Mean for You?

Beginning in 2019, *all* local records retention schedules will update on an annual basis. These annual updates will include any updates to the General Records Standards as well as any scheduled updates to the Program Records Standards. Updating the schedules in this fashion will create greater consistency among government agencies and will allow agencies with older schedules to use the most current retention periods for their general office records, even if their program records standards are not updated simultaneously. We are planning the first update on March 1, 2019. All subsequent updates will be issued on January 1 of each year.

Municipal clerks and clerks to other governing boards should be made aware of this change and plan to begin adopting the new retention schedules on an annual basis at the beginning of the calendar year.

While we update these schedules, we welcome feedback from general users and subject matter experts within your local government agency. We will be convening groups of stakeholders for all applicable program records standards during the calendar year prior to those schedules' updates. Once the drafts to these schedules are finalized, they will be posted on our website for feedback from all users.

What About Amendments?

Agencies that require localized amendments to their retention schedules are still welcome to request them from the Records Analysis Unit. If we determine that the requested change is a good practice for all agencies in North Carolina, we will then roll out that change on a statewide basis during the next annual update.

Most changes to the retention schedules that would have required an amendment in the past will now be implemented during the annual updates; however, when the laws governing a set of records change, we will still issue necessary amendments to the schedules even if they do not coincide with the annual update in January.

Questions?

Please contact Emily Sweitzer (Emily.Sweitzer@ncdcr.gov) or another records analyst if you have any questions about this transition. We look forward to working with you!

Emily Sweitzer
Records Management Analyst

215 N. Blount St. | MSC 4615 | Raleigh, NC 27699
919 814 6910 *office*
919 715 3627 *fax*
Emily.Sweitzer@ncdcr.gov

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

Meeting Date: March 12, 2019

SUBJECT: Budget Amendment 240 - Beach Walkway on Peninsula

AGENDA INFORMATION:

Agenda Location: Consent
Item Number: E
Department: Beach & Marina
Contact: Sam Karr, Finance Director
Presenter: Sam Karr, Finance Director

BRIEF SUMMARY: Share ½ cost of beach walkway on beach peninsula with Lake Lure Tours (George Wittmer).

RECOMMENDED MOTION AND REQUESTED ACTIONS: Approve Budget Amendment #240. Increase Grounds line item (#351) by \$5,200.

FUNDING SOURCE:

Transfer from Fund Balance-#10-398604

ATTACHMENTS: Budget Amendment Form

STAFF'S COMMENTS AND RECOMMENDATIONS: Accept Budget Amendment #240 to fund ½ cost of beach walkway with Lake Lure Tours.

**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, 2019:

Department: Beach & Marina

Purpose: ½ Cost of Beach Walkway on beach peninsula.

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

Line Item	Account Number	Amount Decrease	Amount Increase	Amended Budget
351	10-615000		\$5,200	\$10,200

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

Account Name: **Transfer From Fund Balance**

Account Number: **10-398604**

Amount: **\$5,200**

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 _____, 2019.

Consent
F



MEMORANDUM

To: Town Council
From: Sam A. Karr, Finance Director *SAK*
Subject: Town's Auditor Recommendation
Date: March 1, 2019

The LGC recommends units of government to go out every 4 years or so with requests for proposals for the annual audit. While some units keep their auditors longer, it always good practice to request proposals every so often to see if they are still comparable to market.

This past January, I sent out request for proposals for Audit Services to CPA in the area, which included our present auditor Martin-Starnes, who has audited the Town the past 5 years. The response has been limited compared with the past; 5 years ago we had received over 17 proposals, we only received 5 this year-see attachment. After reviewing their materials, I am recommending that we stay with Martin-Starnes.

The following factors determine our choice:

*Cost; while not the cheapest, Martin-Starnes was at the low end of the bid range. Given their level of experience, references and skills, we feel that the price difference above the low bid to obtain their services is worth the extra cost. Ironically, they dropped their price by \$3,500 when we went out for RFP's.

*Experience; Martin-Starnes' auditor serve only governmental clients (83 total), whereas, other auditors serve both public and private sectors. This is important as it reflects the commitment to the governmental industry. Their firm is up-to-date on new requirements for GASB, GFOA and LGC compliance and, if there is a turnover in the Town's audit team, the firm has other qualified staff to step in. Their audit staff does not work in the tax department, so audits should not be delayed.

*References; Martin-Starnes' ability to expand and maintain relationships for a long period of time enables their staff to work on a variety of fund structures and complexities. Well respected colleagues are having long term services with them. Staff at LGC verifies their reputation, as well as staff members that have been reviewers for the GFOA Certificate of Excellence Program.

*Knowledge of Lake Lure; As the town auditor's for the last 5 years, Martin-Starnes is aware of the town's situation regarding our sewer situation and have a background with certain issues Lake Lure has pertaining to the town's finances.

We request that Council take action and award Martin-Starnes & Associates, CPA's P.A. contract to audit the town's accounts.

Please let me know if you have any questions.

Town of Lake Lure/Auditor's Services

Enter Competitor Analysis >>

AUDIT FIRM	TOTAL FEE	AUDIT FEE	FINANCIAL STATEMENT PREP FEE	AFIR FEE	LGC DATA COLLECTION FORM FEE	NOTES
Gould Killian CPA	\$31,650	\$26,700	\$4,200	\$750	rate schedule	Extra Services Hourly rate \$90-\$310. Audit fee increases 3.25% (\$1,000) each yr.
Martin Starnes CPA	\$32,500	\$27,425	\$3,800	\$1,275	rate schedule	Extra Services Hourly rate \$85-\$300. Audit fee stays same next year. 3% increase yr 2.
Carter CPA	\$39,965	\$29,145	\$9,720	\$600	\$500	Extra Services Hourly Rate \$115-\$300. Audit Fee increases 2% each year.
Greene Finney, CPA	\$33,600	\$33,000	Included	\$600 est	rate schedule	Extra Services Hourly Rate \$110/hr. Audit fees increase 2.25% each year.
Crawley, Lee & Co CPA	\$30,550	\$25,000	\$5,000	\$550		Audit Fees increase \$1,000 each year. No quote for extra services.

X
NEW BUSINESS

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

Meeting Date: March 12, 2019

SUBJECT: Request from Cecil Jones to waive the Peddling Ordinance and fees for events in the Meadows.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: A
Department: Administration
Contact: Shannon Baldwin, Town Manager
Presenter: Shannon Baldwin, Town Manager

BRIEF SUMMARY: Cecil Jones, Green Acres Community Development, Inc. (501 (c) (3) non-profit organization) contacted the Town and requested to be on the Town Council Agenda for consideration of a waiver of the Peddling Ordinance and all fees associated with renting the Meadows for a Lake Lure Jazz Fest to be held on May 12th and a field day and cookout for children to be held on March 23rd.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To (approve or deny) the request from Cecil Jones, Green Acres Community Development, Inc., to waive the Peddling Ordinance and rental fees for a Lake Lure Jazz Fest to be held on May 12th and a field day and cookout for children to be held on March 23rd in the Meadows.

FUNDING SOURCE: n/a

ATTACHMENTS: Waiver Letter from Cecil Jones, Permit for Use Application, and Entertainment Event Form

STAFF'S COMMENTS AND RECOMMENDATIONS: It was explained to Mr. Jones that if he provides food service, he must file proper permits with the Rutherford County Health Department and pay the Town to have a dumpster for that event. He also mentioned wanting to bring in a food truck and it was explained to him that this was not allowed pursuant to the Town's Zoning Regulations and he should speak with Community Development Director Brad Burton.

2/28/19

To Whom It May Concern,

I'm writing this letter today on behalf of my non-profit organization, Green Acres Community Development. We'd like to help rebuild and inspire the community by bringing much needed events such as, the first annual Jazz Fest, Bingo Nights for the elderly, and training programs that build confidence and goodwill.

We are requesting to host multiple events in 2019-2020, and to be Community Partners in Lake Lure. We are now Hickory Grove Chamber members as well.

We are requesting to have all fees waived, if possible as we start our new non-profit in Lake Lure.

Thank you in advance for your Kindness and Support as well as do our part to add value to this town

Best,
Leif Jones, President

Revised 8/13/18



2948 MEMORIAL HWY. / P.O. BOX 255
LAKE LURE, NC 28746
828-625-9983

PERMIT FOR USE OF TOWN RENTAL FACILITIES

This Permit for Use application is entered into by and between the Town of Lake Lure ["Town"] and ["Responsible Party"].

Green Acres Community Development
Name

185 Knoll Ct. Lake Lure NC 28746
Mailing Address City State Zip

Cecil Jones 919.366.8636
Contact Phone Number(s)

In consideration of the Responsible Party's request to use the: (Check one)

- ☐ Lake Lure Gazebo
☐ Community Hall in Municipal Center
☒ Meadows

It is agreed by the parties that:

REQUIREMENTS

1. The Responsible Party will be solely and wholly responsible for any and all damage sustained to the premises indicated above during or as a result of the event set forth below.
2. The Responsible Party shall indemnify and hold harmless the Town from and against any and all liability for personal injuries, property damage, or for loss of life or property resulting from, or in any way connected with, the condition or use of the premises covered by this permit, or any means of ingress to and egress from these premises.
3. It is understood that this Permit is issued only to the aforesaid Responsible Party and may not be transferred or assigned, and shall not be inure to the benefit of any successor or assignee of the Responsible Party.
4. The consumption of alcoholic beverages of all types is specifically prohibited. And the use of tobacco products of any kind in any building is specifically prohibited.
5. The Responsible Party shall ensure that the premises are cleaned after the event and all trash is collected and removed.

Type of Event: Field Day For Children / COOKOUT

Date of Event: 3/23/19 Actual time of ceremony or event 9am - 4:30pm

FEES FOR USE OF TOWN FACILITIES

(Circle all applicable fees)

Rental Facilities	Standard Rate	Discounted Rate (for qualifying charitable events /Town Employees	Security Deposit	Trash Disposal Fee
Lake Lure Pavilion (Gazebo) - per event	\$500	\$100	\$250	\$200
Community Hall - Half Day Rental (<4 Hours)	\$100	\$50	\$250	
Community Hall - Full Day Rental (>4 Hours)	\$200	\$50	\$250	
Morse Park Meadows Rental Rates	Standard Rate		Security Deposit	Trash Disposal
Meadows - Full Day Rental	\$250		\$250	\$200
Meadows - Full Day Rental - Qualifying Charitable Event	\$100		\$250	
Recycle Bins	\$10 per day			
Electric Hook-up	\$10 per day			
Water Hook-up	\$10 per day			

To reserve a date, fees and security deposits for requested facilities must be tendered with the 'Permit for Use application'. After the event is held, and the facility is cleaned and vacated at the specified time, the deposit will be returned by mail the following week.

Please note that refunds will not be given due to inclement weather.

If written notice of cancellation is given 90 days prior to the event date, the rental fee will be returned to the responsible party. However, the deposit will be considered non-refundable. If cancellation is made within 90 days of the event date, both the deposit and fee will be considered non-refundable.

Additional Permits Required

Will your event:

- ☐ Include amplified music or P.A. systems? (Not required for Community Hall) [Town entertainment event permit required]
- ☐ Utilize a tent or canopy? [Town fabric structure permit required. Council approval required for all over 2,000 sq ft]
- ☒ Have vendors or sales of food or other items (e.g., art)? [Town Council's approval required]
- ☐ Include alcohol? (Not allowed in Meadows or Gazebo area) [For Community Hall, Town Manager and Police Chief approval required]

☒ Entertainment Event Permit attached

☐ Fabric Structure Permit attached

☐ Request Letter to Town Council attached

I acknowledge that I have read and understand the requirements of this Permit as set forth above and agree as an agent of the Responsible Party to abide fully with these requirements. Failure to comply with all requirements will result in a forfeiture of deposit.

Signed: _____

On behalf of the Responsible Party named above

Permit Issued on this _____ day _____, 20_____.

APPROVED: _____, Town of Lake Lure, NC

GUIDELINES FOR RENTAL OF TOWN BUILDINGS

The Gazebo is available for rent by individuals, groups and organizations for meetings, reunions, etc. Gazebo hours are 9 a.m. to 9 p.m. No open flames permitted. Charcoal grills are available for public use at the picnic shelters located behind the Community Center. Please note: no charcoal or gas grilling is permitted in any area other than near the picnic shelters. **(The Gazebo is 35' in diameter, the arches are 9'6" high, and the middle of Gazebo is 18')**

The Municipal Center's Community Hall was designed and intended for use as a public place primarily by groups or Town residents. Municipal Hall hours are 9 a.m. to 9 p.m. **Regularly scheduled Town governmental functions and meetings have priority when scheduling the use of the Community Hall.** The Community Hall is 1404 sq. ft. - 36' x 39' (with the wall up) and is equipped with 16 - 2 ½'x6' - folding tables (each capable of seating 6 persons), approx. 140 stackable chairs, and limited kitchen facilities (again, this is for warming and serving food, not food preparation). **With tables and chairs, there is a limit of 93 people according to the fire code. 200 people are allowed in the room if just the chairs are used.**

The consumption of alcoholic beverages of all types without specific approval from the Town Council (Council will not grant approval for alcoholic beverages at the Gazebo), and the use of tobacco products of any kind upon the premises is specifically prohibited.

The responsible party shall ensure that the premises are cleaned after the event and all trash is collected and removed from the building and or Gazebo area. This will include all flowers, decorations, food, etc. **Do not** leave behind any artificial flowers or petals; doing so will result in forfeiture of deposit. Trash receptacles for building rental is provided and located on the west side of the building.

The tables and chairs with the building rental shall be put away in closets after the event as part of the renter's responsibilities. Chairs, tables, dollies or town equipment are not to be removed from the building for any reason at any time.

There is to be no use of glue guns, nails, hooks or screws of any kind or size on any town owned walls or structures. Please do not hang decorations from any light fixtures in or out of buildings. Hooks that may be used for decorating are provided intermittently at the Gazebo.

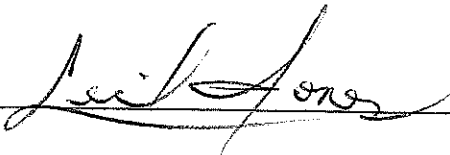
Cooking of foods in the Municipal Hall kitchen or Gazebo area is prohibited. However, reheating and warming of food is allowed in the kitchen and catered foods are allowed at the Gazebo or Municipal Hall. All related trash and waste must be removed from rental facilities.

Peddling (selling) is prohibited on any town property without a waiver from Town Council prior to any event. Town Council meetings are held at 5:00 pm, the second Tuesday of each month at the Town Hall.

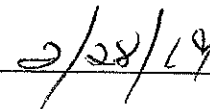
Failure to adhere to the above mentioned guidelines will result in the forfeit of part or all of your deposit.

I, the undersigned, have read and agree to abide by the guidelines described above.

Signed



Dated



TOWN OF LAKE LURE
Lake Lure, North Carolina



APPLICATION FOR PERMIT
ENTERTAINMENT EVENT

Section 84.04A(7) states that a permit, approved by the Town Manager, is required to produce programs in music, speeches, or general entertainment. In order to assist the manager in his decision as to whether a permit should be granted or denied, the following information is required. Not all questions pertain to every request. Please complete the relevant questions.

ENFORCEMENT: Event coordinators must be able to produce a signed copy of this permit during the event.

DESCRIPTION OF EVENT

Name of event LAKE LURE JAZZ FEST
Type of event ENTERTAINMENT Location MORSE PARK
Date(s) of event 5/12/19 Hours 9-6 pm

PROMOTER

Name of organization Green Acres Community Development
Contact person Cecil Jones Phone 919-366-8636 FAX _____
Mailing address 185 Knoll Ct, Lake Lure, NC 28746

EVENT SITE

Name and address of property owner MORSE PARK

Phone _____

Type of approval from owner (lease, contract, letter, etc.) _____

Size of property (acres) _____ Size of structure (square feet) _____

Maximum occupancy of building _____ Does the structure have a Certificate of Occupancy? _____

IMPACT ON SURROUNDING AREA

Noise

Will this event use an amplified sound system? No

What means will be employed to ensure the sound from the event will not disturb persons on adjacent and nearby property? (check all that apply)

☒	
☐	Speaker placement: aimed away from adjacent property and away from lake
☐	Pipe and drape: used to cover hard surfaces that directly reflect sound
☐	Volume limits & decibel meters used: (describe)
☒	Event coordinators to take appropriate response to complaints
☐	Other:

Parking and Traffic Control

How many persons are expected to attend the event? 150-200

How many parking spaces will be needed (assuming 1 space for each 3 attendees)? _____

How many parking spaces are available on site? _____

If off-site parking will be required, where will it be located? _____
Attach authorization from owner(s) of all property to be used for off-site parking and list number of spaces to be provided on each property.

If off-site parking will be provided at a distance of greater than 600' from the event, state how attendees will get from parking to event. _____

How will attendees be told where to park? _____

If event will attract more than 100 vehicles, describe traffic control methods proposed. _____

Lighting

Will additional exterior lighting be used for the event? No

If so, what means will be used to prevent lighting from disturbing persons on adjacent and nearby property? _____

OTHER CONSIDERATIONS

Food and beverages

If location is not an existing restaurant, will food be served outside? No

If so, what means will be used to ensure cleanup of refuse? Dumpster

Will alcoholic beverages be served? NO

Sanitary facilities

Do sufficient sanitary facilities exist on the property to accommodate the expected number of attendees? YES

If not, what means will be used to provide them? _____

Security

If the expected number of attendees exceeds 300, what provisions have been made for crowd control?
NOT TO EXCEED 300 IF SO, HIRE POLICE

APPLICANT

Name Cecil Jones

Date 2/28/19

Address 185 Knoll Ct

Phone 919-366-8636

Lake Lure, NC
28746

Fax _____

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

Signature 

This application has been _____ approved
_____ denied

Town Manager

Date

Chief of Police

Date

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **NOV 18 2016**

GREEN ACRES COMMUNITY DEVELOPMENT
INC
7512 DR PHILLIPS BLVD SUITE 50-522
ORLANDO, FL 32819-0000

Employer Identification Number:
81-4151102
DLN:
26053715002066
Contact Person:
CUSTOMER SERVICE ID# 31954
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
509(a) (2)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
March 2, 2016
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

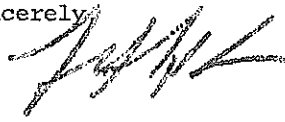
If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 5436

GREEN ACRES COMMUNITY DEVELOPMENT

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeffrey I. Cooper". The signature is stylized with a large initial "J" and "C".

Jeffrey I. Cooper
Director, Exempt Organizations
Rulings and Agreements

Letter 5436

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

Meeting Date: March 12, 2019

SUBJECT: Suspension of Section 92.042(C)(1) of the Zoning Regulations: "Campgrounds" for the Olympiad's Lure of the Lake Swim Event and a Request to Waive the Fees.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: B
Department: Administration
Contact: Laura Krejci, Communications Specialist
Presenter: Laura Krejci, Communications Specialist

BRIEF SUMMARY: In the past, Town Council has suspended Section 92.042(C)(1): "Campgrounds" of the Zoning Regulations for certain events being held on Town property. The Lake Lure Olympiad Board is hosting a swim event called the "Lure of the Lake," sponsored by the Carolina Swim Series. The event is co-sponsored by the Town of Lake Lure, Lake Lure Beach and Lake Lure Tours. The Olympiad Board is requesting suspension of this Section in the Ordinance for the Lure of the Lake event. This is the first year of the event and the goal is to register 100 competitors and even more spectators/volunteers, many of whom may be traveling to Lake Lure from other states. The Lake Lure Olympiad Board is asking that the Town of Lake Lure waive the Campgrounds Ordinance from 3 p.m. Friday, June 7th, 2019 through 12 p.m. Sunday, June 9, 2019 for the Meadows area adjacent to Town Hall. They are also requesting a waiver of fees associated with rental of the Meadows and requesting to dispose of their garbage without being required to purchase a dumpster.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To Suspend Section 92.042(C)(1): "Campgrounds" of the Lake Lure Code of Ordinances for those attending the Lure of the Lake swim event from 3 p.m. Friday, June 7th, 2019 through 12 p.m. Sunday, June 9, 2019 for the Meadows area adjacent to Town Hall and to waive the fees associated with the rental of the Meadows for this event.

FUNDING SOURCE: n/a

ATTACHMENTS: Zoning Regulations §92.042(c)(1): Campgrounds, Permit for Use Application, Entertainment Event Form

STAFF'S COMMENTS AND RECOMMENDATIONS: Section 92.042(C)(1) of the Zoning Regulations prohibits overnight camping within the corporate limits of the Town. The suspension of the Ordinance for these specific dates allows the Lure of the Lake participants to provide camping for out-of-town visitors and greatly enhances their experience as well as the overall event.

* Requesting a waiver from Council
of all fees.

Revised 8/13/18



2948 MEMORIAL HWY. / P.O. BOX 255
LAKE LURE, NC 28746
828-625-9983

PERMIT FOR USE OF TOWN RENTAL FACILITIES

This Permit for Use application is entered into by and between the Town of Lake Lure ["Town"] and ["Responsible Party"].

Lake Lure Olympiad
Name

PO Box 123 Lake Lure NC 28746
Mailing Address City State Zip

Kay Dittmer 828 625 8529
Contact Phone Number(s)

In consideration of the Responsible Party's request to use the: (Check one)

- ☐ Lake Lure Gazebo
☐ Community Hall in Municipal Center
☒ Meadows

It is agreed by the parties that:

REQUIREMENTS

1. The Responsible Party will be solely and wholly responsible for any and all damage sustained to the premises indicated above during or as a result of the event set forth below.
2. The Responsible Party shall indemnify and hold harmless the Town from and against any and all liability for personal injuries, property damage, or for loss of life or property resulting from, or in any way connected with, the condition or use of the premises covered by this permit, or any means of ingress to and egress from these premises.
3. It is understood that this Permit is issued only to the aforesaid Responsible Party and may not be transferred or assigned, and shall not be inure to the benefit of any successor or assignee of the Responsible Party.
4. The consumption of alcoholic beverages of all types is specifically prohibited. And the use of tobacco products of any kind in any building is specifically prohibited.
5. The Responsible Party shall ensure that the premises are cleaned after the event and all trash is collected and removed.

Type of Event: * Open water swim - part of Carolina Swimming Series

Date of Event: June 8, 2019 Actual time of ceremony or event 8:30 AM - 12:00

* Use of the meadows for tent camping for this event 6/7/19 - 6/9/19

GUIDELINES FOR RENTAL OF TOWN BUILDINGS

The Gazebo is available for rent by individuals, groups and organizations for meetings, reunions, etc. Gazebo hours are 9 a.m. to 9 p.m. No open flames permitted. Charcoal grills are available for public use at the picnic shelters located behind the Community Center. Please note: no charcoal or gas grilling is permitted in any area other than near the picnic shelters. **(The Gazebo is 35' in diameter, the arches are 9'6" high, and the middle of Gazebo is 18')**

The Municipal Center's Community Hall was designed and intended for use as a public place primarily by groups or Town residents. Municipal Hall hours are 9 a.m. to 9 p.m. **Regularly scheduled Town governmental functions and meetings have priority when scheduling the use of the Community Hall.** The Community Hall is 1404 sq. ft. - 36' x 39' (with the wall up) and is equipped with 16 - 2 ½'x6' - folding tables (each capable of seating 6 persons), approx. 140 stackable chairs, and limited kitchen facilities (again, this is for warming and serving food, **not** food preparation). **With tables and chairs, there is a limit of 93 people according to the fire code. 200 people are allowed in the room if just the chairs are used.**

The consumption of alcoholic beverages of all types without specific approval from the Town Council (Council will not grant approval for alcoholic beverages at the Gazebo), and the use of tobacco products of any kind upon the premises is specifically prohibited.

The responsible party shall ensure that the premises are cleaned after the event and all trash is collected and removed from the building and or Gazebo area. This will include all flowers, decorations, food, etc. **Do not** leave behind any artificial flowers or petals; doing so will result in forfeiture of deposit. Trash receptacles for building rental is provided and located on the west side of the building.

The tables and chairs with the building rental shall be put away in closets after the event as part of the renter's responsibilities. Chairs, tables, dollies or town equipment are not to be removed from the building for any reason at any time.

There is to be no use of glue guns, nails, hooks or screws of any kind or size on any town owned walls or structures. Please do not hang decorations from any light fixtures in or out of buildings. Hooks that may be used for decorating are provided intermittently at the Gazebo.

Cooking of foods in the Municipal Hall kitchen or Gazebo area is prohibited. However, reheating and warming of food is allowed in the kitchen and catered foods are allowed at the Gazebo or Municipal Hall. All related trash and waste must be removed from rental facilities.

Peddling (selling) is prohibited on any town property without a waiver from Town Council prior to any event. Town Council meetings are held at 5:00 pm, the second Tuesday of each month at the Town Hall.

Failure to adhere to the above mentioned guidelines will result in the forfeit of part or all of your deposit.

I, the undersigned, have read and agree to abide by the guidelines described above.

Signed Kay N. Dittmer Dated 3/6/2019

TOWN OF LAKE LURE
Lake Lure, North Carolina



APPLICATION FOR PERMIT
ENTERTAINMENT EVENT

Section 84.04A(7) states that a permit, approved by the Town Manager, is required to produce programs in music, speeches, or general entertainment. In order to assist the manager in his decision as to whether a permit should be granted or denied, the following information is required. Not all questions pertain to every request. Please complete the relevant questions.

ENFORCEMENT: Event coordinators must be able to produce a signed copy of this permit during the event.

DESCRIPTION OF EVENT

Name of event Lure of the Lake Swim
Type of event Swim race Location LL Town Beach
Date(s) of event 6/8/19 Hours 8:30 AM - noon

PROMOTER

Name of organization Lake Lure Olympiad
Contact person Kay Dittmer Phone 625 8529 FAX -
Mailing address 1136 Memorial Hwy LL NC

EVENT SITE

Name and address of property owner Town of Lake Lure
Phone _____
Type of approval from owner (lease, contract, letter, etc.) NA
Size of property (acres) NA Size of structure (square feet) NA
Maximum occupancy of building NA Does the structure have a Certificate of Occupancy? NA

IMPACT ON SURROUNDING AREA

Noise

Will this event use an amplified sound system? yes

What means will be employed to ensure the sound from the event will not disturb persons on adjacent and nearby property? (check all that apply)

☒	
☒	Speaker placement: aimed away from adjacent property and away from lake
<u>NA</u>	Pipe and drape: used to cover hard surfaces that directly reflect sound
	Volume limits & decibel meters used: (describe) <u>low</u>
☒	Event coordinators to take appropriate response to complaints
	Other:

Parking and Traffic Control

How many persons are expected to attend the event? 100 - 150

How many parking spaces will be needed (assuming 1 space for each 3 attendees)? NA

How many parking spaces are available on site? NA

If off-site parking will be required, where will it be located? NA
Attach authorization from owner(s) of all property to be used for off-site parking and list number of spaces to be provided on each property.

If off-site parking will be provided at a distance of greater than 600' from the event, state how attendees will get from parking to event. NA

How will attendees be told where to park? NA

If event will attract more than 100 vehicles, describe traffic control methods proposed. NA

Lighting

Will additional exterior lighting be used for the event? no

If so, what means will be used to prevent lighting from disturbing persons on adjacent and nearby property? _____

OTHER CONSIDERATIONS

Food and beverages

If location is not an existing restaurant, will food be served outside? yes

If so, what means will be used to ensure cleanup of refuse? responsibility of

Will alcoholic beverages be served? no

JF Olympiad

Sanitary facilities

Do sufficient sanitary facilities exist on the property to accommodate the expected number of attendees? yes

If not, what means will be used to provide them? _____

Security

If the expected number of attendees exceeds 300, what provisions have been made for crowd control?

NA

APPLICANT

Name Lake Lure Olympiad Date 3/6/19

Address PO Box 123 Phone 625-8529

Lake Lure, NC Fax _____

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

Signature Kay N. Dittmer

This application has been _____ approved
_____ denied

Town Manager Date

Chief of Police Date

§92.042 Special Requirements for Certain Uses.

- (C) Campgrounds shall comply with the general standards and procedures for conditional uses contained in Section 92.045, below, as well as the specific standards and procedures contained herein. **(Adopted 7-14-15)**
- (1) **Campground standards for all campgrounds.** The following standards shall apply to all campgrounds containing two or more campsites or camp lots, including sites for tents, accommodations for backpackers and recreational vehicles (RVs).
- (a) *Size.* All proposed campgrounds shall be a minimum of three acres in size.
 - (b) Certificate of compliance required. Any proposed campground shall not be allowed to open until such campground has met all planning and building requirements of this ordinance for the Town of Lake Lure and the State of North Carolina.
 - (c) Fire prevention and protection. The application for a conditional use permit shall include a plan for fire prevention and protection to be reviewed by the fire marshal. The applicant shall be provided with a copy of the fire marshal's comments and recommendations and shall address those at the hearing on the conditional use permit application.
 - (d) Other permanent structures. Permanent structures other than camp platforms and recreational support and sanitary facilities shall be prohibited unless the developer or owner can demonstrate the necessity or desirability for such a structure. Structures commonly deemed necessary or desirable include a gatehouse, office, laundry area, video/amusement area, common area shelters, picnic table shelters for campsites, and camping cabins.
 - (e) Storage of RVs. Storage of all types of recreational vehicles within campgrounds shall be limited to no more than one stored RV per ten RV sites. Such storage area shall be buffered and screened, preferably by vegetation, from the campground or outside areas.
 - (g) Number of days permitted to camp. With the exception of campers who work for the campground, camping shall be restricted to a period of no more than 90 consecutive days within any one-year period. Tent camping shall be limited to a period of 30 consecutive days within a 60-day period.
 - (h) Access to water for all campsites/RV utility islands. Each campground shall have reasonable access to a source of potable water approved by the applicable health authority and building codes.

- (i) Road circulation pattern. The road circulation pattern should be a one-way paved or gravel reinforced system attached to a main two-way circular thoroughfare. If a loop system is used, it shall contain a pull-through site arrangement or back-in site ranging from a 45- to a 90-degree angle. Parking on all access roads to the entire campground area shall be prohibited. A turning radius for all emergency vehicles shall be required as approved by the fire department. The turning radius in loops and turns shall not be less than those required by the fire department, including those for parking spurs at individual RV sites.
 - (i) Road width/slope in campground—Road widths on the one-way loop shall be at least 15 feet wide. Double lane roads shall have a minimum width of 20 feet. The circulation system shall parallel existing contours as closely as possible, and shall not exceed a 16-percent slope.
 - (ii) Land disturbance—A soil and erosion sedimentation plan shall be filed and approved by the Town prior to any construction.
- (j) Campfires shall be contained and controlled. Campfires are permitted only within fire rings, which shall not be placed within ten feet of a bottled gas container or other combustible source of fuel. The campground management shall require that no open fire is left unattended.
- (k) Refuse disposal. All campgrounds shall provide fly-proof, watertight, containers for the disposal of refuse. These containers shall also be constructed and located such that they are not subject to rodent infestation or dog and bear invasion. Containers shall be provided in sufficient number and capacity to properly store all refuse. Refuse for camping areas shall be collected at least once a day.
- (l) Overflow parking area. All campsites shall be limited to a total of one non-RV parking space. An additional area for parking of such vehicles shall be provided equal to one parking place for every ten campsites. Such parking area can be surfaced with gravel. At no time shall parking be permitted on access roads to the campground.
- (m) Insect control. Owners of such parks shall be responsible for adequate insect control in the camping area such as the periodic spraying for mosquitoes.
- (n) Lighting. Cut-off, overnight lighting for all bathhouses and centralized water sources shall be required. Reflectors denoting paths to above mentioned structures are recommended. Other minimal lighting should be installed as needed for the safety and comfort of campground residents.

- (o) Flood plains. Campgrounds proposed to be developed in whole or in part in flood plains shall demonstrate compliance with the Flood Damage Prevention Regulations contained in Section 95.001, et seq., of the Town Code.
- (p) Emergency Evacuation. The application for a conditional use permit shall contain an emergency evacuation plan which is adequate to protect the safety of those utilizing the campground.

**LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: March 12, 2019**

SUBJECT: Ordinance No. 19-03-12 Commercial Lighting Amortization

AGENDA INFORMATION:

Agenda Location: Public Hearing and New Business
Item Number: A and C
Department: Community Development
Contact: Brad L. Burton, Community Development Director
Presenter: Brad L. Burton, Community Development Director

BRIEF SUMMARY:

This Ordinance adds a “Non-Conforming Commercial Lighting” section to Chapter 7 of the Zoning Regulations. The Ordinance establishes a ten (10) year amortization program for non-conforming commercial lighting to be removed and replaced or retrofitted appropriately to comply with the Town’s current commercial lighting standards as found in § 92.058 “Conditional Use Outdoor Lighting Standards and Requirements.”

RECOMMENDED MOTION AND REQUESTED ACTIONS:

Move to recommend approval of Ordinance No. 19-03-12

FUNDING SOURCE: n/a

ATTACHMENTS: Ordinance No. 19-03-12

STAFF’S COMMENTS AND RECOMMENDATIONS:

The Ordinance is consistent with the objectives of Policy CA-1-4.1(1) of the Town of Lake Lure 2007-2027 Comprehensive Plan, and was recommended by the Zoning and Planning Board for approval.

LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: March 12, 2019

SUBJECT: Proposed 2019-2024 Capital Improvements Plan

AGENDA INFORMATION:

Agenda Location: Public Hearing/New Business
Item Number: B and D
Department: Administration
Contact: Sam Karr, Finance Director
Presenter: Sam Karr, Finance Director

BRIEF SUMMARY: A draft of the 2019-2024 Capital Improvements Plan (CIP) was presented to the Town Council at their meeting in February. A public hearing will be held on March 12 where staff will present a brief summary of the Plan. As a reminder, the CIP is a financial planning tool that looks into the future to forecast the Town's equipment, building and infrastructure needs. Generally speaking, an item is included in the Town's CIP if it has a life expectancy of greater than one year and a value of greater than \$5,000.

RECOMMENDED MOTION AND REQUESTED ACTIONS: None at this time.

FUNDING SOURCE: General Fund, Water and Sewer Fund and Electric Fund

ATTACHMENTS: Proposed 2019-2024 Capital Improvement Plan Summary

STAFF'S COMMENTS AND RECOMMENDATIONS: At your March meeting, I will do a brief presentation to introduce the projects within the CIP and determine if there are projects that Board members or the public feel need to be added, modified or even deleted from the plan. I will be happy to incorporate any comments we receive from the public hearing as well as from Board members, into the draft CIP. The Board will then have a month to review the CIP before its scheduled adoption in April.

**LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: March 12, 2019**

SUBJECT: Golf Course Lease Agreement Review

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: E
Department: Lake Operations
Contact: Dean Givens, Parks, Recreation & Lake Director
Presenter: Dean Givens, Parks, Recreation & Lake Director

BRIEF SUMMARY: The current golf course lease ends on April 9, 2019. Lake Lure Golf Management Incorporated is requesting to renew the lease agreement with the Town of Lake Lure.

RECOMMENDED MOTION AND REQUESTED ACTIONS: None at this time.

FUNDING SOURCE: n/a

ATTACHMENTS: Lake Lure Municipal Golf Course Lease Agreement, Lake Lure Golf Management Incorporated's list of requested changes

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff requests guidance regarding what Council would like in the lease: length of term (2, 3, 4 or 5 years) and subsidy payment (\$80k, \$90k, \$100k). In years past, the Town has budgeted for building repairs (\$5k) and pest control (\$1k). The request is the same for 2019-2020. Lake Lure Golf Management Incorporated is asking for CIP items for 2019-2020: Remodeling Club House (\$11.5k), Golf Cart Path Repair (\$5k) and Creek Bank Restoration (\$20k). Staff would like to remind Council of the budgeted 2018-2019 CIP item "Small Area Recreational Study – Golf Course Property." Staff plans to activate this study this fiscal year in coordination with the Parks and Recreation Board resulting in recommendations regarding use. Again, the current lease expires on April 9, 2019; therefore we need to approve a lease before this date.

AMENDMENT AND RENEWAL OF LEASE AGREEMENT

The operating lease of the Town of Lake Lure Municipal Golf Course, between the Town and Lake Lure Golf Management, Inc., was entered into on April 10, 2012 and has an initial 2-year term expiring on April 9th, 2014.

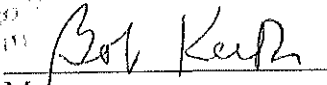
In accordance with section 3 (a) (ii) of the lease agreement, Lake Lure Golf Management, Inc., has notified the town in writing of their exercise of the option to extend the lease for a five (5) year period beginning April 10, 2014.

It is the desire of both parties to renew this lease with a revised subsidy fee schedule in accordance with section 8 (b).

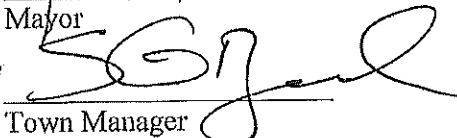
<u>Period</u>	<u>Operating Subsidy</u>
April 10, 2014 – June 30, 2014	Remaining balance of \$75,000 budgeted in FY14
July 1, 2014 – June 30, 2015	\$75,000
July 1, 2015 – June 30, 2016	\$75,000
July 1, 2016 – June 30, 2017	TBD based on profitability
July 1, 2017 – June 30, 2018	TBD based on profitability
July 1, 2018 – April 9, 2019	TBD based on profitability

Payments of the annual subsidies will be aligned with the Town's annual fiscal year budget and on a schedule agreed upon between the Town Manager and Lessee. Subsidy amounts (if any) in FY '17 and beyond are to be determined after 2015.

TOWN OF LAKE LURE

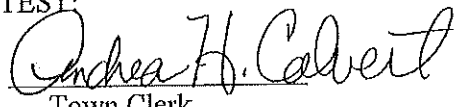
By: 

Mayor

By: 

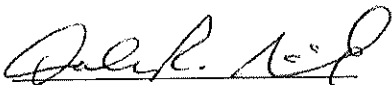
Town Manager

ATTEST:

By: 

Town Clerk

LAKE LURE GOLF MANAGEMENT, INC.

By: 

Dale Minick

-Increase subsidy to \$100,000 per year. There has always been an additional amount added to the budget line item to cover small repairs and the exterminator contract at \$5000.

-5 year lease term again.

-The equipment can be handled by refurbishing the existing equipment; i.e. bringing up to pre-owned standards like an off-lease car or replacing with new or recently off-lease machines. I would suggest refurbishing the fairway and rough units and replacing the sprayer, bunker rake and triplex greens mower. I will propose some of this for 2020-21 CIP.

- CIP-The remodeling of the Clubhouse has always been a priority to allow for food service, new carpet and a shower plus replacing the front porch surface. These items also provide for the building to be used in the event the golf course goes away in the future. The addition of the other active sports facilities, tennis and pickleball, would also enhance the need for the building and possibly increase revenues (study funding in 2018-19 CIP I believe). Also the continuation of cart path repairs each year is needed. Many other projects are on my mind and they will be put forth when I complete my overall course update report.

Updates to the lease mainly pertain to the building outside maintenance. If we were producing a strong revenue stream I would gladly paint and repair small items but we are struggling to cover turf maintenance inputs. I would like the responsibility for all building maintenance to be up to the Town. Historic Building needs to be properly cared for in a timely fashion. The roof will need replacing soon, the fireplace leaks in rain events and all logs need to be checked and replaced as needed.

Call me if you need any clarifications Dean. 828-699-3236

