

LAKE LURE TOWN COUNCIL REGULAR MEETING PACKET

Tuesday, April 13, 2021



**Mayor Carol C. Pritchett
Mayor Pro Tem John Moore
Commissioner Patrick Bryant
Commissioner David DiOrio
Commissioner John Kilby**

TOWN OF LAKE LURE

Town Council Regular Meeting

Tuesday, April 13, 2021 – 5:00 PM

Meeting held virtually via Zoom



Agenda

Zoom Link: <https://us02web.zoom.us/j/89968410121>

Phone Number: 1-929-436-2866

Meeting ID: 899 6841 0121

I. Call to Order

II. Agenda Adoption

III. Mayor's Communications

IV. Closed Session

In accordance with G.S. 143-318.11(a)(6) for the purpose of discussing personnel matters. The Closed Session will last until approximately 6:30 p.m. At that time the meeting will open back up to the public.

V. Public Hearing

G.S. 166A-19.24 requires the public body to allow for written comments on the subject of the public hearing to be submitted between publication of any required notice and 24 hours after the public hearing for public hearings during a remote meeting.

- A. Request from David and Marcia Baker to Rezone Property Located at 0 Memorial Hwy, Parcel No. 219390, from CG Commercial General to R-1 Residential

VI. Town Manager's Communications

VII. Council Liaison Reports and Comments

VIII. Public Comment

The public is invited to speak. Please keep comments limited to five minutes or less. If you wish to speak, wait for the Mayor to ask if anyone would like to make a comment and then unmute your phone or mic and state your name and address. Comments may also be submitted in writing to the Town Clerk, townclerk@townoflakelure, at least one hour prior to the meeting.

IX. Consent Agenda

- A. Approval of the March 9, 2021 Regular Town Council Minutes and the March 31, 2021 Regular Town Council Work Group Minutes
- B. Request from Lake Lure Tours, Inc. for a Classic Boat and Car Show
- C. Budget Amendment #301 - Fire Boat Repairs
- D. Budget Amendment #302 - Sewer Chemicals
- E. Budget Amendment #303 - Lobbyist
- F. Budget Amendment #304 - Dam Automation
- G. Budget Amendment #305 - WWTP Digester
- H. Request from Harold Harper to Remove Trees Within the Lake Boundary
- I. Adoption of the Town of Lake Lure Social Media Policy

X. Unfinished Business

XI. New Business

- A. Approval of Labella Engineering Task Order No. 8 - WWTP Digester Project
- B. Accept Sewer Policy Recommendation from the Utility Advisory Board
- C. Town of Lake Lure-Rutherford County Sewer Agreement Discussion
- D. Zoning and Planning Board Member Appointment
- E. Lake Use Survey Discussion

XII. Closed Session

In accordance with G.S. 143-318.11(a)(3) for the purpose of discussing attorney client privilege or legal claims and G.S. 143-318.11(a)(6) for the purpose of discussing personnel matters.

XIII. Adjournment

IV

CLOSED SESSION

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

V

PUBLIC HEARING

- Request from David and Marcia Baker to rezone property located at 0 Memorial Hwy., Parcel No. 219390, from CG Commercial General to R-1 Residential

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

Meeting Date: April 13, 2021

SUBJECT: RZ_2021001, Rezoning Request from CG Zoning District to R-1 Residential

AGENDA INFORMATION:

Agenda Location: Public Hearing
Item Number: A
Department: Community Development
Contact: Mitchell Anderson, Community Development Director
Presenter: Mitchell Anderson, Community Development Director

BRIEF SUMMARY:

A request to rezone a 0.05 acre parcel from CG Commercial General to R-1 Residential District. The parcel is located at 0 Memorial Hwy, owned by David and Marcia Baker, and is identified with Tax PIN 219390.

Decisions on zoning map amendments are based on the potential impacts of all permitted and conditional uses within the proposed zoning district. The intended use of the parcel by the applicant should not be considered in the rezoning determination.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

Option 1:

I move Town Council deny the rezoning request RZ_2021001 as recommended. I further move that Council adopt the Zoning and Planning Board's Statement of Reasonableness and Comprehensive Plan Consistency as presented.

Option 2:

I move Town Council adopt Ordinance No. 21-04-13. I further move that Council finds this amendment consistent with the adopted Policy LU-1-1.2 and Figure 8, the Future Land Use Map, as included and also adopted in the Town of Lake Lure 2007-2027 Comprehensive Plan.

Town Council must provide written comment on whether the proposed action is or is not consistent with the 2007 -2027 Comprehensive Plan and Future Land Use map is required.

Further, a statement of reasonableness needs to be provided when approving or denying this rezoning request. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment

FUNDING SOURCE: n/a

ATTACHMENTS:

A: Application RZ_2021001

B: Staff Presentation and Documentation

C: Zoning and Planning Board Recommendation

D: Ord. No. 21-04-13- Amending Zoning Map

STAFF'S COMMENTS AND RECOMMENDATIONS:

Town Council must wait a minimum of 24 hours to vote on a decision to allow adequate time for written public comment.

This matter came before the Lake Lure Planning and Zoning Board on March 16, 2021 on the application of David and Marcia Baker.

The Lake Lure Planning and Zoning Board has provided a Statement of Reasonableness and Comprehensive Plan Consistency enclosed as Attachment C.

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TOWN OF LAKE LURE PETITION FOR REZONING

Rec'd 3/3/21
Application Fee: \$510.00 (see attached)

03 2021
Petition No. RZ - RZ2024001

Z & P Board Recommendation: Date: _____	Action by Town Council: Ord. No. _____ Date: _____
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APPLICANT:

(Check one) Owner: ☒ Agent: _____ (If applicant is not the owner, attach authorization to act as agent)

Name: David Lee Baker, Marcia Thompson Baker Date of Application: 2-19-21

PROPERTY:

Property located at: 0 Memorial Hwy, Lake Lure, NC. 28746

Legal Description (attach if necessary) Survey Attached

Map Page 502 Block 1 Lot Parcel 36 Tax PIN 219390

THE PETITION:

To rezone the above described property from the CG zone district to the R-1 district

This property is designated for R-1 use on the future land use map in the Town of Lake Lure 2007-2027 Comprehensive Plan.

<u>David Lee Baker</u> Signature of applicant	<u>Marcia Thompson Baker</u> Signature of owner if not applicant
<u>3736 Verbena Way</u> Street or P.O. Box	<u>3736 Verbena Way</u> Street or P.O. Box
<u>Clemmons, NC. 27012</u> City, State, Zip	<u>Clemmons, NC 27012</u> City, State, Zip
<u>336-813-0299</u> Daytime telephone number	<u>336-778-9156</u> Daytime telephone number

See attached for information regarding rezoning process.

David & Marcia Baker

Location: O Memorial Hwy, US Hwy 64/74 A (old Hwy 20)
Next door to Lake Lore Adventure Co and
the old clam marina.

Existing Structures: Boat Docks & Small Storage building on
top of the boat docks.

Existing Roads: Fronts US Hwy 64/74 A - Memorial Hwy

All Setbacks: None that I know of except DOT
right of way for Hwy 64/74 A 15' lake
side SB's

Complete Description of
Proposed Zoning District: R-1

Adjacent Property

Owners: North - John J & Ruby Hunt 686/37 & 1067/814
South - Brian & Jenny Lail - Parcel # 227629-506 Memorial
East - Hwy 64/74 A / Clifton & Sandra Craig #220948 - 56 Hwy
West - LAKE - L-1 15' lake
side SB's



TOWN OF LAKE LURE *Community Development Department*

STAFF REPORT

TO: Lake Lure Town Council

FROM: Community Development Department

DATE: April 5, 2021

RE: RZ-2021001: Rezoning Request from CG to R-1 Zoning District

APPLICANT/ OWNER: David and Marcia Baker

REQUEST:

A request to rezone a 0.05 acre parcel from CG Commercial General to R-1 Residential District. The parcel is located at 0 Memorial Hwy, owned by David and Marcia Baker, and is identified with Tax Pin 219390.

PROJECT DESCRIPTION:

Address: 0 Memorial Hwy

Existing Zoning: CG Commercial General

Land Use Designation per the Future Land Use Map: R-1 Residential

Existing Use: Access structure leading to lake structure with storage building

Adjacent Zoning Districts:

East: CG Commercial General

West: L-1 Lake, CG Commercial General

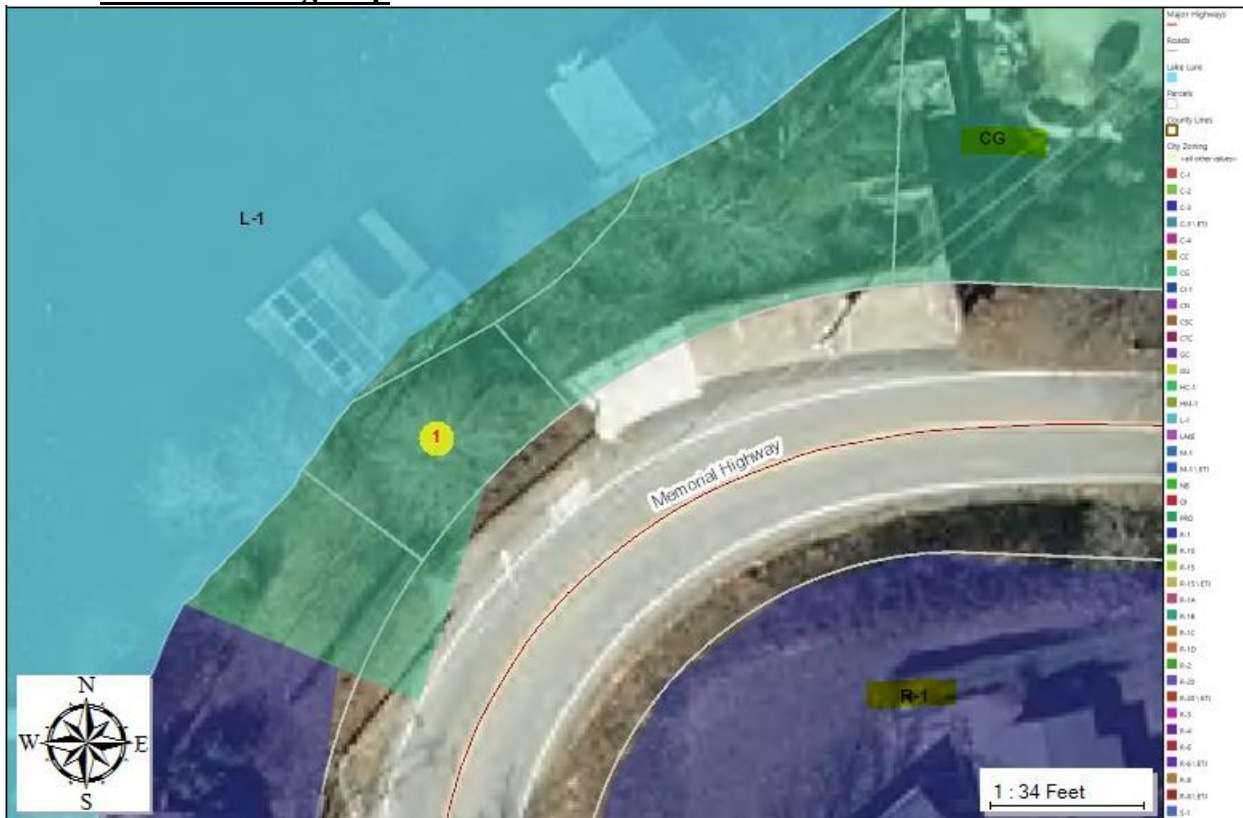
North: L-1 Lake

South: CG Commercial General, R-1 Residential

SUMMARY

The applicant is requesting the parcel 219390 zoned CG Commercial General be rezoned to R-1 Residential.

Current Zoning Map



Town of Lake Lure Comprehensive Plan/ Future Land use Map

https://www.egovlink.com/public_documents300/lakelure/published_documents/Departments/Community_Development/2007-2027%20Comprehensive%20Plan/Maps/Figure%208%20-%20Future%20Land%20Use%20Map.pdf



Staff Comments/ Recommendation

Staff have observed that the current zoning map identifies this parcel as zoned CG, Commercial General District. Rezoning this parcel as R-1 Residential may be considered “spot zoning” and should be avoided unless a clear showing of a reasonable basis supports the validity of spot zoning. Attached below is the UNC School of Government’s articles on spot zoning. (<https://www.sog.unc.edu/resources/legal-summaries/spot-zoning>) (<https://canons.sog.unc.edu/is-this-spot-legal/>)

Rezoning the entire parcel to R-1 Residential district will change the permitted and conditional uses for this parcel.

The current use of the structure on this parcel is a residential access to a lake structure. This use is also permitted within the R-1 Residential zoning district.

Parcel dimensions:

Lot Area: approximately 2,178 sf
Lot Width at Building Site: approximately 30 ft
Shoreline Length: 55.13 ft

Minimum Dimensional Requirements for R-1 zoning district:

Lot Area: 10,000 sf
Lot Width at Building Site: 100 ft
Front Yard Setback: 40 ft from the centerline of the street (no closer than 10 ft to a right-of-way)
Lake Front Yard Setback: 35 ft
Side Yard Setback: 10 ft

Minimum Dimensional Requirements for CG zoning district:

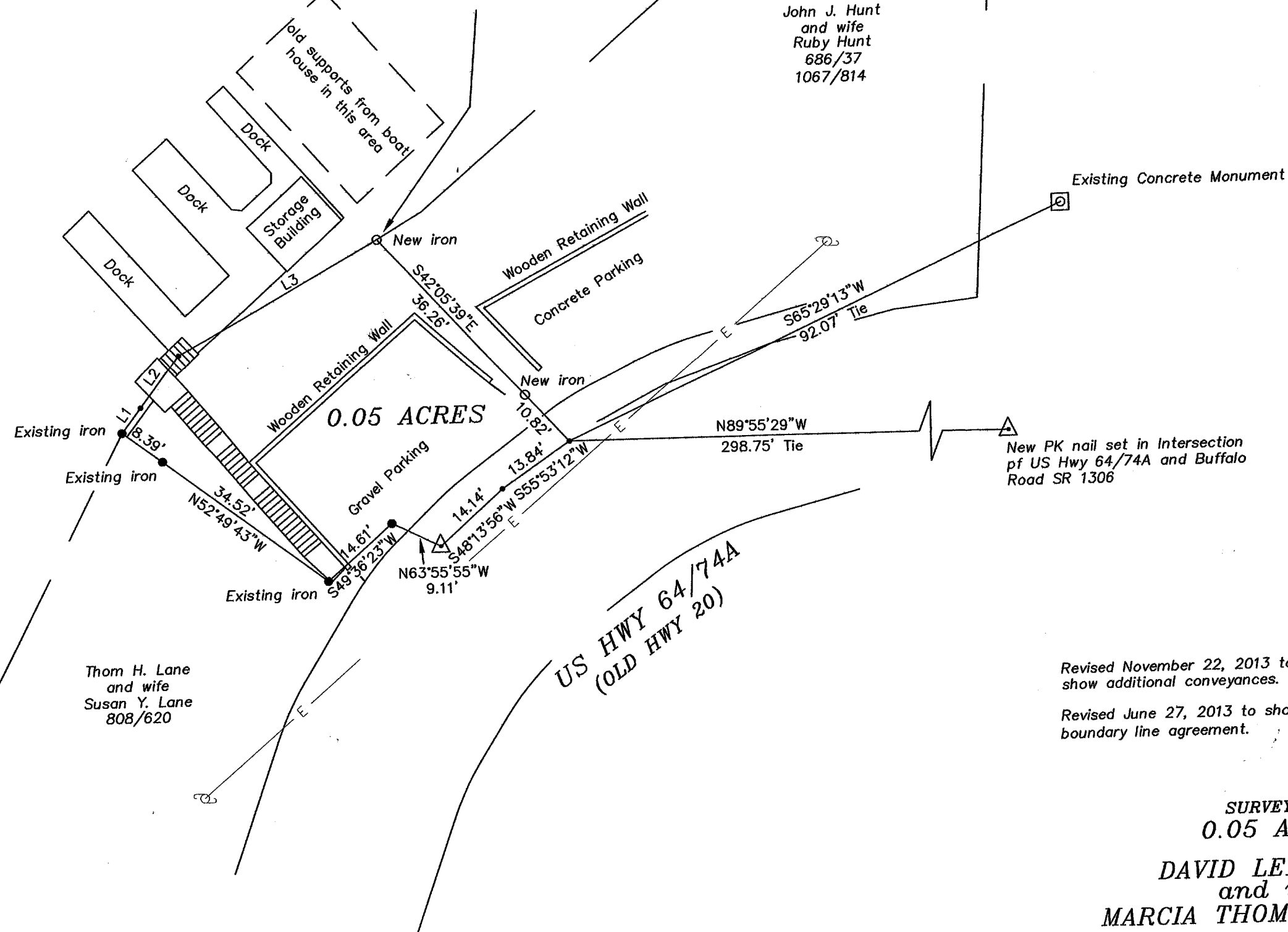
Lot Area: 21,780 sf
Lot Width at Building Site: 100 ft
Front Yard Setback: 10 ft measured from right-of-way or 25ft from the centerline of the street
Lake Front Yard Setback: 35 ft
Side Yard Setback: 12 ft

The current lake structure and parcel are legal non-conformities that existed before the Town’s current regulations. The current lake structure encroaches into the 15 foot side yard setback. The parcel does not meet the lot width at building site required by the R-1 or CG zoning district. The required front yard setbacks overlap as the parcel is narrow.

If this parcel is rezoned to R-1, the current structures and parcel will still be considered legal non-conforming. The structure will still encroach into the 15 foot side yard setback, and the front yard setbacks will still overlap. The parcel will not meet the lot width at site requirement for the R-1 district.

the Lure to the 992'

Waters of Lake Lure



Revised June 27, 2013 to show agreed line for proposed boundary line agreement.

DAVID LEE BAKER
and wife
MARCIA THOMPSON BAKER

CHIMNEY ROCK TOWNSHIP RUTHERFORD COUNTY, NC
FIELD: DM,EM,BE MAP: D. McENTIRE
DATE: NOVEMBER 19, 2012 MAP#: 12-0081

A horizontal graphic scale bar with alternating black and white segments. Above the bar, numerical markings are placed at intervals: 20, 0, 10, 20, 40, and 80. The bar is used to indicate the scale of the map.

1 INCH = 20 FEET
DONALD McENTIRE SURVEYING
108 ISHAM DRIVE
RUTHERFORD, NC 28139
PHONE: (828) 287-0439

Reference plat of survey by Professional Surveying Services for
John J. Hunt dated September 10, 2007 map# 21927B.



02/09/2020

STATE OF NORTH CAROLINA
RUTHERFORD COUNTY

BEFORE THE LAKE LURE
TOWN COUNCIL
CASE NO. RZ-2021001

IN RE THE APPLICATION OF DAVID AND MARCIA BAKER FOR A PETITION OF REZONING

CERTIFICATE OF SERVICE

I certify that I have on this date notified, in addition to the applicant and/or the property owner, the following persons of the hearing before Town Council in the above referenced case by means of first class mail:

Parcel Number	Owner Name	Owner Mailing Address	Owner Mailing City	Owner Mailing State	Owner Mailing Zip	Property Address
227629	LAIL, BRIAN L; LAIL, JENNIFER K	150 NEIGHBORLY DR	LAKE LURE	NC	28746	506 MEMORIAL HWY
220948	CRAIG, CLIFTON M JR; CRAIG, SANDRA E	1132 S CENTER RD	DARLINGTON	SC	29532	156 SLEEPY HILL
230389	CORNETT, MELISSA D TRUSTEE FOR; MOORE, CHLOE CORNET	1133 WIMBLEDON RD	CHARLOTTE	NC	28209	119 BUFFALO SHOALS RD
226758	HUNT, JOHN J; HUNT, RUBY	BOX 277	LATTIMORE	NC	28089	470 MEMORIAL HWY
219390	BAKER, DAVID L; BAKER, MARCIA T	3736 VERBENA WAY	CLEMMONS	NC	27012	0 MEMORIAL HWY



Mitchell Anderson, CZO

Assistant Community Development Director

Town of Lake Lure

828-625-9983 Ext. 107

manderson@townoflakelure.com

2948 Memorial Highway Lake Lure, NC 28764

March 29, 2021

STATE OF NORTH CAROLINA
RUTHERFORD COUNTY

BEFORE THE LAKE LURE
ZONING AND PLANNING BOARD
CASE NO. RV-2021001

IN RE THE REQUEST OF DAVID AND MARCIA BAKER,
FOR DETERMINATION OF ZONING CONSISTENCY AND RECOMMENDATION
TO TOWN COUNCIL

STATEMENT OF THE CASE

This matter came before the Lake Lure Zoning and Planning Board on March 16, 2021 on the application of David and Marcia Baker. The Bakers have requested a rezoning of their parcel, located at 0 Memorial Hwy (Tax Pin 219390), currently zoned CG Commercial General (Section 92.031C of the Town of Lake Lure Zoning Regulations) to R-1 Residential (Section 92.026 of the Town of Lake Lure Zoning Regulations).

Statement of Reasonableness and Comprehensive Plan Consistency

The Lake Lure Zoning and Planning Board has provided the following Statement of Reasonableness and Comprehensive Plan Consistency:

The rezoning of the Baker's property from CG Commercial General to R-1 Residential is consistent with the 2007-2027 Comprehensive Plan, as the Future Land Use Map indicates the Baker's parcel to be zoned for future residential use. The rezoning of the parcel from CG Commercial General to R-1 Residential would not align with the current neighborhood character in this area, which is primarily commercial.

Rezoning this property to residential will disconnect the adjoining properties that are currently zoned CG Commercial General.

Further, the board desires to remain consistent with prior zoning action.

Recommendation

Accordingly, the Lake Lure Zoning and Planning Board hereby recommends to the Lake Lure Town Council that the request for a map amendment to rezone the above parcel be denied based on the above Statement of Reasonableness and Comprehensive Plan Consistency.

Done this 16th day of March, 2021


Tom McKay, Chair



March 29, 2021

Regarding: Meeting for Proposed Rezoning from CG Commercial General to R-1 Residential District

RZ-2021001 David and Marcia Baker
Property Location: 0 Memorial Hwy

Dear Mr. and Mrs. Baker:

This letter is to inform you that the meeting for consideration of the proposed rezoning application – RZ-2021001 has been scheduled for Tuesday April 13, 2021 at 5:00 PM. The Lake Lure Town Council will hold a public hearing on this rezoning request at their virtual regular meeting on Tuesday April 13, 2021. Please utilize the meeting link below to attend this virtual meeting:

Join the Zoom Meeting:

<https://us02web.zoom.us/j/89968410121>

OR dial in with a landline:

1-929-436-2866

Meeting ID: 899 6841 0121

The purpose of this meeting is to allow neighboring citizens to educate themselves on the proposed rezoning, to ask questions of you and town staff, and to offer testimony on the proposed rezoning.

You are required to attend this meeting. Failure to attend shall lead to an automatic annulment of the application. If you have any questions, please feel free to call me at (828) 625-9983 ext. 107 or email me at manderson@townoflakelure.com.

Sincerely,

Mitchell Anderson, CZO

Assistant Community Development Director

Town of Lake Lure

828-625-9983 Ext. 107

manderson@townoflakelure.com

2948 Memorial Highway Lake Lure, NC 28764

File RZ-2021001



March 29, 2021

Regarding: Meeting for Proposed Rezoning from CG Commercial General to R-1 Residential District

RZ-2021001 David and Marcia Baker
Property Location: 0 Memorial Hwy

Dear Adjacent Property Owner:

As the adjacent property owner to 0 Memorial Hwy (Owned by David and Marcia Baker - Tax Pin 219390), you are hereby notified by first class mail that the Town is considering rezoning this parcel from CG Commercial General (Section 92.031C of the Town of Lake Lure Zoning Regulations) to R-1 Residential (Section 92.026 of the Town of Lake Lure Zoning Regulations). The Lake Lure Town Council will hold a public hearing on this rezoning request at their virtual regular meeting on Tuesday April 13, 2021.

Should you have any pertinent facts to offer as testimony regarding this matter, please appear before Town Council on Tuesday April 13, 2021 at 5:00 p.m. or shortly thereafter at the following Zoom link.

Join the Zoom Meeting:

<https://us02web.zoom.us/j/89968410121>

OR dial in with a landline:

1-929-436-2866

Meeting ID: 899 6841 0121

If you have any questions or concerns, please feel free to contact me.

Sincerely,

Mitchell Anderson, CZO

Assistant Community Development Director

Town of Lake Lure

828-625-9983 Ext. 107

manderson@townoflakelure.com

2948 Memorial Highway Lake Lure, NC 28764

File RZ-2021001

TOWN OF LAKE LURE

PUBLIC NOTICE

A HEARING WILL BE HELD BY:

Lake Lure Town Council

To consider: RZ-2021001

Join Zoom Meeting:

<https://us02web.zoom.us/j/89968410121>

OR

Dial in with a landline:

1-929-436-2866

Meeting ID: 899 6841 0121

Date: Tuesday, April 13, 2021

Time: 5:00 PM

Location: DIGITAL MEETING (ZOOM)

**For more information, contact the
Community Development
Department at:
(828)625-9983 ext. 117**

**NOTICE OF HEARING
TOWN COUNCIL PUBLIC HEARING
Town of Lake Lure**

The Lake Lure Town Council will hold a digital public hearing on Tuesday, April 13, 2021 at 5:00 p.m., or shortly thereafter, to consider the following:

RZ-2021001, consideration of rezoning a parcel from CG Commercial General to R-1 Residential. This parcel is located at 0 Memorial Hwy. Lake Lure NC 28746 (Owned by David and Marcia Baker- Tax Pin 219390).

The digital hearing web link is shown below:

***Topic: 4-13-2021 Regular Town Council Meeting
Time: Apr 13, 2021 05:00 PM Eastern Time (US and Canada)***

Join Zoom Meeting:
<https://us02web.zoom.us/j/89968410121>
OR

Dial in with a landline:
1-929-436-2866

Meeting ID: 899 6841 0121

Insertion Order: Please publish the above ad in *The Daily Courier* on the following dates:

- 1) Friday, April 2, 2021**
- 2) Friday, April 9, 2021**

Please provide an affidavit of publication to the Town of Lake Lure. Please mark the affidavit to the attention of Ms. Michelle Jolley Town Clerk.

ORDINANCE NUMBER 21-04-13

**AN ORDINANCE AMENDING THE ZONING MAP OF
THE TOWN OF LAKE LURE BY REZONING PARCEL
NUMBER 219390 FROM CG TO R-1, AS REQUESTED BY
REZONING PETITION RZ-2021001.**

WHEREAS, David and Marcia Baker are the owners of the parcel identified by tax Parcel Identification Numbers (PIN) 219390, Map 502/Block 1/Lot 36 on the Rutherford County Tax Map; and,

WHEREAS, the current zoning of the above referenced parcel is CG Commercial General District; and,

WHEREAS, David and Marcia Baker have petitioned to have this parcel rezoned to R-1 Residential District, as described with petition numbers RZ-2021001; and,

WHEREAS, the Lake Lure Zoning and Planning Board, after due consideration on the 16th of March, 2021 found the request to be consistent with the Lake Lure 2007-2027 Comprehensive Plan does not recommend approval of this petition; and,

WHEREAS, the Lake Lure Town Council, after due public notice, conducted a public hearing on the 13th day of April, 2021, on the question of amending the zoning map in this respect and, after further consideration, determined that the rezoning is in the best interests of the Town of Lake Lure;

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 councilmen voting in the affirmative:

SECTION ONE: The zoning map referenced in Chapter 92 of the Lake Lure Code of Ordinances is hereby amended to change the lot having County tax PIN 219390, from CG Commercial General District to R-1 Residential District.

SECTION TWO: The Zoning Administrator shall make all the necessary corrections to the zoning map so as to implement the provisions of this ordinance and shall henceforth enforce the zoning regulations as hereby amended.

SECTION THREE: This ordinance shall be effective upon its adoption.

Adopted this 13th day of April, 2021.

ORDINANCE NO. 21-04-13
Rezoning Petition RZ-2021001
April 13, 2020
Page 2

Attest:

Michelle Jolley
Town Clerk

Carol Pritchett
Mayor

Approved as to Form:

William C. Morgan, Jr.
Town Attorney

VI
TOWN MANAGER
COMMUNICATIONS



Town Manager's March Report – Completed April 7, 2021

Public Works Department personnel are continually busy reading water meters. Director Arrowood is requesting electronic read water meters, associated hardware and billing software for FY 21-22. This will save the town approximately \$35,000 in staff hours each year. Cleaning up the Public Works yard is now a priority as Director Arrowood oversees the fencing project currently underway. Trips are being made to the metal scrap yard and county landfill. The Department has been busy reading meters, hunting sewer infiltration/inflow, repairing streets, cleaning ditches (2,543 linear feet) and maintaining town buildings/structures. The Town and LaBella continue to refine the Sewer ER/EID and SOC documents in cooperation with DEQ. We believe the ER/EID will be complete mid May. PWD and PRLD staff worked together to repair the pier next to the Morse Park gazebo.

Community Development Department continues to work on 8 significant projects as well as issue permits and conduct inspections day to day. In March the Department issued 13 Certificates of Zoning Compliance, 13 Certificates of Occupancy, 4 Floodplain Development Permits, 3 Lake Structure Permits and approved 3 plats. One of the significant projects the Department is pursuing is the Lake Structure Maintenance Program. One other is a series of amendments to ensure the Town complies with State mandates relative to land use regulations.

The Fire Department ran a total of 27 Fire/Medical/Rescue calls. This is slightly less than 1 call per day during the month of March. The Chief reported that 70% of these were fire and 30% were EMS. Chief Waycaster accompanied Mayor Prichett, Commissioner DiOrio and the Town Manager to three meetings with volunteer fire departments to discuss service agreement costs. This has resulted in a \$10,000/year reduction in costs from CRVFD and a \$40,000/year reduction from FMVFD. Fire Department personnel provided service on land, lake and in the State Park during March.

The Police Department made 2 arrests, performed 12 traffic stops, gave 6 verbal warnings and issued 6 citations. Lake patrol is being ramped up per Chief Humphries in keeping with an increase in boating activity. There was 1 noise complaint registered in March by the Department.

Finance Director Karr reports that we are 75% through Fiscal Year 2021. General Fund: Collected 77.75% of projected revenue and spent 64.26% of our budgeted expenditures to date. Water & Sewer Fund: Collected 75.93% of revenues and spent 39.46% of the budgeted expenditures. Hydro Electric: Collected 67.72% of projected revenue and spent 59.17% of the budgeted expenditures. Total Cash on hand is \$4.45 million. Director Karr has been sharply focused on developing the FY 22 Budget working with Department Directors, Key Staff, Mayor, Commissioners and the Town Manager.

During the month of January, Dam & Hydro Director Lindsey and crew generated \$54,666.82 for the Town. This is slightly above our estimate for a given month. We did not generate revenue for February and January as the lake was down. During March the large generator was disassembled, cleaned, new bearings installed and reassembled. It is now up and running again.

Our Communications Specialist Laura Krejci continues to stay on top of FaceBook, website news, grants, and special events. She is also working to bring a new website online working with Department Directors and Key Staff. I will be working with Town Council and Communications Specialist Krejci to find new ways to target year round residents with important communication and critical information.

Parks, Recreationa and Lake Department remains busy with recreation, trail maintenance and lake activities. Director Givens, PR&TC Dana Bradley and maintenance staff are keeping us on the move. We had a meeting with the Rutherford County TDA Director Cason and Eric Woolridge (Destination By Design) to discuss funding for Town tourism related assets and recreation plan enhancments. The Town sent a letter to the TDA requesting recognition of Town funds already spent as a match for future funds. Also, the TDA reported the Town should be receiving approximately \$100,000/year in future years from the TDA.

March Activities

- Attended BCVFD meeting w/Mayor, Commissioner DiOrio and Chief Waycaster, 3/1
- Participated in weekly sewer update meeting w/Town officials and LaBella, 3/2
- Met w/Director Givens, Commissioner Bryant, ACDD Anderson to discuss map for the golf course, 3/2
- Attended FMVFD meeting w/Mayor, Commissioner DiOrio and Chief Waycaster, 3/3
- Met w/Commissioner Kilby and Commissioner DiOrio, 3/3
- Participated in a meeting w/Mayor, Commissioner DiOrio, Chief Waycaster, CRSP Super. Ledgerwood, 3/4
- Attended Town Council Meeting, 3/9
- Participated in meeting with LGC, Mayor, Finance Director, Commissioner DiOrio and Steve Metcalf, 3/11
- Participated in a meeting with Town officials, LaBella and DEQ, 3/11
- Participated in arbitration meeting with Commissioner DiOrio, Director Lindsey, Attorney Morgan, 3/12
- Participated in a Dam walk through with NCLM, Director Lindsey and Commissioner DiOrio, 3/15
- Attended video conference with DEQ, Town Engineer, PWD Arrowood, 3/16
- Attended meeting with Director Givens, PR&TC Bradley, TDA Director Cason and DBD, 3/17
- Attended meeting with Town officials, LaBella, Town Engineer and Terry Baker, 3/19
- Attended Town Council meeting, 3/23
- Participated in a meeting regarding sewer collection system located in CRV, 3/24
- Participated in an informal budget discussion, 3/29
- Attended Town Council Work Group Meeting , 3/31

C. Shannon Baldwin 4/7/21

Town Manager

Date



Sam Karr

Carol Pritchett; David Diorio; John Kilby; John Moore; 'Patrick Bryant'; Shannon Baldwin; Michelle Jolley ▾

2

Thu 4/1

March Finance Report



Message

March21.xls (90 KB)

Marchrevandexp.pdf (5 MB)

Bing Maps

+ Get more apps

All:

Please find attached monthly Finance Report for March, also include details of revenues and expenditures by funds. Budget doing well outside from sewer chemical expenses; Dean L has started looking into different chemical methods that seem to lower cost, but chemicals are not going away.

Let me know if you have any questions.

Thanks-

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



Monthly Financial Summary Report as of:	3/31/2021
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General Fund						General Fund						General Fund	
		Annual	Month	Annual	Y-T-D %			Annual	Month	Annual	Y-T-D %	Annual Budget	0
Revenues:		Budget:	To Date:	To Date:	Collected	Expenditures:		Budget:	To Date:	To Date:	Spent	Month To Date	(528,401)
Taxes		\$ 3,511,722	\$ 6,985	\$ 3,314,870	94.39%	Governing Body		\$ 32,300	\$ 1,543	\$ 21,219	65.69%	Annual To Date	\$ 1,024,669
State Shared Revenues		\$ 2,549,859	\$ 182,712	\$ 1,396,566	54.77%	Administration		\$ 1,003,897	\$ 64,758	\$ 721,029	71.82%		
Lake & Tours		\$ 673,550	\$ 168,665	\$ 493,568	73.28%	Central Services		\$ 99,300	\$ 11,327	\$ 70,752	71.25%		
Beach & Marina		\$ 316,500	\$ 58,018	\$ 433,420	136.94%	Police		\$ 826,340	\$ 54,140	\$ 603,653	73.05%		
*Miscellaneous Revenues		\$ 144,207	\$ 3,033	\$ 130,105	90.22%	Fire		\$ 902,434	\$ 40,982	\$ 672,504	74.52%		
Land Use Fees		\$ 27,600	\$ 4,210	\$ 27,212	98.59%	Sanitation		\$ 229,400	\$ 19,472	\$ 171,217	74.64%		
Loan Proceeds		\$ 146,500	\$ -	\$ 97,905	66.83%	Public Works		\$ 512,652	\$ 35,016	\$ 348,867	68.05%		
Transfers		\$ 225,457	\$ 11,728	\$ 11,728	5.20%	Economic Development		\$ 105,417	\$ 5,199	\$ 60,574	57.46%		
Total:		\$ 7,595,395	\$ 435,351	\$ 5,905,374	77.75%	Community Development		\$ 202,788	\$ 13,255	\$ 117,767	58.07%		

Received-Not Posted Yet

Beach and Marina	\$	17,500	\$	1,044	\$	8,051	46.01%
Golf	\$	106,000	\$	-	\$	100,480	94.79%
Parks, Rec., Lake	\$	910,555	\$	128,775	\$	732,415	80.44%
Capital Outlay	\$	1,377,288	\$	88,211	\$	441,412	32.05%
Debt Service	\$	333,062	\$	11,358	\$	176,984	53.14%
Non Governmental	\$	158,500	\$	236	\$	145,345	91.70%
Transfers	\$	529,181	\$	483,936	\$	483,936	91.45%
DAMWatershed	\$	248,781	\$	4,500	\$	4,500	1.81%
Contingency Reserve	\$	-	\$	-	\$	-	#DIV/0!
Total:	\$	7,595,395	\$	963,752	\$	4,880,705	64.26%

Water & Sewer Fund					Water & Sewer Fund					Water & Sewer Fund	
	Annual	Month	Annual	Y-T-D %		Annual	Month	Annual	Y-T-D %	Annual Budget	\$ -
<i>Revenues:</i>	Budget:	To Date:	To Date:	Collected	<i>Expenditures:</i>	Budget:	To Date:	To Date:	Spent	Month To Date	\$ 90,951
Water & Sewer charges	\$ 1,540,000	\$ 141,841	\$ 1,265,962	82.21%	Water	\$ 138,925	\$ 10,302	\$ 98,869	71.17%	Annual To Date	\$ 621,273
Taps & Connection fees	\$ 10,000	\$ -	\$ 2,244	22.44%	Sewer	\$ 678,425	\$ 43,192	\$ 564,337	83.18%		
Interest & Transfer Fees	\$ 7,750	\$ 3,074	\$ 16,122	208.03%	Capital Projects	\$ 206,000	\$ 1,500	\$ 5,250	2.55%		
Water Tank Rental	\$ 12,360	\$ 1,030	\$ 9,270	75.00%	Debt Service	\$ 128,975	\$ -	\$ 3,869	3.00%		
Transfer from Fund Balance	\$ 133,658				Transfer to Fund	\$ 551,443	\$ -	\$ -	0.00%		
Total:	\$ -	\$ -	\$ -	#DIV/0!	Total:	\$ 1,703,768	\$ 54,994	\$ 672,325	39.46%		
	\$ 1,703,768	\$ 145,945	\$ 1,293,598	75.93%							

Hydro Electric						Hydro Electric						Hydro Electric	
Revenues:		Annual	Month	Annual	Y-T-D %	Expenditures:		Annual	Month	Annual	Y-T-D %	Annual Budget	\$
		Budget:	To Date:	To Date:	Collected			Budget:	To Date:	To Date:	Spent	Month To Date	\$
Power Generation		\$ 600,000	\$ 59,623	\$ 534,775	89.13%	Operations		\$ 555,600	\$ 34,487	\$ 251,898	45.34%	Annual To Date	\$ 67,562
Interest		\$ 1,500	\$ 57	\$ 130	8.67%	Transfer to General Fund		\$ -	\$ -				
FEMA Reimbursement					#DIV/0!	Transfer to Silt Fund Reserve		\$ -	\$ -	\$ -	#DIV/0!		
Transfer from Fund Balance		\$ 188,375	\$ -	\$ -	0.00%	Cap. Outlay/Special Proj.		\$ 234,275	\$ 15,750	\$ 215,445	91.96%		
Total:		\$ 789.875	\$ 59.680	\$ 534.905	67.72%	Total:		\$ 789.875	\$ 50.237	\$ 467.343	59.17%		

Cash & Investment Position			Capital Funds			Comments / Items of note			
United Bank						Balance to Date			
General Fund	\$	3,768,253	Capital Res. Fund			\$	179,532		
Water & Sewer	\$	849,318	Silt Res. Fund			\$	64,265		
Includes Low Pressure			Marina Brdwalk			\$	16,818		
Hydro	\$	(247,456)	Bridge Pres. Fund			\$	75,000		
Total:	\$	4,370,115							
NC Capital Management Trust									
General (Cash)	\$	95,536							
Water & Sewer	\$	(779)							
Hydro	\$	(9,899)							
Total:	\$	84,858							
Total Cash and Investments:	\$	4,454,973							



NAME: Assistant Community Development Director, Mitchell Anderson Development and Environmental Review Specialist, Michael Williams	DEPARTMENT: Community Development
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REPORT DATE: April 5, 2021	PREPARED FOR Town Manager/Town Council
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I. REOCCURRING WORK ACTIVITIES

1. Zoning Administration/Code Enforcement

Certificate of Zoning Compliance Issued	13
Certificates of Zoning Compliance Denied	0
Certificates of Occupancy Issued.....	13
Vacation Rental Operating Permits Issued.....	1
Permanent Sign Permits Issued (1) Temporary (2)	3
Complaints Logged	1
Complaints Investigated	1
Notices of Violation Issued	0
Civil Penalties Issued	0
Stop Work Orders Issued.....	0
Improperly Posted Address Notifications Issued	0
Abandoned/Dilapidated Structures Cases Open.....	0 (0 closed by demo)
ZnP Hearings Processed.....	1
BOA Hearings Processed	1
Demolition Permits Issued	1
VROPs Active to Date.....	379

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

3. Environmental

Land Disturbance Permits Issued.	3
Complaints Logged	0
Complaints Investigated	0
Stop Work Orders Issued.....	0
Floodplain Development Permits Issued.....	4

4. Lake Structures/Shoreline Stabilization

Lake Structure Permits Issued	3
Shoreline Stabilization Permits Issued	0
LSAB Hearings Processed	0

5. Subdivision Administration

Preliminary Plat:	0
Final Plat	0
Minor Subdivisions:	0
Exempt Plat Reviews:	3

Lots Approved	0
Review Officer (per GS 47-30):	
Plats Reviewed:	3
Plats Approved:	3

II. PROJECTS UPDATE

Review of Town Ordinances on Vacation Rental Operating Permit– CDD staff have reviewed UNCSONG documents evaluating the impacts of a Superior Court Judge’s decision to strike down the city of Wilmington’s whole-house lodging ordinance on short term rentals. This decision may impact the Town’s vacation rental ordinance. A memo on this topic was provided to the Zoning and Planning Board. The Zoning and Planning Board has reviewed the information and have requested advice from the Town’s attorney on the matter. Staff are currently waiting for any appeals of the decision. **Update:** Comment was received from the Town’s attorney. These comments will be presented to the Zoning and Planning Board.

Floodplain Management CAV -

The Community Development Department will be participating in a Community Assistance Visit (CAV) conducted by North Carolina Division of Emergency Management. This is a major component of the National Flood Insurance Program's (NFIP's) Community Assistance Program (CAP). The CAV is a visit to a community by NCDEM on behalf of FEMA that serves the dual purpose of providing technical assistance to the community and assuring that the community is adequately enforcing its floodplain management regulations. Generally, a CAV consists of a tour of the floodplain, an inspection of community permit files, and meetings with local appointed and elected officials. FEMA or the State will work with the community to help ensure their program is in compliance with NFIP requirements. **Update:** The Community Development Department was visited by Terry Foxx CFM on 3/25/21. Mr. Foxx reviewed documents related to the management of the floodplain ordinance and also toured the Town’s floodplain. Staff are waiting on the final report.

Phase 1 Sewer Database and Map – CDD staff have compiled parcel data, street data, sewer customer data, and topographic data. This data has been analyzed for topographic and geographic relevance to Phase 1 of the sewer system. Maps and data layers are being updated to reflect changes in project scope to align with information released by engineering firms. **Update:** Request for new strip map books and spreadsheets detailing property by tiers have been requested. Staff will be working on this request in the near future.

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

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

Engineering on 04/02/2020. Town staff have reviewed the revised plans submitted by Odom Engineering. NCDWR, USACE, and Town Staff have approved the revised plans and have released permits to the applicants.

CDD staff received plan revision requests from Odom Engineering for the upper slope failure repair. Staff reviewed the plan revisions and coordinated comments with NCDEQ and USACE. These comments were shared with Odom Engineering and the Highlands POA on 2/11/21. **Update:** No final revisions were submitted nor has work commenced on this repair. On 4/1/21, the USACE issued a deadline for final plans to be submitted by 5/15/21 and the project be completed within 180 days.

N.C. G.S. 160D – North Carolina passed new statutes that affect how local municipalities can regulate land use. These updates will become effective on July 1, 2021. Staff with assistance from Isothermal Planning and Development Commission are reviewing Town ordinances in preparation for the 160D update required before July 1, 2021.

Update: On March 16th, staff and Sarah Kopkin with IPDC presented to the Zoning and Planning Board a preliminary audit of the Town's Ordinances identifying the area's requiring text amendments to comply with G.S. 160D. The Town's attorney has reviewed the recommend updates and provided feedback for consideration. IPDC will update the recommendations and staff will present these to the Zoning and Planning Board.

Town Policy for Compliance with Title VI of the Civil Rights Act of 1964 – Town Staff has contacted Ashley Council, Title VI Officer/ ADA Specialist with North Carolina Department of Transportation/ Office of Civil Rights [accouncil@ncdot.gov]. With assistance from Amy Wright and the use of examples from other jurisdictions, the CDD Staff have created a non-discrimination policy that satisfies the requirements for Title VI. This document will be shared with William Morgan for review. Once reviewed and approved by Mr. Morgan, an adoption resolution and document will be presented to Town Council. A copy of the drafted Title IV was shared with Isothermal Planning & Development Commission for comment. Staff are currently working on incorporating their recommendations. Requests for access to the survey of compliance have been submitted to NCDOT. Staff are currently waiting for a response. **Update:** No update at this time.

Lake Structure Tag Maintenance Program – The Town of Lake Lure's Lake Structure Regulations require that all lake structures be maintained and in good repair. To ensure compliance, lake structures should be inspected every five years. Structures deemed safe and in compliance are issued a "tag" to be attached to the structure. The town shall have the authority to condemn any lake structure due to decay, disrepair, or any hazardous condition. The property owner will be given a written notice and 90 days to comply with the Town Council's determination. If the owner fails to appeal to the Town Council for a hearing or comply with their determination, Council may revoke their lake structure certificate and accompanying tag (if one had been issued) and remove the structure at the property owner's expense. (§ 94.08)

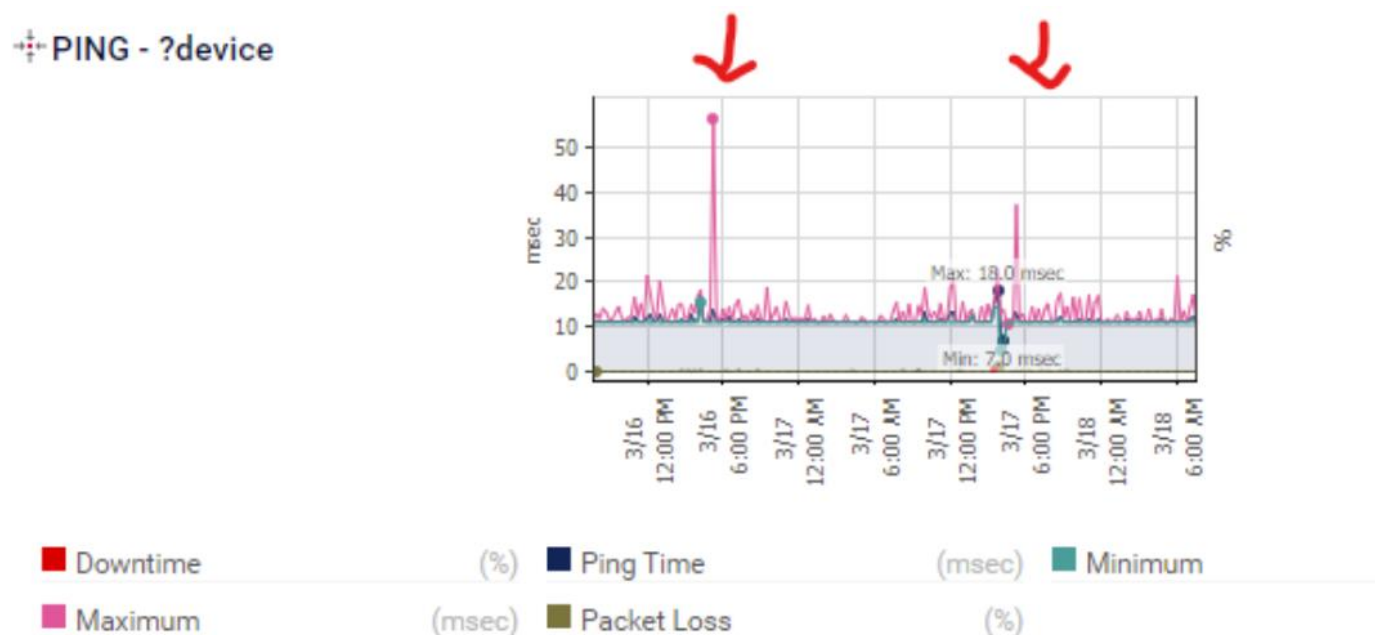
As this program has not been enforced in over 20 years, some lake structure have not been maintained, resulting in potentially hazardous conditions. In an effort to ensure all lake structures built or installed over the Town's property, the Community Development Department has been asked to restart the enforcement of the lake structures tag program. The department is working with the Town's attorney to ensure all elements of this program align with state regulations and can be restarted. As staff are not qualified to inspect the structural integrity of structures, a qualified professional will have to perform the inspections.

III. OTHER

In addition to the projects listed above, there are a few things that have required significant focus from the Community Development Department:

- 1) CDD staff have provided technical expertise required to host 2 meetings via Zoom this month. This task required staff time for setup, hosting and monitoring during the meetings, and for post-production and publishing after the meetings.
- 2) Staff have been attending meetings with Advance Data & Networking Solutions to collect information about their restructuring, as it impacts their services provided to the Town. Staff also took the opportunity to request long term goals and performance standards from ADNS. ADNS have provided a list of current computers and identified devices they recommend replacing. A request for ADNS to track ping with the use of their ping plotter server. This will identify lag within the Town's internet service. ADNS was tracking downtime within the network, but smaller delays and drops in connectivity were not captured. CDD staff are waiting for the results.

Update: ADNS shared the graphed results from Ping Plotter that identifies the time it takes for data to be transferred. The Town experienced an interruption in connection on 3/16 and 3/17. These occurrences are captured in the graph below.



3) Staff Training/ Updates

- a. Mike Williams attended a storm water control webinar hosted by Water Resources Research Institute of the UNC System.
- b. Mitchell Anderson hosted a Zoom training session to Town staff.

Overall, the Community Development Department is working towards completing larger projects while focusing on current permitting demands, and training new department staff. The CDD has experienced a significant

increase in permitting demands. This is a trend that is being experienced throughout Western North Carolina over the past year.

A handwritten signature in black ink, appearing to read "Mitchell Anderson", with a stylized, flowing script.

Mitchell Anderson,
Assistant Community Development Director

Town of Lake Lure Dam & Hydroelectric Plant Monthly Report



March Report
2021

Contents:

1. Revenue
2. Generator Run Time
3. Lake Levels/Gates
4. Significant Weather Events
5. Scheduled Maintenance and Improvements

1. Revenue

Top 5 Months of Revenue			
Rank	Year	Month	Revenue
1	2016	January	\$124,215
2	2013	July	\$114,057
3	2013	August	\$109,521
4	2019	January	\$108,199
5	2019	February	\$107,935

FY 2021 Revenue		
July	577,540 Kwh	\$48,599.59
August	795,732 Kwh	\$63,539.87
September	1,025,676 Kwh	\$72,635.46
October	1,111,524 Kwh	\$70,302.00
November	Kwh	\$75,250.00
December	980,440 Kwh	\$80,561.96
January	0	0
February	0	0
March	823,046 Kwh	\$54,666.82
April		
May		
June		
Total:		

Blue Highlights are current revenue

Red Highlight off Peak Months

- Revenue. \$54,666.82
- Kilowatts Produced.[823,046

2. Gen Run Time

Big Unit: 240 hrs.

Small Unit: 663 hrs.

3. Lake Levels

- Full Pond: **24**
- Min Recorded Lake Call in Level: **33.03**
- Max Recorded Lake Call in Level: **25.41**
- Max Gate Opening: **9ft**
- Min Gate Opening : **0**

4. Significant Weather Events and Rain Accumulation

A storm event entered into our region between 17th and the 18th. We received approximately 2.07 inches of rain. The max gate opening during this storm event was one foot. We received estimated 3.05 inches from a storm front that came into our watershed between 25th and the 26th. The total estimated rain accumulation for the month of March is 7.05 inches.

5. Scheduled Maintenance and Improvements

- The big generator was completely reassembled and is now running.
- Performed tree removal around the waste water treatment plant.



Dean Givens; Parks, Recreation, and Lake Director

DEPARTMENT: Parks, Recreation, and Lake

REPORT DATE:

PREPARED FOR:

March 29, 2021

Town Manager

I. ACCOMPLISHMENTS

Current Parks, Recreation, and Lake Projects:

1. Boy's Camp Rd. Campground – <i>Not selected for PARTF funding – Reapplying during next grant cycle</i>	2. Luremont Trails – <i>Trail scouted; permits filed; Plan approved by Parks and Rec. Board, legal opinion received; working on next steps</i>	3. Marina Phase II and Amphitheater Funding – <i>Working with TDA/ Rutherford Bound to keep projects moving forward</i>
4. Monetization Schedule for P&R Assets and Facilities – <i>New ideas being considered</i>	5. Updating Parks and Recreation Open Space Plan – <i>Working with Ed Dittmer and Moe Bay on updates</i>	6. Morse Park Walking Path Expansion Grant – <i>To expand the pavement back to town hall</i>
7. Landscaping at Boardwalk/Marina – <i>Complete</i>	8. CRSP Ingress/Egress – <i>Meetings planned to discuss how this is going to be done</i>	9. Seeking Grants for Buffalo Creek Park parking lot expansion – <i>Applying for Two for the Trails Grant</i>
10. Permit for Filling in Half of Pond in Morse Park – <i>According to the Morse Park master plan</i>	11. Deep Water Launch – <i>Create for allowing equipment to launch during lake drawdown</i>	12. Morse Park Parking Expansion – <i>Working on plan to create more parking</i>
13. Naming Rights – <i>Working to update policy</i>	14. Golf Course Plan – <i>Golf Course study</i>	15. Dredging Grant – <i>Finalizing budget</i>

PR&LD ACTIVITIES:

1. Oversee daily operations for Parks, Rec, & Lake
2. Attended multiple staff/public meetings
3. Attended multiple project meetings
4. Worked on multiple projects
 - Dredging
 - Deep water launch
 - Island Creek road property
 - Beach house roof replacement - Completed
 - Beach storm water issue - Completed
 - Boardwalk/paver walkway repair - Completed
 - Golf Course RFP – Sent out for bids
 - Dredge Grant budget
 - Dredging calendar
 - Mining permit amendment
 - 2021-22 CIP and operating budget
 - Boys Camp rd. Camp Ground
 - Chapel Point rd. Lake access point
 - Pressure washed the marina/boardwalk
 - Repairs to the gazebo boardwalk
 - Amphitheater/TDA
5. Boat maintenance – ongoing
6. Spring maintenance
7. Police in-service training

PR&TC ACTIVITIES:

1. Attended Basic Law Enforcement Training 5 nights a week (20 - 25 hrs/week)
2. Worked with the TDA to have 4 miles of Memorial Highway cleaned by a professional company as part of the Keep Rutherford County Beautiful Initiative – this is free of cost for the Town
3. Arranged to have free trash bags, vests, gloves, and grabbers provided by Keep Rutherford County Beautiful for the clean-up on Boys Camp Road planned for April 13th
4. Updating portions of the Parks and Recreation Open Space Plan
5. Continued filling out the paperwork for the Two for the Trails grant for potential funding for the Buffalo Creek Park parking lot expansion
6. Began applying for necessary permits for the Buffalo Creek Park parking lot expansion
7. Checked Buffalo Creek Park, Dittmer-Watts Nature Trails, and Weed Patch Mountain for damage
8. Led Dittmer-Watts Nature Trail workday on 3/10 to remove a beaver dam – 4 volunteers; 16 volunteer hours
9. Volunteers inspected and reported downed trees on Weed Patch Mountain on 3/13 – 2 volunteer; 8 volunteer hours
10. Organized Buffalo Creek Park workday on 3/23 to repair eroded areas and remove trees – 5 volunteers; 25 volunteer hours
11. Led Weed Patch Mountain Trail workday on 3/30 – 5 volunteers; 25 volunteer hours
12. Helped with layout for marina landscaping; smaller plants being installed now
13. Planned upcoming trail maintenance days and recruited volunteers to help
14. Updates/revisions are in progress for the Lake Lure Naming Rights Policy

15. Checked trail counters and reported numbers
16. Trained volunteers on how to collect water samples from the lake – 2 volunteers; 14 volunteer hours
17. Utilized a total of 88 volunteer hours
18. Attended several meetings

P&R Maintenance Activities:

1. Performed regular ground maintenance activities at all areas
2. Cleaned parks, boat ramp, and marina
3. Sprayed playground equipment and picnic tables with bleach
4. Completed Marina Landscaping
5. Removed fallen tree on Dittmer-Watts Nature Trail
6. Sprayed winter weeds
7. Began working on annual bed design for 2021
8. Put up town banners for the season
9. Changed message board

Lake Activities:

1. Boat maintenance
2. Buoy maintenance
3. Debris pickup
4. Marina pressured washed
5. Received a \$1500 donation from LLLOA for new bubblers
6. Dredging in river

1. FOLLOW UP

1. Luremont Trail: Plan has been approved by Parks and Recreation Board; legal opinion received; working on next steps
2. Boys Camp Road: Not selected for PARTF funding. Reapplying during next grant cycle
3. Dredging Grant: \$637,500 grant awarded, working to finalize budget
4. Naming Rights Policy: Continuing to gather information for Naming Rights Policy for Town properties
5. Lake Lure Trails: Work days held on Lake Lure trails each month to ensure they are properly maintained

2. OTHER

1. Marina Slips Available: 0



Name: David Arrowood

Department: Public Works

REPORT DATE:

March 31, 2021

PREPARED FOR:

Town Manager

I. ACCOMPLISHMENTS

- 1. Finished Consumer Confidence Report for Water System.**
- 2. Scott Bidy received a Thank You letter for installing a dead end sign in a timely manner.**

II. FOLLOW UP

- 1. Completed Scott Bidy annual evaluation.**

III. OTHER

- 3-1-21 We started reading Water Meters.
- 3-1-21 We purchased a asphalt packer so we can do a lot of our patching in house.
- 3-1-21 227 Snug Harbor had water leak. We turned off meter.
- 3-2-21 I attended UAB meeting.
- 3-2-21 I attended weekly sewer meeting.
- 3-2-21 We checked a washout on Lake BLVD. We fixed problem.
- 3-3-21 We measured for Asphalt patch on Gottlieb Getaway.
- 3-3-21 Cleaned 358' of ditch on Lake Blvd.
- 3-3-21 We installed a sign on Moffitt Road.
- 3-5-21 We removed winter snowflakes from power poles in town.
- 3-5-21 We repaired a broken hydraulic lever that was broken on bucket truck.
- 3-8-21 We took saw and cut Asphalt on lake blvd for patch work we are doing.
- 3-8-21 We cleaned gutters at Town Hall.

3-9-21 We did asphalt patching today.

3-9-21 I attended board meeting.

3-10-21 We cleaned 1000' of ditches on Boys Camp Road today.

3-10-21 Met with Sam about operating budget.

3-11-21 We cleaned up debris around shop.

3-11-21 Scott Biddy started class today for his well water certification.

3-12-21 We went out on Lake and checked Manholes for leaks.

3-12-21 We worked on SDS Sheets for chemicals at our shop.

3-15-21 We cleaned ditches on Lakeview Rd. 1185' of ditch cleaned.

3-15-21 We took Water Samples to Asheville.

3-16-21 We drove around town during rains checking ditches in Town.

3-16-21 We had a webex meeting with DEQ about Countys Sewerline in CRV.

3-17-21 We cleaned up and hauled away brush and debris from shop.

3-18-21 We checked more ditches during rain and cleaned up shop.

3-19-21 Attended a meeting with Terry Baker in Hendersonville.

3-22-21 We went out and worked on Boardwalk near Gazebo. We removed boarder and Gunner helped Mark replace bad boards.

3-22-21 We hauled to dump truck loads to the landfill.

3-23-21 I went to Rutherford County Maintance to look at a vehicle lift the county offered to give us.

3-23-21 We check a danger tree at Humming Bird Cove. Its on private Property.

3-23-21 We worked on consumer confidence report for Water System.

3-24-21 We read water meters today.

3-24-21 Met with CRV about countys sewerline.

3-24-21 Contractor started tearing down old fence at Public Works.

3-24-21 Repaired door lock at Town Hall.

3-25-21 We read water meters today.

3-25-21 We came in at 9pm for high water level at sewer pumpstation. We maintained flow without having a spill. We worked most of the night checking manholes looking for places storm water could get in our system. We found a few problems that we will be working to fix.

3-29-21 We worked on Water Meters

3-30-21 We repaired 2 leaking manholes on number 9 that was taking on rain water during storms.

3-30-21 We loaded dumpster at shop with hard trash we picked up.

3-30-21 We had a cip meeting with Sam, Shannon, Kilby and Dave.

3-31-21 We went to Humming Bird Cove about storm water runoff.

3-31-21 Met with Kurt, Shannon, Dave, about water system.

3-31-21 Attended board meeting today.

3-31-21 Finished repairs to Boardwalk.



Name: Dustin Waycaster

Department: Fire

REPORT DATE:

March 31, 2021

PREPARED FOR:

Town Manager

I. ACCOMPLISHMENTS

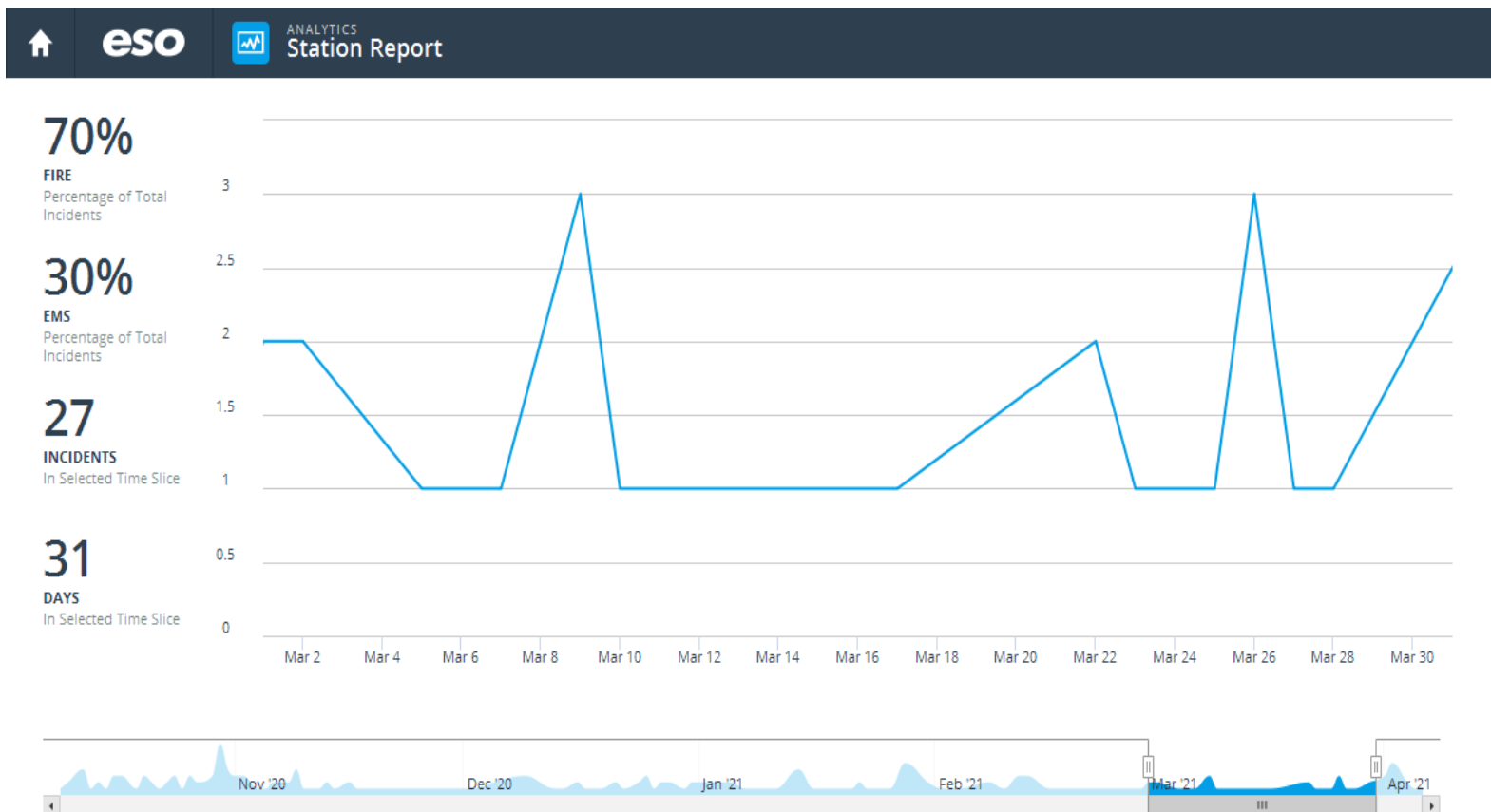
- 3/1 Public Assistance call Memorial Hwy. Fire Alarm Youngs Mnt. Taught Firefighter cert class.
- 3/2 Medical call Quail Ridge.
- 3/3 Taught Firefighter Cert class.
- 3/4 Station maintenance/Assembled Car port behind station. Serviced station generator.
- 3/5 Buffalo Creek MVC.
- 3/6 Public Assistance with smoke detectors in their home.
- 3/7 Brush Fire on Allen Dr.
- 3/8 preplanned Kens Rock Response area with some new staff.
- 3/9 Medical call Oriole Dr. Mountain Loft Mulch fire. Fire alarm on Buffalo Shoals. Boys Camp for Smoke Report.
- 3/10 Brush Fire on Hillview.
- 3/12 Medical Call Memorial Hwy.
- 3/13 Medical call Vista Apt.
- 3/15 Fire Investigation Hillview and Fire Inspection on Resort Lane
- 3/16 Tank Fill line repair on 2515. Primer Repair 2515.
- 3/17 Fire Alarm on Yacht island. Finished the repair to the tank fill line.
- 3/18 MVC on Memorial Hwy.
- 3/19 Fall/Rescue @ Morse Park, Smoke report Cattail Ln. Fire Classes at McDowell Tech.
- 3/20 Dumpster Fire Red Maple Blvd. Carry-out Chimney Rock State Park.
- 3/21 Medical Call Memorial Hwy. Search on Boys Camp Rd.
- 3/22 Landing Zone Ingles For Sunny View VFD. Smoke Report Buffalo Creek. Taught building construction class.
- 3/23 Fire Investigation Summit Morning Court. Assisted Lake Director Givens with watering the Morse Park new grass.
- 3/24 Fire Alarm On Deerwood.
- 3/25 Rain/Flood Event Standby. Down river notifications and weather monitoring.
- 3/26 Tree down Windsong Dr. Medical call Gooses Way. Medical call Ingles.

- 3/27 Boat Sinking Gas and Oil Leak in the Lake. County Emergency Management notified of the spill. Boat Raised out of the water.
- 3/28 Fire Alarm Ridge Rd.
- 3/29 Repairs to station roof.
- 3/30 Medical call to Chimney Rock State Park. Drained sinking boat on Basswood and got the boat out of the water. Made contact with the owner and had him on his way to remove the vessel from the water.
- 3/31 Oral Board testing for Paid staff with county EMS training officer and county medical director. All remaining staff passed Oral board testing.

II. FOLLOW UP

- 1. Lake Lure Fire had **600**total hours of training for the month of Mar. The staff and volunteers have been training hard this month.
- 2. Lake Lure Fire ran 27 Fire/Medical/ Rescue calls
- 3. Wrote 27 Burn permits.

OTHER





NAME: SEAN HUMPHRIES

Department: LAKE LURE POLICE DEPT

REPORT DATE:

CLOSE OUT MONTH:

PREPARED FOR:

4/1/2021

March 2021

Town Manager

I. ACCOMPLISHMENTS

1. **Administrative Assistant attended FBI/SBI Indoctrinates Seminar as a continued education to support our department with its needs.**
2. **Lake Patrol is being ramped up now that the season is upon us. We've given a hand out to officers with boating permit samples for 2021 to update them on definition of permits which will assist them with patrolling the lake.**

Total Police Activities for Month: **324** (Partial Break-down below)

1	Breaking/Entering/Larcenies	12	Traffic Stops
6	Citations	0	Warning Citations
6	Verbal Warnings	2	Accidents
2	Total Arrests	55	Business Checks
5	Lake – Patrols/Permit Checks	4	Lake – Total Hours Patrolling
0	Motorcycle Mufflers Checked	9	Residential Alarms Activated
4	Follow up Investigations	2	Special Event/School/Town/Chamber
0	Roadside Checkpoints	1	Noise Complaints

Citations – Cumulative Total of Citations: **6** (Hard Copies) (1 Citation may include 2 charges) (4) Driving while License Revoked, (2) Other Infractions, (1) Speeding, (1) Driving under the Influence

Charges Total:

Arrests – Cumulative Total of Arrests: **2** (1 Arrest may include several charges)

Charges Total: (1) Drug Violation, (1) DWI, (1) Disorderly Conduct, (1) Trespassing

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

Name: Laura Krejci

Department: Communications\Events\Grants

REPORT DATE: MARCH 31, 2021

PREPARED FOR: TOWN MANAGER

I. LAKE LURE RECOMMENDATIONS/REGOGNITION

The following are new recommendations added to our Website:

- **Mountain Xpress:** Lake Lure was recently voted the Best Place to Relax on the Water in Western NC. [Learn more about the award.](#)
- **Slip Into Serenity With These 8 Things To Do In Lake Lure, NC**
By Caroline Makepeace

I feel like my spirit lived in Lake Lure, North Carolina in a previous life. It's elevated every time I arrive and see the forested green of the pine trees surrounding the beautiful lake setting.

Where is Lake Lure? It's located in Rutherford County in Western North Carolina. Lake Lure to Asheville is about 45-minutes. It's just under 4 hours from Raleigh, and only five minutes' drive to Chimney Rock State Park (see more about Chimney Rock down below).

The lake is surrounded by lush mountain tops and sheer granite cliffs. In the distance are the Blue Ridge Mountains of North Carolina and Hickory Nut Gorge with names like Buffalo Head and Sleeping lady.

It's ancient. Timeless. Connected.

It's not long after arriving in Lake Lure that I slip into lake time. It moves slow and rhythmically like the oars on my stand up paddle board moving across the lake.

Paddle boarding is one of our favorite things to do in Lake Lure and it's the first thing we did when we arrived at our accommodation, the Lodge on Lake Lure.

Kalyra (our 11 year old) pauses her paddling to do handstands and cartwheels. I watch in amazement and work up the bravery to slip off the board into the cool waters.

It's cool and refreshing. The perfect complement to the humid air. There's no fear of sharks, jelly fish or crocodiles like back in Australia (our homeland). I can swim freely in the pools of serenity.

Lake Lure NC is my happy place, and it's one of my top two favorite places to visit in North Carolina along with Wrightsville Beach. **Read more here...**



II. ANALYTICS

1. Facebook Analytics

a. Posts:

Published	Post	Type	Targeting	Reach	Engagement
03/31/2021 5:25 PM	 Don't Miss Even One! Check out these magnificent sunsets taken in			1.3K 	53 56 
03/31/2021 3:11 PM	 EASY OPTIONS FOR PAYING UTILITY BILLS: The Town of Lake			470 	2 1 
03/31/2021 2:59 PM	 3/31/21 COVID-19 UPDATE: There have now been (172) Total Positive			740 	3 2 
03/26/2021 12:19 PM	 Lake Lure yesterday....and today. Come and see the beauty of Lake			1.6K 	33 81 
03/25/2021 10:06 PM	 HEAVY RAINFALL - USE CAUTION: Localized heavy rainfall has caused			806 	4 10 
03/25/2021 9:29 PM	 Lake Level Update: The Town of Lake Lure, NC has opened the			1.4K 	17 31 
03/25/2021 5:11 PM	 VACCINE ELIGIBILITY TIMELINE UPDATE: Today, NC announced an			813 	6 6 
03/25/2021 4:32 PM	 TORNADO WARNING: On 3/25/21 from 4:01 PM until 445 PM EDT, the			1.3K 	16 13 
03/25/2021 2:35 PM	 VISIT THE LAKE LURE FLOWERING BRIDGE: If you have			3.6K 	66 214 
03/24/2021 4:49 PM	 Seven Tips for a BearWise Spring: Chances are you may start noticing			10.5K 	830 391 
03/23/2021 5:19 PM	 IMPROVING NC COVID-19 METRICS - EASING			1.2K 	56 8 
03/23/2021 5:01 PM	 REMINDER - NEW VACCINE LOCATION: The Rutherford Health			454 	3 1 
03/23/2021 4:48 PM	 3/23/21 COVID-19 UPDATE: There have now been (170) Total Positive			731 	8 4 
03/22/2021 1:43 PM	 REMINDER: Join us on Tuesday, 3/23/21 at 8 am for a Buffalo Creek			601 	2 3 
03/22/2021 10:35 AM	 NEW VACCINE LOCATION: The Rutherford Health Department will			522 	8 9 

1. Facebook Analytics

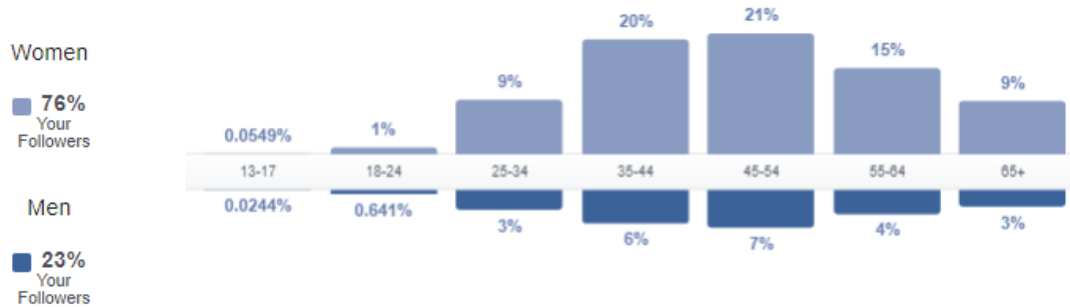
a. Posts: Continued

Published	Post	Type	Targeting	Reach	Engagement
03/18/2021 3:07 PM	 WE NEED YOU: The Lake Lure Zoning and Planning Board has a an			713 	9 1 
03/17/2021 10:56 AM	 REMINDER: The Rutherford Health Department is having Vaccine Clinic			664 	10 2 
03/16/2021 5:23 PM	 COVID-19 TESTING UPDATE: The Rutherford Health Department will			646 	5 2 
03/16/2021 5:18 PM	 VACCINE CLINICS: If you are in Groups 1-4 and would like to receive			1.4K 	89 18 
03/16/2021 5:15 PM	 3/16/21 COVID-19 UPDATE: There have now been (171) Total Positive			711 	10 1 
03/12/2021 3:19 PM	 ROWERS LOVE LAKE LURE: Collegiate rowing teams love visiting			3.1K 	105 202 
03/12/2021 10:24 AM	 VACCINE UPDATE: Vaccine Update Foothills Health District is now			579 	0 0 
03/11/2021 11:04 AM	 HONORING MAX LEHNER: This week the Town of Lake Lure, NC			1.1K 	25 13 
03/10/2021 3:07 PM	 3/10/21 COVID-19 UPDATE: There have now been (169) Total Positive			553 	4 0 
03/10/2021 10:18 AM	 GET YOUR VACCINE! The Rutherford Health Department will			494 	17 1 
03/09/2021 10:27 AM	 REMINDER: LAKE LURE TOWN COUNCIL MEETING - TUESDAY			716 	11 6 
03/08/2021 10:12 PM	 3/8/21 COVID-19 UPDATE: There have now been (169) Total Positive			647 	4 0 
03/08/2021 2:40 PM	 INTERNATIONAL WOMEN'S DAY: International Women's Day is a			682 	0 6 
03/04/2021 1:53 PM	 VISIT LAKE LURE AND CHIMNEY ROCK: In our ever changing world,			1.3K 	8 45 
03/01/2021 5:31 PM	 NC LIFTING MODIFIED STAY AT HOME ORDER AND EASING			1.1K 	66 13 
03/01/2021 5:27 PM	 3/1/21 COVID-19 UPDATE: There have now been (169) Total Positive			759 	17 3 

1. Facebook Analytics

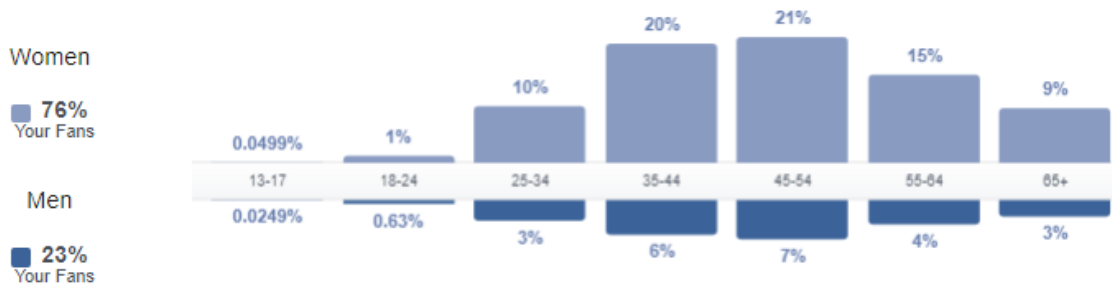
- a. Followers** (People who have opted-in to “follow” our profile or page, meaning that they will receive our updates in their timeline): **We had an 8% increase this month over this same time last year with 16,374 followers as of 3/31/21**, compared to 15,154 on 3/31/20.

The people who follow your Page. This number is an estimate.



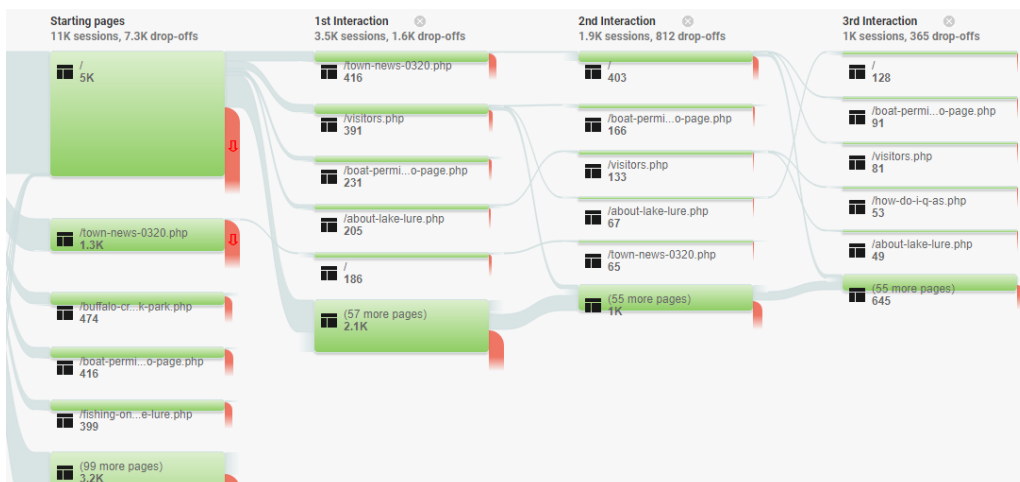
- b. Likes** (When someone “likes” a page, they’re showing support for the page and indicating they want to see content from the page): **We had an 8% increase this month over this same time last year with 16,035 followers as of 3/31/21**, compared to 14,890 on 3/31/20.

The number of people who saw any of your posts at least once, grouped by age and gender. Aggregated demographic data is based on a number of factors, including age and gender information users provide in their Facebook profiles. This number is an estimate.



2. Website Analytics:

- **Users:** There were 11,655 website users in March 2021, a 37% increase over March 2020.
- **New Users:** There were 11,172 new users in March 2021, a 44% increase over March 2020.
- **Sessions:** There were 14,170 website users in March 2021, a 31% increase over March 2020.
- **Page Views:** There were 29,140 website users in March 2021, a 37% increase over March 2020.
- **Inquiries:** All web inquiries were answered timely by the Customer Service Specialist.
- The following chart illustrates the most visited pages and the website flow



III. EVENTS

a. Upcoming Events:

1. We are tentatively planning the ribbon cutting ceremony for the Boardwalk and Marina on 5/14/21 at 11:00. We are working with the Rutherford County TDA to plan this event.
2. Other scheduled events are as follows:



Town Council
Town of Lake Lure, NC
12 Dates - Jan 12 - Dec 14



Town of Lake Lure and ROC Workday at
Buffalo Creek Park
Buffalo Creek Park, Lake Lure NC
Tue Apr 13, 8:00am



Town of Lake Lure and ROC Workday at
Weed Patch Mountain
Buffalo Creek Park, Lake Lure NC
Tue Apr 20, 8:00am



Lake Lure Memorial Day Service
Lake Lure Veterans Memorial across from the
Lake Lure Beach and Waterpark
Mon May 31, 9:00am

III. GRANTS

1. **FEMA High Hazard Potential Dam (HHPD) Grant Award:** The 2020 Grant application was submitted for the design work related to the reservoir drain. The total project cost is **\$185,710**. We applied for the FEMA HHPD grant to cover 65% of this project and were advised that the Town has been awarded **\$121,000**. The Town must contribute 35% (**\$64,998.50**) to support completion of this project. The FEMA HHPD grant contract was reviewed and approved by the Town attorney and signed and forwarded to NC DENR for their signature.

Update 3/31/21: Received notification for potential additional FEMA HHPD Grant Funding this cycle. Coordinated with the Town Manager and Finance Director and reached out to our Dam engineer to prepare a proposal. Submitted a second proposal for a **conceptual design of a replacement for the Lake Lure Dam. The total cost of this project is \$58,568**. The Town of Lake Lure understands that this grant opportunity requires a 35% match. The Town confirms the availability of **\$20,498.80** to support completion of this project, if awarded the remaining **65% (\$38,070.20)**.

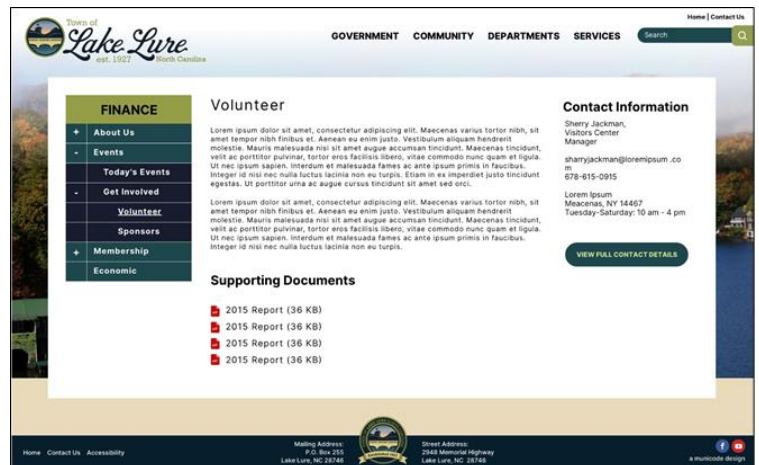
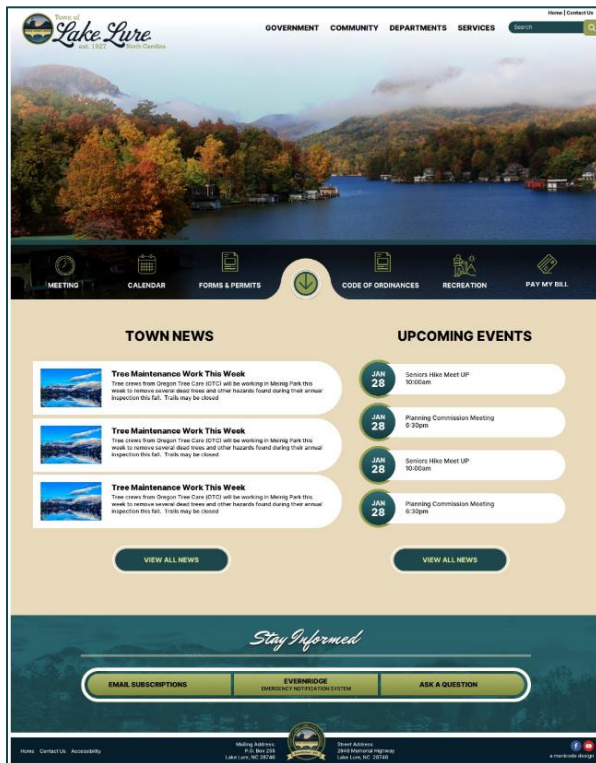
We are still awaiting the formal approval of these two grant applications which are under review in the national FEMA Office.

2. **Facebook Grant:** Unfortunately, the Town was notified that we were not selected for this grant opportunity. Which is more focused on technology than Police/Fire Fighter radios.

3. **Asset Inventory and Assessment Grant Program:** The purpose of this grant is to support developing asset inventories, condition assessment of critical assets, and other components of a comprehensive asset management programs. LaBella Associates will take the lead in applying for this grant in 2021.
4. **Grants Database:** We continue to update the Grants Database as new information becomes available.

IV. COMMUNICATIONS

1. **Website Transition:** I am working with department heads and key staff to ensure each page is updated. This is a HUGE endeavor. We are working through the top 100 pages and are allotted 5 links to additional data per page. We have incorporated an online work order system, an online facility reservation system, a parks/trails system, and a newsletter subscriptions to our Town News. I am now exploring the possibility of adding an online boat permit package and an online boat slip package. The photos below illustrate the look and feel of the site with the home page on the left and the inner pages on the right. Updates will be provided here but we are making strong progress on this enormous project.



2. **Everbridge:** Increased Everbridge registrants by 28 people this month with 1,952 total registrants (847 Everbridge registrants + 1105 Nixel registrants) as of 3/31/21. **We sent out the following notifications this month:**
 - 3/25/21: [Tornado Warning 3/25/21 4:00 PM - 4:45 PM](#)
 - 3/25/21: [Heavy Rainfall](#)

3. Signage:

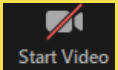
- a) **Town Hall:** Obtaining bids for a two sided electronic sign for the Town. Started with the company that provided the signage for the library, Stewart Signs. The first quote is for \$17,382 for a one color sign. One concern about the one color is that it is red. In order to get multi colors, the cost is \$. I am in the process of getting additional quotes.
 - b) **Morse Park Signage:** I am working with the Parks, Recreation and Lakes Department to develop replacement signage for Morse Park that would focus on the lake on one side and fishing on the other side. We are working to determine if we can reuse the old structure to reduce the cost of the signage and I am in discussion with the sign company about this.
 - c) **Town Banners:** There has been discussion about the possibility of replacing the existing Town banners which are actually in good shape. There was one banner that had a tear at one of the grommets but we had a replacement banner for this one site. The challenge with creating new banners at this time is that I recently replaced the flag pole banners to coordinate with the larger banners so the timing may be off for this project right now since the existing signs are in such good shape and we want to get as much use out of them as possible.
4. **Mayoral/Town Manger Support:** Provided assistance as needed with Town communications including the Mountain Breeze article, media relations, departmental updates, COVID-19 updates to the public.
5. **Spring Community Forum:** We will be planning the upcoming community forum as soon as the timing is right, based on the progress of the sewer system replacement project and other Town updates.
6. **Sewer System (SS) Renovation Replacement and Renovation Project:** Worked with the UAB, contractors and key staff to develop a strategic communication plan including an introductory letter, detailed overview and update, property owner survey, and Cove Captain meeting outline with the SS team. We are now in the process of creating a list of frequently asked questions and answers to be utilized as needed as we proceed with Phase 1 of the project. A key part of this involves an analysis of the related policies.
- a) **Mailer/Letter:** On hold awaiting completion of the policy analysis
 - b) **Frequently Asked Questions:** On hold awaiting completion of the policy analysis
 - c) **Community Outreach Schedule Updates/Adjustments:** On hold awaiting completion of the policy analysis
 - d) **Grant Submittals/Results relative to Reservoir Drain / Sewer Access Valve (Design & Construction)**
7. **Email Updates:** An email update with the month's headlines will be shared this week with the Town's email database.



VIII

PUBLIC COMMENT

If you would like to speak on topics other than those being discussed during a public hearing, please unmute your mic, introduce yourself by stating your name and residency/business and what you would like to talk about. Please keep comments at five minutes or less.

Click  to unmute/mute
Click  to turn on camera

IX

CONSENT AGENDA

- Adoption of the March 9, 2021 Regular Meeting Minutes and the March 31, 2021 Special Work Group Meeting Minutes
- Request from Lake Lure Tours, Inc. for a Classic Boat and Car Show
- Budget Amendment #301 – Fire Boat Repairs
- Budget Amendment #302 – Sewer Chemicals
- Budget Amendment #303 – Lobbyist
- Budget Amendment #304 – Dam Automation
- Budget Amendment #305 – WWTP Digester
- Request from Harold Harper to Remove Trees Within the Lake Boundary
- Adoption of the Town of Lake Lure Social Media Policy



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, MARCH 9, 2021, 5:00 P.M. VIRTUALLY VIA ZOOM**

PRESENT: Mayor Carol C. Pritchett
Mayor Pro Tem John W. Moore
Commissioner Patrick Bryant
Commissioner David DiOrio
Commissioner John Kilby

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

ABSENT: N/A

I. CALL TO ORDER

Mayor Carol C. Pritchett called the meeting to order at 5:00 p.m.

II. AGENDA ADOPTION

Commissioner David DiOrio asked to move “Budget Amendment #300 – Dam Design” from the “Consent Agenda” to “New Business, Item C” for discussion purposes.

Commissioner John Kilby made a motion to approve the agenda, as amended. Commissioner David DiOrio seconded and the motion carried 4-0.

III. MAYOR’S COMMUNICATIONS

A. RESOLUTION NO. 21-03-09 HONORING MAX LEHNER

Mayor Pritchett read Resolution No. 21-03-09 Honoring the Service and Memory of Max Lehner.

Commissioner John Kilby made a motion to adopt Resolution No. 21-03-09 Honoring Max Lehner. Commissioner David DiOrio seconded and the motion carried 4-0.

Page 2- Minutes of the March 9, 2021 Regular Council Meeting

**RESOLUTION NO. 21-03-09
HONORING THE SERVICE AND MEMORY OF
MAX LEHNER**

WHEREAS, on August 9, 1928, Max Eugene Lehner was born in Marion, Ohio; and

WHEREAS, Max Lehner faithfully served as a Commissioner for the Town of Lake Lure from November 26, 1991 until November 23, 1993; and

WHEREAS, Max Lehner faithfully served as Mayor with the Town of Lake Lure and was sworn in to office on November 23, 1993 and served until November 25, 1997. During his tenure as Mayor, the Town Hall was erected in Lake Lure; and

WHEREAS, Max Lehner was a valuable member of the Town and served on numerous boards, including the Environmental Development Council (EDC) and the Tourism Development Authority (TDA), and served as Chairman of the Isothermal Planning and Development Commission (IPDC); and

WHEREAS, the Town of Lake Lure is deeply saddened by the loss of previous Lake Lure Commissioner and Mayor, Max Lehner, who passed away on Monday, January 11, 2021. He will be missed but not forgotten.

NOW, THEREFORE, BE IT RESOLVED that the Lake Lure Town Council desires to honor the service and memory of Max Lehner for his contributions to the Town of Lake Lure and hereby express their sympathy upon his passing and extend condolences to his wife and family.

Adopted by unanimous vote of the Town Council on the 9th day of March, 2021.

IV. TOWN MANAGER'S COMMUNICATIONS
--

Town Manager Shannon Baldwin provided an update on the Dam. He reported that Council approved a 10 year notional timeline with milestones and made a decision to work towards a new dam. The timeline was submitted to NCDEQ along with all additional documents/studies performed by Schnabel.

Mr. Baldwin then provided an update on the sewer system project. He reported that we are still working on the Special Order by Consent (SOC) entered into with NCDEQ which allows the Town to operate the Wastewater Treatment Plant (WWTP) in such fashion to meet standards by DEQ. Once new standards are set, the fines and penalties will cease and we can move forward. The Town is currently in the last phase of DEQ review of the Engineering Report/Environmental Information Document (ER/EID). It will likely be April before the ER/EID and SOC are approved by DEQ.

Page 3- Minutes of the March 9, 2021 Regular Council Meeting

Mr. Baldwin also provided an update on dredging. He reported that Parks, Recreation, and Lake Director Dean Givens is working with LaBella to ensure everything is in place for next year's lake drawdown. He stated that Mr. Givens is working with LaBella on permitting for a spoils fill site off of Island Creek Road that could potentially be repurposed for usable land in the future.

Mr. Baldwin provided a brief update on the Firefly Cove water system noting that more exploration is needed before moving forward with this project. He then provided an update on hydro mentioning that Dam & Hydroelectric Director Dean Lindsay is in the process of having the large generator cleaned. The large generator is planned to be back in operation next week. Commissioner DiOrio pointed out that work on Hydro was typically contracted out in the past but our current staff, under Mr. Lindsey's leadership, is now conducting 95% of that maintenance.

V. PUBLIC HEARING

A. REQUEST FROM BRIAN AND JENNIFER LAIL TO REZONE PROPERTY LOCATED AT 506 MEMORIAL HWY FROM R-1 RESIDENTIAL TO CG COMMERCIAL GENERAL

Assistant Community Development Director Mitchell Anderson explained the request. He stated that Brian and Jennifer Lail are requesting to rezone approximately 0.26 of a 0.29 acre parcel located at 506 Memorial Highway from R-1 Residential to CG Commercial General. The Zoning and Planning Board (ZPB) reviewed the request on February 16, 2021 and found that the rezoning of the R-1 Residential zoned portion of the Lail's property is inconsistent with the 2007-2027 Comprehensive Plan, as the Future Land Use Map indicates the Lail's parcel is to be zoned for future residential use only. The rezoning of the R-1 residential portion of the parcel would not align with the current neighborhood character in this area, which is primarily used for residential single family dwellings. Further, the parcel's current dimensions would not comply with § 92.040 Building Site--Minimum Dimensional Requirements of the Town's Zoning Regulations and would not easily accommodate required off-street parking for commercial uses. Therefore, the ZPB recommended that the request for a map amendment to rezone the above parcel be denied based on their statement of reasonableness and Comprehensive Plan Consistency.

As a result of G.S. 166A-19.24, Town Council must wait a minimum of 24 hours to vote on a decision to allow adequate time for written public comment.

Commissioner Moore reported that an email was received from Tony Montanari, property owner across the cove from the Lail's property at 134 Basswood Drive, who stated he did not receive notification about the hearing and expressed that he had some concerns with the request. Mr. Anderson explained that he posted the property with a sign about the hearing, he

Page 4- Minutes of the March 9, 2021 Regular Council Meeting

had an ad posted in the local newspaper on two separate occasions, and he mailed notice to the adjoining property owners in accordance with what is required by law. He explained that he mails notice to all property owners within 100' from the property line. Commissioner Kilby suggested sending Mr. Montanari an email explaining the notification requirements and that his property is not located within 100' from the Lail's property. Mr. Anderson pointed out that Section 92.174(B) of the Zoning Regulations only requires a mailed notice to owners of properties that are abutting the property in which the request is being made. He pointed out that he actually goes above and beyond what is required by law for adjoining property owner notifications.

Mayor Pritchett invited the public to speak on this matter and no one requested to speak at this time.

Jenny Lail provided a background and history of the property. She stated that they purchased the property in May 2020 because it was split zoned R-1 and CG and would allow them to operate their boat rental business. She mentioned that their pontoons are rented out on a long-term basis to vacation rental homes across the Lake and she did not feel that her neighbors see their business as a nuisance. She explained that the current CG zoned section of their property is small and they would like to expand that CG district to create a larger buffer between their business and their neighbors, David and Marcia Baker. They would also like to build a boathouse and dock and were advised from contractors that the ideal spot for construction of a permanent boat house was to extend the dock towards the Baker's property line. Ms. Lail pointed out that their property is grandfathered in because it was built prior to the current Zoning Regulations and they were told that they would never lose the existing CG zone. Ms. Lail also assured the Board that they can comply with the parking requirements. She stated that they have enough parking for ten vehicles and could consider off-site parking as well, similar to Lake Lure Adventure parking near Point of View Restaurant. She explained that rezoning the property would create a less invasive environment for their neighbors on the water.

Mr. Anderson explained that when a property is rezoned, it is rezoned for all uses allowed by that zoning district and not for just for specific uses. Attorney Morgan agreed and stated that to do otherwise would constitute contract zoning. The Board must consider all of the range of uses that could take place once a property is rezoned.

Commissioner DiOrio pointed out that Section 4.09 (D) (chart on page 17, "Mooring Restrictions") of the Lake Use Regulations allows livery boats to be moored in any zoning district; not just CG. Therefore they could moor their boats anywhere on their property which appears to accomplish what they wish to do. Attorney Morgan agreed and felt this was a correct and reasonable interpretation. He explained that the Board would still have to take action on the request unless it's withdrawn. Mr. Baldwin asked that Mr. Givens discuss the interpretation of this particular revision with Attorney Morgan. Commissioner DiOrio explained that if they plan to build a boathouse, it must be done in accordance with the Regulations no matter its location and would be reviewed by the Community Development Department.

Page 5- Minutes of the March 9, 2021 Regular Council Meeting

Commissioner DiOrio felt that additional time and review was needed before a decision could be made. Attorney Morgan stated that the Board could recess the hearing but explained that when the hearing is closed, the Board must wait at least 24 hours before making a final decision to allow adequate time for public comment in accordance with NCGS 166A-19.24(e). Mr. Baldwin stated that the Board could recess the public hearing for a period of time to a date/time specific and in that time the Lail's could work with Mr. Anderson regarding their request for a boathouse structure and Mr. Givens relative to use of those structures. Then, if their needs are met, they could be given the option to withdraw their application.

David and Marcia Baker, adjoining property owners, expressed their opposition to the Lail's rezoning request. Mr. Baker stated that their cove is a small, shallow and narrow cove and he feels it would be in the best interest of the cove and the community for the property to remain zoned R-1 Residential. He mentioned that they recently applied to rezone their property from the CG Zoning District to R-1 Residential. They also stated that parking for the Lail's property is an issue and explained that they have to keep their property roped off to keep people from parking on their property. The only other parking is parallel to the Highway in the DOT right-of-way. He expressed that their concern is that all commercial uses would be allowed on the property if rezoned. He stated that they have spoken with other neighbors in their cove who are also opposed to having another business near their property and in a small cove.

Commissioner John Kilby made a motion to recess the Public Hearing until Tuesday, March 23, 2021 at 9:00 a.m. Commissioner John Moore seconded and the motion carried 4-0.

VI. COUNCIL LIAISON REPORTS & COMMENTS

Commissioner DiOrio reported the activities of the Utilities Advisory Board.

Commissioner John Kilby reported the activities of the ABC Board and the Lake Advisory Board.

Commissioner John Moore reported the activities of the Zoning and Planning Board.

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

VII. PUBLIC COMMENT

Mayor Carol C. Pritchett invited the audience to speak and no one requested to speak at this time.

VIII. CONSENT AGENDA

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

Commissioner John Moore made a motion to approve the Consent Agenda, as amended earlier in meeting. Commissioner David DiOrio seconded. Therefore, the Consent Agenda incorporating the following items was unanimously approved and adopted:

- A. Adopt the February 5, 2021 Special Town Council Minutes, the February 9, 2021 Regular Meeting Minutes, the February 10, 2021 Special Town Council Minutes, and the February 24, 2021 Special Town Council Work Group Meeting Minutes
- B. Approval of Budget Amendment #298 – Schnabel Engineering Invoice
- C. Approval of Budget Amendment #299 – Public Works Fence
- D. Resolution No. 21-03-09A Amending Article VII of the Personnel Policy

**RESOLUTION NO. 21-03-09
A RESOLUTION TO AMEND THE EXISTING PERSONNEL
MANUAL FOR THE TOWN OF LAKE LURE**

WHEREAS, the Town of Lake Lure has a Personnel Manual adopted November, 2001, which has been subsequently amended; and

WHEREAS, the Personnel Manual shall apply to conditions of employment of the employees of the Town of Lake Lure; and

WHEREAS, updates have been recommended to the Manual in order to provide further clarification on employee eligibility and administrative leave; and

NOW, THEREFORE BE IT RESOLVED, the Town of Lake Lure Personnel Manual be amended a follows:

Note ~~strikeouts~~ for deletions and underline for additions.

Article VII, Leaves of Absence, Section 4(f), Vacation Leave-Adverse Weather

Section 4(f). Vacation Leave-Adverse Weather

Only the Town Manager may declare when administrative leave will be given to regular full time employees for adverse weather conditions. Since the Town provides significant essential

Page 7- Minutes of the March 9, 2021 Regular Council Meeting

services, it will be necessary to keep the Town operating whenever possible. Department heads shall determine which of the required functions of their departments must continue during the adverse weather event. No employee is expected to ~~work~~ risk their safety to commute to work when roads are unsafe and compensatory time or vacation days will be ~~granted~~ approved for those employees who need to be absent for this reason.

Employees required to report to work will record actual hours worked as regular time on the time sheet. If actual hours worked for the designated day is greater than the employee's normal work day, the employee will not receive administrative leave. If an employee is already on vacation or other approved leave, the employee will remain in leave status and is not entitled to administrative leave.

An employee scheduled to telework on the day(s) of the weather event is expected to work the regularly assigned hours and will not be eligible for the administrative leave.

If an employee does not report to work when a delayed opening is called, the employee will not be entitled to administrative leave and should use compensatory time or vacation leave to receive pay for that entire work day. Employees shall be paid based on the Fair Labor Standards Act.

READ, APPROVED AND ADOPTED this the 9th day of March, 2021.

IX. UNFINISHED BUSINESS

A. PUBLIC WORKS CIP REVIEW

Public Works Director David Arrowood provided an overview of the Public Works CIP items. He stated he is requesting \$350k for the Firefly Cove Water Interconnect. The system currently runs completely on one well. Mr. Baldwin noted this is one item that needs to be explored more and could drastically change. Commissioner DiOrio reported that the resolution from the engineers was to put in a pump station that would draw from the Chimney Rock Station to replace the well in the Firefly Cove interconnect. He stated that we need to hold off before putting in a pump while they explore what happens when they open the interconnect to the Firefly Cove system and to allow time to learn how the system works. Mr. Arrowood stated he would report back when he knows more.

Mr. Arrowood stated that he is requesting electronic water meters and is asking for \$200k in this year's budget to get these meters installed. He mentioned that he is looking into the Sensus water meters by Ferguson. He noted that several other towns are using these meters and seem to be happy with their service. The meters would come with a 15 year unconditional warranty and a five year prorated warranty at the end. Mr. Baldwin pointed out that the electronic meters would save a large amount of time that staff currently spends reading meters each month and would also save the Town \$35-\$40k in staff time reading meters. He noted that the Town would break even in 6-7 years and then would begin gaining some back.

Mr. Arrowood mentioned that he is also requesting \$20k in the sewer department for the installation of two manholes in Morse Park; one near the basketball court and one near rivers

Page 8- Minutes of the March 9, 2021 Regular Council Meeting

edge. There is currently only one access manhole at the entrance to the Marina that everything is tied into.

Mr. Arrowood stated that he is requesting to replace a portion of the old fence at the Public Works facility site. He originally asked for \$60k to replace the entire fence but has since discussed with Council about only replacing the worst sections of the fence, which would hide all debris and equipment from the public's view. He stated that the \$60k could be reduced to \$18k-\$20k.

Mr. Arrowood reported that a street study was conducted a few years ago and a recommendation was made to spend more on street paving than just Powell Bill money. The Board has funded more money in the past few years to bring streets up to a good pavement rating and he would like to continue this. He mentioned that the plan was to budget \$120k a year for 10 years which he would like to continue. Other items he is requesting is a water tight lid at \$6k which is recommended by DEQ for one of the Town's water tanks and \$45k for a vehicle to replace the 2005 Chevrolet truck that has over 100,000 miles and has been causing a lot of mechanical problems.

X. NEW BUSINESS:

A. GOLF COURSE PROPERTY APPRAISAL RFP REVIEW AND DISCUSSION

Parks, Recreation, and Lake Director Dean Givens stated that the Parks Recreation, and Lake Department has prepared an RFP for appraisal of the Lake Lure Golf Course. The map of Town owned land including the Golf Course categorized into residential, commercial and recreation is attached. If approved, this map will be included as "Attachment A" in the RFP.

Commissioner Moore questioned if a buyer would be limited to how the property is currently zoned. Mr. Baldwin noted that the reason for the discussion is to get Council's thoughts and can add them as notes to give to the appraiser. Commissioner Moore disclosed that the categories shown in the map are just suggestions and are not set in stone. Mr. Baldwin stated that a narrative and additional wording would be incorporated to show that there is flexibility in assessing the categories.

Commissioner Moore suggested to add E and F categories to the assessment for the recreation on the northwest side of Memorial Highway. The Board agreed to keep the Public Works fill site and the Dittmer-Watts Nature Trail out of the appraisal.

X. NEW BUSINESS:

B. PANGAEA AGREEMENT REVIEW

Mr. Baldwin reported that a meeting was held with PANGAEA last month and they were asked to respond after being notified that the Town would like to see changes in the Agreement relative to the exclusivity clause as well as redundancy in the event that PANGAEA fiber goes down. Per Council's request, PANGAEA provided a proposed service agreement for the continuation of fiber optic internet services with or without removing the Exclusive Equipment License. Two options were proposed:

Option 1: make no changes to the Agreement and allow the term to renew for additional one year terms as provided in the Agreement

Option 2: remove the Exclusive Equipment License and the Third Party Conditions that are set forth in the Agreement. PANGAEA would begin charging the Town one current rate for services that have been provided at no charge since 2009.

Mr. Anderson stated that he sent a small questionnaire to ERC Broadband, Vyve, Skyrunner, and AT&T. The questions he asked were if they could provide services for the Town facilities, he asked for locations without fiber for point to point service, and if their service had connection redundancy. ERC does have a fiber line directly in front of Town Hall. Their response included the monthly cost of those services. Vyve and AT&T have not yet responded back. He reached out to Skyrunner and they have an agreement with PANGAEA that may complicate them providing services to the Town on top of our current agreement with PANGAEA. Mr. Baldwin explained that we originally started this process to find a company to provide Wi-Fi in the Town Center to provide better internet service in that area. The RFP resulted in discussions with PANGAEA expressing the Town's concerns with redundancy. PANGAEA and Skyrunner have entered into an agreement which requires Skyrunner to secure permission from PANGAEA in order to have an agreement with the Town. Mr. Walters pointed out that this requirement is so that they protect themselves and recover their costs. He stated that the Town can maintain service for another year at no charge and can discuss again next year when we have more information from service providers. Commissioner Moore asked if by extending the agreement for another year, would it lessen the Town's ability to take bids/proposals from other companies at the end of the year to get away from some of the restrictions placed. Attorney Morgan stated that nothing in the Agreement limits the Town from exploring other options with other providers. We would want to get alternatives lined up well in advance of the anniversary date next year. Commissioner Moore added that we would also welcome proposals from PANGAEA. Attorney Morgan noted there is some legislation being considered that may play into this that has to do with broadband competition and changes that may impact this discussion over the next few months. Attorney Morgan stated that we have already given PANGAEA notice that we intend to release our agreement with them and will need to inform them if the Board wishes to continue with the current Agreement.

Page 10- Minutes of the March 9, 2021 Regular Council Meeting

Commissioner John Kilby made a motion to make no changes to the Agreement and allow PANGAEA to renew the Agreement for an additional one year term as provided in the Agreement. Commissioner Patrick Bryant seconded and the motion carried 4-0.

X. NEW BUSINESS:

C. BUDGET AMENDMENT #300 – DAM DESIGN

Mr. Baldwin explained that in order to receive a 65% matching FEMA grant for conceptual dam design, the Board must adopt a Budget Amendment.

Communications Specialist Laura Krejci added that Finance Director Sam Karr advised that a Budget Amendment was needed for the full amount of the project. If approved through the FEMA high hazard potential grant funding process, the Town would be reimbursed 65%. The total cost is \$58,568k and the Town's portion would be \$20,498.80.

Commissioner David DiOrio made a motion to approve Budget Amendment #300 for Dam design. Commissioner Patrick Bryant seconded and the motion carried 4-0.

XI. CLOSED SESSION

Commissioner John Moore made a motion to go into Closed Session in accordance with G.S. 143-318.11(a)(3) for the purpose of discussing attorney client privilege or legal claims. Commissioner David DiOrio seconded and the motion carried 4-0.

During Closed Session, Council discussed the Golf Course lease, the PANGAEA Agreement, and the Clifton Power legal claim.

Commissioner David DiOrio made a motion to leave Closed Session and return to open session. Commissioner Patrick Bryant seconded and the motion carried 4-0.

XII. ADJOURNMENT

With no further business, Commissioner John Moore made a motion to recess the meeting until Tuesday, March 23, 2021 at 9:00 a.m. Commissioner Patrick Bryant seconded and the motion carried 4-0.

ATTEST:

Michelle Jolley,
Town Clerk

Mayor Carol C. Pritchett



**MINUTES OF THE REGULAR WORK GROUP MEETING OF THE LAKE LURE
TOWN COUNCIL HELD WEDNESDAY, MARCH 31, 2021, 8:30 A.M. AT THE LAKE
LURE MUNICIPAL CENTER-CONFERENCE ROOM**

PRESENT: Mayor Carol C. Pritchett
Mayor Pro Tem John W. Moore
Commissioner David DiOrio
Commissioner John Kilby
Shannon Baldwin, Town Manager

ABSENT: Commissioner Patrick Bryant

I. CALL TO ORDER

Mayor Carol Pritchett called the meeting to order at 8:35 a.m.

II. APPROVE THE AGENDA

Commissioner David DiOrio made a motion to approve the Agenda, as presented. Commissioner John Kilby seconded and the motion carried 4-0.

III. SEWER POLICY DISCUSSION

Utility Advisory Board (UAB) Chairman Richard Glassen presented a PowerPoint presentation on the Sewer Policy proposed by the UAB. (Presentation attached)

Mr. Glassen mentioned the idea of allowing customers to pay their connection fee over a period of time but noted he would need to look into the legality of it first. Mayor Pritchett pointed out that it has been discussed some in the past and could be considered. The Board discussed the Sewer Policy. Commissioner DiOrio stated that there's still more work needed on the Policy but the UAB believes it is fair and equitable from the property owner's assessment. He stated that further review is needed on the timeframe without incentives. Mr. Walsh pointed out that the old sewer system can be abandoned after Phase I is complete, which will be about two years.

Mr. Baldwin stated that he would like to have this Policy reviewed by the Town Attorney, Town Engineers, and the Environmental Finance Center (EFC) from UNC Charlotte and would like to have their comments in writing. Mr. Wright stated that Assistant Community

Page 2- Minutes of the March 31, 2020 Regular Town Council Work Group Meeting

Development Director Mitchell Anderson can pull together a list of all the properties on Phase I in order to get an estimate on revenue. Mr. Baldwin stated that the Policy will be included on the April Town Council meeting agenda for acceptance and will then be sent to the Town Attorney, Town Engineers, and EFC for their review and comments. The Policy can then be revised based on their review and sent back to Council for adoption.

IV. DISCUSSION OF TOWN PROJECTS, UPDATES, AND COUNCIL CONCERNS

Commissioner Kilby suggested the Town consider another community meeting at the Classical Academy to present information on the Sewer Policy to the public. Mayor Pritchett stated that Communications Specialist Laura Krejci has this on her calendar for the future when everything is in place that the Board wants to communicate to the public. She suggested allowing a time in that meeting for the public to ask questions.

Mr. Baldwin provided an update on fencing at the Public Works facility. The old wooden fence has been up for many years and has collapsed in certain areas. The fence helps to secure the facility and screen and shield the Public Works yard where they house equipment, hard trash items that they have picked up, vehicles, fuel tanks, pipes, chemicals/pesticides, etc. He noted that Council approved to replace the wooden fencing that was rotten and falling down with a dark colored chain link fence with slats, which is currently being installed. However, he pointed out that not all of the appropriate permits were pulled and are needed in order to proceed. He noted that he recently received a request to see the permits from George Wittmer. He stated that he spoke with Mr. Anderson yesterday and found that there is a clause in the current Regulations which prohibits galvanized chain link fencing. He noted that this type of fencing is common in recreational areas. He stated that he has asked Mr. Anderson to come up with some language for the Regulations to make it clear that the Town would find the use of black chain link fencing acceptable. This type of fencing may not have been available years ago when the Regulations were put in place. He also pointed out that the Town could rezone this property to GU to allow the Town more flexibility. Council agreed to have the Zoning and Planning Board review allowing this type of fencing in the Regulations to bring back a recommendation to Council.

Commissioner Kilby briefed the Board on the ABC Store. The ABC Board has been dealing with some personnel issues and has terminated the employment of the Store Manager and Assistant Store Manager. The Board meets this afternoon at 4:00 p.m. and are accepting applications for those two open positions. He pointed out that the ABC Store is no longer curbside service only and is allowing customers to come inside the Store. The ABC Board is keeping a close eye on the Store operations and the two current employees are doing an excellent job. He feels that this will be a smooth transition.

Mr. Baldwin stated that seven applications have been received for the assistant finance director position. Three of the applicants have local government experience. He proposed comprising a committee of a mixture of town staff and Council to review the applications and

Page 3- Minutes of the March 31, 2020 Regular Town Council Work Group Meeting

recommend candidates for interviews. He stated that the person hired to this position would become the Finance Director once Sam Karr retires and felt it important that Council provide input. The committee will consist of Mayor Pritchett, Commissioner Bryant, Human Resource Specialist Amy Wright, and Finance Director Sam Karr. Applicants chosen will be interviewed by Council in a Closed Session at the next meeting on April 13th. Commissioner Moore suggested not making any promises that this person transition into the finance director position until we see how they do as the assistant. Mr. Baldwin mentioned that Town Clerk Michelle Jolley is going to only be working two days a week in the office and a half a day from home for the next six weeks noting that she will be working with Assistant Town Clerk Amy Wright on training.

Mr. Baldwin stated that Fire Chief Dustin Waycaster is working on budgets from two of our volunteer fire departments and attempting to secure a time for Council to review their contracts. He mentioned that Chimney Rock Fire Department has proposed a contract of \$10k less than in previous years. Fairfield Mountains Fire Department has agreed to reduce their budget by \$40k. He added that we can go back to Bills Creek Fire Department and give them an opportunity to respond. Commissioner DiOrio stated that this is a positive first step but is an ongoing dialogue. This allows them to reduce their dependency on the Town moving forward.

Mr. Baldwin disclosed that he spoke with Steve Metcalf with The Policy Group yesterday about legislation needed to effectively manage boat houses during construction of the Phase I sewer project. The legislation is still in the works and will be brought back when it's in its final form.

V. ADJOURN THE MEETING

With no further business, Commissioner John Moore made a motion to adjourn the meeting at 9:44 a.m. Commissioner David DiOrio seconded and the motion carried 4-0.

ATTEST:

Michelle Jolley,
Town Clerk

Mayor Carol Pritchett

LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: April 13, 2021

SUBJECT: Lake Lure Classic Boat and Auto Show Request for Waivers / Council Approval

AGENDA INFORMATION:

Agenda Location: Consent
Item Number: B
Department: Parks, Recreation, & Lake
Contact: Sonya Ledford, Gen. Manager, Lake Lure Tours
Patrick Bryant, Ambassador, The 1927 Lake Lure Inn & Spa
Presenter: Patrick Bryant, Representative for Lake Lure Properties, LLC and Lake Lure Tours, Inc.

BRIEF SUMMARY: Lake Lure Tours, Inc. will be hosting a Spring Classic Boat and Auto Show May 14-15, 2021 with the support of the Blue Ridge Chapter of the Antique and Classic Boat Society and the Greater Smoky Mountains Region of the Antique Automobile Club of America. The events are sponsored by The 1927 Lake Lure Inn & Spa, LLC and Lake Lure Tours, Inc. There will not be a boat parade for this year on Friday, as was conducted in 2019. However, up to four boats may cruise the lake and adhere to all wake and noise restrictions, and showcase their classic watercraft in all areas of the lake open for public enjoyment. They cannot cluster more than three in a row, and must stay at least 75 feet apart from any and all vessels.

To note, the large 100MPH boat showcased in 2019 at this event will not be in attendance. This boat was the reason for the specific request in 2019 for length and noise waivers. All other boats were in compliance at the 2019 event based on all current registrations.

- 1) *A request is being made to waive the Noise Ordinance for:*
 - a. *Friday, May 14, 9am – 5pm*
 - b. *Saturday, May 15, 9am – 5pm*
- 2) *A request is being made to waive the 21' maximum boat length regulation.*
- 3) *A request is being made to waive the requirement for a daily boat permit. (Note that registration will require proof of insurance and valid registration.)*

The beach has been rented for a separate, private, wedding event on Friday, May 14, 2021 from 7:00pm – 10:00pm. The 1927 Lake Lure Inn & Spa will host a welcome party for the BRCACBS club at a private venue on their property on Friday, May 14, 2021, as well as the general public, with tickets purchased in advance, and available for sale

- 4) *A request is being made to waive the Alcohol ordinance for Saturday, May 15, 2021 – 9:00am – 5:00pm.*
- 5) *A Cash Bar peddlers ordinance waiver is requested for Lake Lure Beach Sat, May 15, 202 – 9:00am – 5:00pm*
 - a. *Guests will be monitored inside the fenced area of the beach, in accordance with town regulations for the consumption of alcohol on town property. Alcohol will not be allowed outside of the fenced areas of the beach.*
 - b. *Glass bottles are disallowed per town ordinance.*
 - c. *Beer and wine are the only permissible alcoholic beverages for sale during the ordinance waiver. No liquor.*

The Spring Classic Boat and Auto show is scheduled for May 14-15, 2021. To support these events, the car show vendors will be set up in Town Center and arrangements must be made to accommodate the cars in the auto show and visitor parking. A request is made for the following:

- 6) *Close public parking along beach from Pool Creek to the Waterpark, which will be open for event show cars only. Allocation for one marked parking spaces between each vehicle to allow for additional social distancing requirements.*
- 7) *Allow vehicles & boat trailers on the beach.*
- 8) *Allow temporary signage on the street in the event site for auto show not to exceed 8 square foot per side and not located in any intersection site triangle.*
- 9) *Waive the Peddling Ordinance in support of the event.*

RECOMMENDED MOTION AND REQUESTED ACTIONS: To waive the following:

- 1) Noise Ordinance
- 2) 21' maximum boat length restriction
- 3) Requirement for daily boat permits
- 4) Alcohol Ordinance
- 5) Peddling Ordinance

And to....

- 6) Close public parking along the Beach from Pool Creek to the Waterpark Friday May 14 and Saturday May 15.
- 7) Allow vehicles & boat trailers on the Beach for display
- 8) Allow temporary signage on the street at the event site for the auto show not to exceed 8 square foot per side and not located in any intersection site triangle.

STAFF'S COMMENTS AND RECOMMENDATIONS: The LAB discussed and reviewed this request at their meeting on April 5th and recommended that Council approve these requests for this event.

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

Meeting Date: April 13, 2021

SUBJECT: Budget Amendment #301 to cover repairs in the Fire Department.

AGENDA INFORMATION:

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

BRIEF SUMMARY: Cover over runs in maintenance and repairs to equipment; caused by a major repair to the fire boat.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Approve Budget Amendment #301 to cover costs for fire boat repairs.

FUNDING SOURCE: Fund Balance

ATTACHMENTS: Budget Amendment #301

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends approval of Budget Amendment #301.

**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, 2021:

Department: Fire Department

Purpose: Cover over run in Maintenance & Repair Equipment in Fire Department.

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

Line Item	Account Number	Amount Decrease	Amount Increase	Amended Budget
353	10-434000		\$5,000	\$15,000

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

Account Name: **Transfer from Fund Balance**

Account Number: **10-398604**

Amount: **\$5,000**

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 _____, 2021.

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

Meeting Date: April 13, 2021

SUBJECT: Budget Amendment #302 to cover over runs in Supplies line item caused by additional chemical expenses in Sewer Department.

AGENDA INFORMATION:

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

BRIEF SUMMARY: Cover over runs in sewer supplies for chemical expense. During last year's budget discussions, we were hoping we would cut these expenses; but realistically, we did not budget enough.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Approve Budget Amendment #302 to cover costs for chemical expense.

FUNDING SOURCE: Fund Balance

ATTACHMENTS: Budget Amendment #302

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends approval of Budget Amendment #302.

**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, 2021:

Department: Sewer Department

Purpose: Cover over run in supplies line item

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

Line Item	Account Number	Amount Decrease	Amount Increase	Amended Budget
215	53-714000		\$35,000	\$215,000

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

Account Name: **Transfer from Fund Balance**

Account Number: **53-398602**

Amount: **\$35,000**

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 _____, 2021.

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

Meeting Date: April 13, 2021

SUBJECT: Budget Amendment #303 to cover what was a charge in June last year from The Policy Group. They billed for June services in August, which caused an over run by one month; we also paid for their Lobbyist Registration for three.

AGENDA INFORMATION:

Agenda Location: Consent
Item Number: E
Department: Administration
Contact: Sam Karr, Finance Director
Presenter: Sam Karr, Finance Director

BRIEF SUMMARY: The Policy Group didn't start billing the Town until August, which included a June charge and some lobbying registration.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Approve Budget Amendment #303 to cover costs for lobbyist expense.

FUNDING SOURCE: Fund Balance

ATTACHMENTS: Budget Amendment #303

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends approval of Budget Amendment #303.

**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, 2021:

Department: Administration Department

Purpose: To cover June billing we didn't receive until August of this fiscal year.

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

Line Item	Account Number	Amount Decrease	Amount Increase	Amended Budget
604	10-413000		\$6,260	\$66,260

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

Account Name: **Transfer from Fund Balance**

Account Number: **10-398604**

Amount: **\$6,260**

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 _____, 2021.

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

Meeting Date: April 13, 2021

SUBJECT: Budget Amendment #304 to cover Dam Automation for Lake levels.

AGENDA INFORMATION:

Agenda Location: Consent
Item Number: F
Department: Administration
Contact: Sam Karr, Finance Director
Presenter: Sam Karr, Finance Director

BRIEF SUMMARY: Upgrade of Tainter gate and Powerhouse control systems to automate processes of power generation and critical safety operation of the tainter gates. This will enable remote operation and monitoring of all hydro and lake level controls. System is needed to stay in adherence to new Power purchase agreement with Duke Energy.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Approve Budget Amendment #304 cover costs for Dam automation expense.

FUNDING SOURCE: Fund Balance

ATTACHMENTS: Budget Amendment #304

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends approval of Budget Amendment #304.

**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, 2021:

Department: Capital Outlay Dam/Watershed Protection Department

Purpose: To cover construction of Dam Automation

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

Line Item	Account Number	Amount Decrease	Amount Increase	Amended Budget
576	10-80000		\$370,000	\$370,000

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

Account Name: **Transfer from Fund Balance**

Account Number: **10-398604**

Amount: **\$370,000**

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 _____, 2021.

**LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: April 13, 2021**

SUBJECT: Request from Harold Harper to remove trees within the Lake boundary.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: G
Department: Community Development
Contact: Mitchell Anderson, Assistant Community Development Director
Presenter: Mitchell Anderson, Assistant Community Development Director

BRIEF SUMMARY: Harold Harper is requesting to remove trees that are located within the Lake boundary.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To (approve/deny) the request from Harold Harper to remove trees within the Lake boundary.

FUNDING SOURCE: n/a

ATTACHMENTS: Written request from Mr. Harper, map of the property line, and image of trees

STAFF'S COMMENTS AND RECOMMENDATIONS:

Pursuant to § 94.15 of the Town's Lake Structure Regulations, the cutting of standing trees at or below the lake boundary required Town Council approval.

The removal of this tree will not disturb more than 10% of the Trout Buffer and will not require a Trout Buffer Variance.

Replanting a new tree or shrub with a species in the Lake Lure Tree Management Handbook is required if approved.

The applicant, owner, or contractor must secure a road closure permit or approval from NCDOT prior to commencing activities that impact the flow of traffic





Jennifer Rogers

jrogers1281@gmail.com

847-732-7753

Home permanent: 675 Elmhurst Rd

Fort Mill, SC 29715

~~Lake Lure:~~ 348 Charlotte Drive

Lake Lure, NC 28746

hhurper1031@gmail.com

828-289-5033

Harold Harper

Po Box 473 Lake Lure

Repairing Roof Plywood, and Redeck
Roof Top. and Repairing step, Ramps.

Need Approval For Trees.

**LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: April 13, 2021**

SUBJECT: Town of Lake Lure Social Media Policy

AGENDA INFORMATION:

Agenda Location: Consent
Item Number: I
Department: Administration
Contact: Michelle Jolley, Town Clerk
Presenter: Michelle Jolley, Town Clerk

BRIEF SUMMARY: The Town currently does not have a policy for the management of operations and oversight of its social media platforms. The NC School of Government recommends a robust, legal, and routinely enforced comment policy in place if allowing the public to comment on social media, which we currently allow. This Policy has been reviewed in its entirety by the Town Attorney.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To adopt the Town of Lake Lure Social Media Policy.

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends approval of this Policy.



Town of Lake Lure Social Media Policy

Purpose

In the ever-expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with the Town of Lake Lure, as well as any other form of electronic communication.

The Town of Lake Lure recognizes that social networking and Internet services have become a common form of communication in the workplace and among stakeholders, residents and visitors. The Town believes that effective and efficient engagement with the public may be attained using online technology to present matters of public interest in Lake Lure. This Policy is designed to define social media, the process of using social media, and the rights of the Town in its use of social media.

To address this fast-changing landscape of the Internet and the way residents communicate and obtain information online, the Town of Lake Lure may consider using social media tools to reach a broader audience. The Town encourages the use of social media to further the goals of the Town and the missions of its departments, where appropriate.

This Social Media Policy and Guidelines is intended to provide guidance to Town of Lake Lure employees, contractors, interns, appointed and elected officials and departments in the implementation, management and maintenance of social media platforms in order to prevent violations of existing Town policies; utilize technology to support the Town's communication needs; ensure appropriate review by communications and social media staff; and protect against inappropriate social media content.

Definitions

Account Names (user names) - Typically, the name used to sign in to a social networking site.

Article - An original posting of content to a Town of Lake Lure-related social media site by an author.

Comment - A response to content submitted by a commenter.

Commenter - A Lake Lure employee, contractor, intern, official or member of the public who submits a comment for posting in response to the content of a social media.

Content - Posts, videos or any source of information written by users within each social media platform. (i.e. writing a post on the ‘wall’ of a Facebook page.)

Copyrighted material - Materials that may be protected by Copyright Law (for example, a cartoon, article, or excerpt from a book) and may not be publicly circulated without prior authorization from the copyright holder.

Cyberbullying/Cyberstalking - When a commenter’s tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another, depending upon age, using the Internet, interactive and digital technologies or mobile phones.

Direct Message - Also known as “DM,” it is a private form of communication between social media users that is only visible to the sender and recipient(s). You can only direct message a user who is following you.

Engagement - Any action taken by a social media user. This can be in the form of likes, comments, reactions and shares.

Handle - It can refer to a user’s account name on social media platforms and begins with the “@” symbol. Each handle is unique and can be used to identify other users on the platform.

Hashtag - A hashtag is a keyword or phrase that is preceded by a pound (#) sign and indicates a topic of conversation and categorizes tweets. Anybody who clicks the hashtag will be led to a page that lists all users who have applied the hashtag in their own posts.

Moderation - Editorial review of content or comments before the information is posted for public view.

Moderator - A person assigned to editorially review content or comments before the information is posted for public view or if any content violated the social media policy regulations.

Post - A comment made to a social media or social networking page or site.

Social Media Platforms - Social media websites or technologies focus on creating and fostering online social communities for a specific purpose and connecting users from varying locations and interest areas. Some examples include: Facebook (including Facebook Live), Twitter, Pinterest, Flickr, YouTube, Nextdoor, Periscope, LinkedIn, Snapchat and Instagram.

Social Networking - The act of connecting people who share common interests or backgrounds through the use of web-based services. Typically, these sites use multiple methods to connect to registered users such as status updates, instant messaging, blogs, polls, photo sharing, video sharing, etc.

Speech - Expression or communication of thoughts in spoken words, writing, by expressive conduct, symbolism, photographs, videotape or related forms of communication.

Sponsored Post - Posts or content that an organization has paid to promote or “boost.” Posts originally appear on the organization’s Facebook timeline as organic content, but are able to get a boost in visibility due to paid promotion. Sponsored content then appears in the Facebook user’s news feed just as any other post.

Tags - Keywords that help people find content on social networking platforms.

Terms of Service/Use - Rules by which one must agree to abide in order to use a service. It is generally assumed such terms are legally binding.

Trolling - Making a deliberately offensive or provocative online posting with the aim of upsetting someone or eliciting an angry response.

Public Records Statute

Social Media users will recognize that all content posted on Town of Lake Lure-related platforms are subject to Chapter 132 of the NC Open Records Law. Content in Town social media platforms, including a list of subscribers, friends, likes and posted communication is public record. The department maintaining the site is responsible for responding completely and accurately to any public information requests for information on social media. Content shall be maintained in an accessible format so that it can be produced in response to a request. In a case where there is conflict of interest, the Communications Department will conduct the public information request.

Restricted Content

1. Comments submitted for posting that are deemed not suitable by a Lake Lure social media moderator shall be removed from the site, but retained, along with a description of the reason the specific content was removed. A statement of and reason for removal will be included in its place. A user will be banned from the Town’s social media account after two consecutive violations of the Town’s social media policy.
2. The Town of Lake Lure media platform content, including articles, links and posts/comments containing any of the following shall not be allowed, and Lake Lure reserves the right to delete submissions including, but not limited to:
 - A. Vulgar and profane language or content, including verbiage submitted in a different language and/or acronyms
 - B. Comments unrelated to the topic of conversation
 - C. Personal attacks of any kind

- D. Comments or content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation
 - E. Spam or links to websites deemed inappropriate
 - F. Solicitation of commerce
 - G. Conduct or encouragement of any illegal activity
 - H. Promotion or opposition of particular services, products, person or political organizations campaigning for election to a political office or promoting or opposing any ballot proposition
 - I. Infringe on copyrights or trademark laws and/or patents
 - J. Sexual content or links to sexual content
 - K. Personally identifiable medical information or social security numbers
 - L. Information that may compromise the safety, security or proceedings of public systems or any criminal or civil investigations
 - M. Any form of cyberbullying, cyberstalking or trolling methods
3. The Town of Lake Lure reserves the right to restrict or remove any content that is deemed in violation of this Policy or any applicable law.

Effective Date

Adopted this 13th day of April, 2021.

Carol C. Pritchett, Mayor

Attest:

Michelle Jolley, Town Clerk

XI

NEW BUSINESS

- LaBella Engineering Task Order No. 8 – WWTP Digester Project
- Accept Sewer Policy Recommendation from the UAB
- Town of Lake Lure-Rutherford County Sewer Agreement Discussion
- Zoning and Planning Board Member Appointment
- Lake Use Survey Discussion

LAKE LURE TOWN COUNCIL REQUEST FOR BOARD ACTION

Meeting Date: April 13, 2021

SUBJECT: Approval of LaBella Engineering Task Order No. 8 – WWTP Digester Project

AGENDA INFORMATION:

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

BRIEF SUMMARY: The “New Digester” depicted in the site plan below is the one we will be replacing ASAP. LaBella is creating the scope of work (new task order) for this project. We will bring the scope of work (task order) to Town Council April 13, 2021. We will be using existing water/sewer fund balance to pay LaBella and pay for construction. This will cut/reduce operational costs at the WWTP and be fully integrated into Phase 1 sewer. It will show the community action. It will save operational costs.



RECOMMENDED MOTION AND REQUESTED ACTIONS: Approve Labella Engineering Task Order No. 8 for the Waste Water Treatment Plant Digester Project.

FUNDING SOURCE: n/a

ATTACHMENTS: n/a

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends approval.



April 4, 2021

Shannon Baldwin, Town Manager
Town of Lake Lure
2948 Memorial Highway
Lake Lure, NC 28746

SUBJECT: Lake Lure On-Call Professional Services – Task 8 Digester Replacement

Dear Shannon:

LaBella Associates appreciates the opportunity to continue to work with the Town of Lake Lure (Town) on this project. We hope to continue the ongoing relationship as we work with you through your various engineering needs. We have previously provided an engineering services agreement, and this work would be performed under that agreement. This proposal letter provides a scope of work and budget to provide the Task 8 deliverable as described below. The deliverable will consist of the design, permitting, bidding, and construction services related to the “like for like” replacement of the existing failing aerobic digester. The scope of work is summarized below:

- Location Survey of the existing WWTP
- Phase 1 – Design and Bidding
 - Determine the location and type of construction
 - Develop construction documents for the digester replacement
 - Construction Drawings
 - Construction Specifications
 - Replaced digester will be incorporated into the future biological conversion project phase
 - Permitting and funding approvals
 - Bid document approval
 - Authorization to Award
 - Bidding and Award of Contract
 - Pre-bid meeting
 - Town Council meeting to recommend award
- Phase 2 - Construction Management Services
 - Conduct 1 visit per week during the estimated 2 month construction duration
 - Review and process submittals, pay applications, RFIs, change orders, reimbursement request, Davis Bacon requirements, AIS requirements, certified payroll, and other responsibilities customary to construction administration.
 - Conduct monthly construction progress meetings
 - Periodic compliance inspections
 - Final Inspections
 - As-Builts

Maurice (Reese) Walsh, P.E. will continue to serve as LaBella’s Program Manager for this contract, providing direction and oversight for other staff assigned to specific tasks under this contract. Other staff assigned to this contract shall have appropriate experience for the assigned task.

This proposal is submitted as a lump sum proposal for Phase 1 and an hourly not to exceed for Phase 2. The site survey will be conducted by the same LaBella team sub-consultant that performed the backshore survey and will be billed as a sub-consultant. LaBella will continue to submit monthly invoices that track the charges for each individual task. An allowance is established for reimbursable expenses incurred by the Engineer during performance of this agreement. Sub-consultants, if applicable, will be compensated at cost plus 10 percent, out of the time-and-material labor budget. Reimbursable expenses shall be compensated at cost unless otherwise noted and shall be limited to the actual expenditures made by the Engineer during the performance of the work with respect to travel, postage, courier expenses, copies, printing, plots, permitting fees, photographs, maps, or other miscellaneous project



expenses. Permitting and other regulatory fees will be paid by LaBella at the respective submissions and will be compensated at cost, but are not included in the lump sum fee.

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

<u>Description</u>	<u>Fee</u>
Site Survey (Budget)	\$10,500.00
Phase 1 – Design and Bidding (Lump Sum)	\$27,060.00
Phase 2 – Construction Management Services (Hourly Not to Exceed)	\$22,800.00
Allowable for Reimbursable Expenses	<u>\$2,000.00</u>
 Total Fee Not to Exceed	 \$62,360.00

If this proposal is acceptable to the Town, please sign this proposal on the signature line below to authorize the scope defined in this proposal and return one copy to us. We appreciate the opportunity to continue our relationship with the Town of Lake Lure. If you have any questions or need additional information, please call me directly at (704) 941-2128.

Sincerely,

Maurice J. Walsh, P.E.
LaBella Associates, P.C.
Program Manager



Town of Lake Lure, North Carolina

Authorized Signature

By:

Title

Date



LABELLA ASSOCIATES
Lake Lure ON-CALL ENGINEERING SERVICES

SCHEDULE OF FEES
JANUARY 1, 2020 – DECEMBER 31, 2021

<u>CLASSIFICATION</u>	<u>BILLING RATE</u>
Principal	\$180.00/hour
Project Manager	\$175.00/hour
Senior Engineer	\$165.00/hour
Senior Project Engineer	\$140.00/hour
Project Engineer	\$120.00/hour
Design Engineer	\$105.00/hour
GIS Analyst	\$115.00/hour
Senior Engineering/GIS Technician	\$105.00/hour
Engineering Technician	\$95.00/hour
Construction Inspector	\$85.00/hour
Engineering Co-op	\$70.00/hour
Clerical	\$70.00/hour
Mileage	at current IRS rate
Expenses	at cost
Sub-consultants	at cost plus 10 percent

**LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: April 13, 2021**

SUBJECT: Sewer Policy Recommendation from the Utility Advisory Board

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: B
Department: Administration
Contact: Commissioner David DiOrio
Presenter: Commissioner David DiOrio

BRIEF SUMMARY: The UAB developed a sewer policy to help implement the new sewer collection system replacement project currently underway.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To accept the Sewer Policy recommendation from the UAB.

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends Council accept the Sewer Policy that was recommended from the UAB.

Sewer Policy Framework

Lake Lure, NC



Structure of Presentation

1. Property Sewer Connections Situations
2. Fee Schedule – Estimated, Proposed, Current
3. Incentives – Why Not
4. Questions
4. General Sewer Policies – For Information Only
5. Definitions – For Information Only

Individual Property Owner Connections – Proposed Explanation to Citizens of how the GLS will impact their personal situation

1. Lake Lure Existing Customers:

- a. Pay current sewer use fees.
- b. Pay connection fee to connect the private service line to the GLS connection point after it becomes available.
- c. Property Owner and Town will identify a preferred location of the standard lateral - GLS connection point and subsequent utility maintenance easement. Town has the authority and discretion to determine location if no agreement is reached.
- d. Property Owner and Town will sign a Hold Harmless Agreement regarding Boathouse support modifications if required by the final design.
- e. Property Owner may exercise the Custom Public lateral option, subject to Town approval.
- f. Property Owner responsible to realign individual existing service line to the utility easement within 6 months of initial system operability unless there exists a community organization and sewer subsystem that services multiple private systems.

Individual Property Owner Connections – Proposed Explanation to Citizens of how the GLS will impact their personal situation

1. Lake Lure New Customers:

- a. Pays one-time sewer development fee when GLS connection point becomes available, and the system is operational.
- b. Pays sewer use fees when connected to a GLS connection point.
- c. Pays connection fee to connect the private service line to the GLS connection point after it becomes available.
- d. Property Owner and Town will identify a preferred location of the standard lateral - GLS connection point and subsequent utility maintenance easement. Town has the authority and discretion to determine location if no agreement is reached.
- e. Property Owner and Town will sign a Hold Harmless Agreement regarding Boathouse support modifications if required by the final design.
- f. Property Owner responsible to sever current independent sewer system and construct new service line to the utility easement within 6 months of initial system operability unless there exists a community organization that assumes service for the non-existing customer.

Individual Property Owner Connections – Proposed Explanation to Citizens of how the GLS will impact their personal situation

1. Community Sub-system:

- a. Community organization responsible for the construction and maintenance of the sewer sub-system.

Construction and maintenance of the sub-system is subject to Town and oversight and must be maintained to prevent foreign infiltration to the system. Must have a 24 hour, 365 day on call service number recorded with the Town of Lake Lure and provide documentation of an annual inspection. At the subsystem's expense.

- b. Individual property owners within the subsystem pay current Sewer user fees.
- c. Community Subsystem is subject to one connection fee to connect the sub-system to the GLS connection point after it becomes available.
- d. Community organization and Town will identify a preferred location of the standard lateral and GLS connection point within a utility maintenance easement. Town has the authority and discretion to determine GLS connection location if no agreement is reached.
- e. Community organization responsible to realign subsystem main line to the GLS connection point within 6 months of initial system operability.

Individual Property Owner Connections – Proposed Explanation to Citizens of how the GLS will impact their personal situation

1. Willing Tier 2 and Tier 3 Customers:

- a. Property Owner is responsible to secure necessary easements and pay for the installation of a special service line and pump assist stations as required.
- b. Property Owner is responsible to sever current independent sewer system and construct new service line to an available GLS connection point any-time before or after initial system operability.
- c. Pays one-time sewer development fee when connected to GLS.
- d. Pays sewer user fees monthly after GLS connection.
- e. Pays connection fee to connect the private service line to the GLS connection point.

→

Fees – Revenue Source for the Construction, Operation, Maintenance of Sustainable GLS

- GLS Connection Fee \$1500 (Engineer's Estimate)
- Custom Public Lateral Fee \$3750 (Engineer's Estimate)
- Sewer Development Fee \$200 per 100/sq ft home size based on recorded square footage in Rutherford County property records. (Proposal from UAB)
- Sewer User Fee \$90/ month (Current Approved Town Fee)
- Availability Fee \$ 90/ month Same schedule as sewer use fee. (Proposal from UAB)
- Illegal Connection Fees Double GLS connection fee, Maximum of 2 yrs. of Sewer User Fees or prorated length of sewer connection whichever is less and the Sewer Development Fee. (Proposal from UAB)

- Fees to be reviewed and approved annually utilizing current town of Lake Lure Procedures.

WHY NOT Financial Incentives, such as waived fees, to Individual Property Owners to join GLS

1. Extra Administrative cost of procedures documenting eligibility for incentive, and transparency of decision process will increase project cost.
2. Removes important project funding stream for a project where source of funds is still uncertain.
3. Incentives that are not equitably applied across the tiers of customers will lead to “grey area” debates that may increase resistance and influence the outcome of future litigation.
4. The GLS system will increase property values and piece of mind infrastructure for all Lake Lure citizens.
5. Environmental factors, increased development around the lake, and increased use of the lake by property owners makes the construction and connection to the GLS necessary and desirable without incentives that may weaken the financial health of the project.
6. Most equitable and defensible incentive is to keep the sewer rates as low as possible and competitive with other NC communities.

Questions

General Sewer Policies – Basis for Implementation of a Lake Lure Sewer System meeting current and future town needs.

- The Town of Lake Lure requires all Tier 1 property owners, both existing and non-existing customers, and Tier 2 existing customers to connect to the GLS, when a GLS connection point is available at their property line, and within 6 months after initial system operability.
- Tier 1 property owners with on lot system will be required to sever connections to existing on lot systems, redirect new service lines to a GLS connection point by a licensed and permitted plumber, and connect to the available GLS within 6 months of initial system operability.
- Property owners with illegal connections will be required to sever existing connections, redirect new service lines to a GLS connection point by a licensed and permitted plumber, connect to the available GLS and are subject to the Illegal Connection Penalty Fees.
- New certified septic systems installed after 1 January 2020 on properties that do not have access to a GLS connection point will not be subject to sewer development or availability fees until 1 January 2035. This constitutes up to a fifteen-year grandfathering of those systems. It is recommended that these properties install ready service lines to an anticipated GLS connection point during new construction.

General Sewer Policies – Basis for Implementation of a Lake Lure Sewer System meeting current and future town needs.

- **Certified community sewer subsystems** under a single responsible party **may connect as a single entity to a GLS** connection point but will be billed as individual property owners. These community subsystems are subject to inspection and new customers to the subsystem must be authorized by the town.
- Individual property owners on a community subsystem may elect (at their own expense) to disconnect from the subsystem and reconnect to the GLS as an existing customer.
- **Existing multiple service line connections outside of the utility maintenance easement are not authorized and must be separated and reconstructed as single service lines before connection to the GLS.**
 - Exception: Multiple property owners with interconnected service lines **may elect to organize under a single legal entity** to be treated as a community subsystem.
 - Exception: **Tier 2 existing customers with multiple service lines may remain interconnected and assigned to temporary GLS connection point as an interim measure** if no direct access to the lake is available. Preexisting interconnected lines are subject to Town inspection before and after connection.

General Sewer Policies – Basis for Implementation of a Lake Lure Sewer System meeting current and future town needs.

- A Sewer Lateral Line will generally extend into a designated utility maintenance easement but may extend to individual property easement if a joint property easement is not established or to the adjacent shoreline (990.5 MSL) if no easement has been granted by subject property owners. Presence of a GLS connection point within 100 feet of any property line constitutes system availability.
- Survey and recording fees for the easement are town or development project responsibility and expense.

Definitions – Foundation for Public Understanding and Legal Implementation

- SASS – Subaqueous Sewer System – Original gravity public sewer system constructed in 1927 located within Lake Lure that includes the Sewer Main and Sewer Lateral Lines.
- GLS – Gravity Lift System – Newly constructed Lake Lure public sewer system located within the lake that includes the Sewer Main, Sewer Lateral Lines, Waterborne Manholes and Pump Stations. This system will replace the lake's original SASS. .
- Community Sub-system – A multiparty sewer subsystem, managed by a private or public community organization, that **operates an independent sewer system governed by North Carolina Statute 162A-14**. These sub-systems may be connected as a single entity to the GLS and are subject to town inspection and oversight. **The Rumbling Bald Resort, Chimney Rock State Park, Chimney Rock Village, and other geographically distinct lake Lure neighborhoods may operate a community sub-system.**
- Sewer Main – GLS sewer line installed within the lake and along the lake perimeter within the backshore area that includes manholes and pump stations installed in series.
- Public Sewer Lateral Line – Sewer line within the lake that extends from the Sewer main to the GLS connection point (stub-out).
 - Standard Public Lateral Lines extend to adjacent property boundaries can accommodate **two properties**.
 - Custom Public Sewer Lateral Lines extend to any shoreline location and **may be installed at the discretion of the Town (no associated fee) or individual property owner, subject to custom public lateral fee**. May be shared by two property owners.

Definitions – Foundation for Public Understanding and Legal Implementation

- Private Sewer Service Line – **Property owner's private sewer line** that extends from home to the GLS connection point within the utility maintenance easement and subject to property owner funded design, installation, and maintenance.
- GLS connection point – a sewer stub-out that connects the property owner's private sewer service line to the sewer lateral line. **GLS connection point is available when within 100 feet of any improved property within the town limits with a structure that generates wastewater.**
- Utility Maintenance Easement – Approximately a 10 ft. by 10 ft. property easement located between adjoining lakefront properties that **serves to maintain and service a GLS connection point.**
- Hold Harmless Agreement – With the Town of Lake Lure for Property owners where the sewer main will be going under their boathouse **permitting the town and/or it is Sewer Contractor to do boathouse structural support** alterations to accommodate the Sewer Main.
- Initial System Operability (ISO) – **Town designated date and time when a phase of GLS becomes operational capable of receiving sewer effluent.** This is the same date that the GLS becomes available to non-existing customers that have access to a GLS connection point.

Definitions – Foundation for Public Understanding and Legal Implementation

- Tier 1 property – Lake Lure property with lakefront access. Tier 1 properties include both existing and non-existing customers.
- Tier 2 property – Lake Lure property near lake access that are capable of gravity drain to a GLS connection point. Tier 2 properties include both existing and non-existing customers and may be connected to a temporary GLS connection point (i.e., SASS manhole servicing the property) until a permanent subsystem is established.
- Tier 3 property - Lake Lure property near lake access that, due to terrain or physical barriers, requires a pump to assist effluent flow to a GLS connection point. Tier 3 existing customers may be assigned and connected to a temporary GLS connection point if no direct access to the lake is available.
- Existing customer – Property owners connected to the SASS and paying monthly sewer use fees at the time of connection to the GLS.
- Non-Existing Customer – Property owners with independent property-based sanitation systems that are not paying sewer use fees and do not have a GLS connection point available.
- New Customer- A former non-existing customer who connects to the available GLS and commences payment of sewer use fees.
- Willing Customer – A Tier 2 or Tier 3 customer without the availability of a GLS connection point but arranges for the special installation of a private service line to an existing or anticipated GLS connection point. This circumstance may arise when a property has an independent property-based system in imminent failure or when a property owner desires to improve structures that are limited by the current sewer system.

Definitions – Foundation for Public Understanding and Legal Implementation

- Available Customer – Non-existing customer with an available GLS connection point but does not connect within 6 months of initial operability. Available customers are subject to availability fees.
- GLS Connection Fee – Fee for all non-existing sewer customers to physically connect a Service Line to a GLS connection point within the utility maintenance easement.
- Sewer Development Fee – Fee for all non-existing customers to pay for new infrastructure that affords GLS access to non-existing customers. This fee is authorized by NC State Statute 162A-200 Article 8 to pay for new sewer infrastructure to customers who never contributed to existing infrastructure.
- Availability Fee – Monthly fee for all non-existing customers that have direct access to a GLS connection point but are not physically connected. This monthly fee commences 6 months after initial system operability. Residential properties will be billed for each wastewater producing structure on the property as defined in the Rutherford County Property records.
- Sewer User Fees – Monthly fee billed to all customers. Residential properties will be billed for each wastewater producing structure on the property as defined in the Rutherford County Property records.
- Illegal Connection – A non-existing customer that is found to be physically connected to the SASS, either known or unknown to the property owner.

Definitions – Foundation for Public Understanding and Legal Implementation

- Multiservice Residential Property – A property with **more than one wastewater producing structure** typically each **having a separate electric power meter**. This includes garage apartments and other accessory buildings on the same lot. Sewer service lines from multiple structures on a single property may be combined into one service line and a single GLS connection point.
- Illegal Connection Fee – A **Penalty Fee to be charged a Property owner who has an illegal connection**. Property owner bears burden of proof for the length of ownership related to the connection.

**LAKE LURE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: April 13, 2021**

SUBJECT: Town of Lake Lure-Rutherford County Sewer Agreement

AGENDA INFORMATION:

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

BRIEF SUMMARY: Rutherford County and the Town of Lake Lure entered into a sewer agreement May 5, 1970 which allowed the Town to collect and treat sewage for Rutherford County. At present, Rutherford County is working with Chimney Rock Village to transfer ownership of the County sewer collection system located in Chimney Rock Village. The Town would like to ensure that the rights and ownership of the County sewer collection system are transferred in keeping with the Rutherford County and Town of Lake Lure Agreement dated May 5, 1970.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Reaffirm the Rutherford County-Town of Lake Lure Sewer Agreement dated May 5, 1970.

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends Town Council reaffirm the Agreement as written.

NORTH CAROLINA

RUTHERFORD COUNTY

THIS AGREEMENT made and entered into this 5 day of May, 1970, between the Town of Lake Lure, a Municipal Corporation organized and existing under the laws of North Carolina, party of the first part (hereinafter referred to as the "Town"), and Rutherford County, a Municipal Corporation organized and existing under the laws of North Carolina, party of the second part (hereinafter referred to as the "County");

WITNESSETH:

WHEREAS, in the year 1966 the Town acquired the lake known as Lake Lure and a system of trunk sewage lines located on the bed of said lake, and

WHEREAS, the Town is building a sewage treatment plant for the purpose of treating the sewage flowing into said system of trunk sewage lines, and

WHEREAS, upon completion of said sewage treatment plant, the sewer system of the Town will consist of said system of trunk sewage lines located on the bed of the lake known as Lake Lure and said sewage treatment plant, and

WHEREAS, after said sewage treatment plant is completed, a maximum of 200,000 gallons of sewage can be treated in said plant in any one period of twenty-four (24) hours, and

WHEREAS, the Board of Commissioners of the Town has divided said capacity of said sewage treatment plant into 800 units of 250 gallons of sewage per unit with the owners of such units being entitled to deposit into the sewer system of the Town not more than 250 gallons of sewage per unit owned in any one period of twenty-four (24) hours, and

WHEREAS, the County has requested the Town to sell and assign to the County 111 units of sewage of 250 gallons per unit and to allow the County to deposit not more than 27,500 gallons of sewage into the sewer system of the Town in any one period of twenty-four (24) hours, and to allow the County to connect a trunk sewer line owned by the County to the sewer system of the Town, and

WHEREAS, the Board of Commissioners of the Town, on April 28, 1970, duly passed and adopted an ordinance governing and regulating the sewer system of the Town of Lake Lure and setting up certain charges, and will pass other ordinances from time to time governing and regulating said sewer system and changing the amounts of charges set up.

NOW, THEREFORE, the parties agree as follows:

1. The Town shall sell to the County 111 units of sewage of 250 gallons per unit for the total price of \$11,000.00.
2. The Town agrees to allow the main trunk sewage line of the County to be connected to the main trunk sewage line of the Town, and will allow the County to deposit not more than 27,500 gallons of sewage into the sewer system of the Town in any one period of twenty-four (24) hours, all upon the terms and conditions hereinafter set forth.
3. The County agrees to be and remain subject to and abide by all the terms of the ordinance adopted by the Board of Commissioners of the Town on April 28, 1970, governing and regulating the sewer system of the Town and setting up certain charges, as said ordinance now is and as it may be amended from time to time, and any other ordinances which may be adopted from time to time by the Board of Commissioners of the Town for the purpose of governing and regulating the sewer system of the Town.
4. The County agrees that the sewer service charges and sewage unit charges established by the Board of Commissioners of the Town in the ordinance adopted on April 28, 1970, or any other sewer charges which may be adopted from time to time by the Board of Commissioners of the Town may be changed at any time in the discretion of the Board of Commissioners of the Town, and the County agrees to comply with any such changes.
5. The County agrees that the Town shall have absolute control and supervision over all connections to any lines owned by the County and over all connections of lines owned by the County, to the sewer system of the Town.
6. The County agrees to bear the expense of providing, installing and maintaining a central meter acceptable to the Board of Commissioners of

the Town which will accurately measure the flow of all sewage from the lines owned by the County into the sewer system of the Town.

7. The County agrees that before allowing any lot, parcel of land, or premise to be connected to its lines, it will require the owner or owners of said lot, parcel or premises to enter into a contract with it and the Town in which said owner or owners shall agree to be and remain subject to and abide by all the terms of the ordinance adopted by the Board of Commissioners of the Town on April 28, 1970, and all amendments thereto, and all other ordinances adopted from time to time by the Board of Commissioners of the Town for regulating and governing the sewer system of the Town, and that any sewer service charges, sewage unit charges, or any other sewer charges established by the Board of Commissioners of the Town may be changed at any time in the discretion of said Board of Commissioners of the Town.

8. The County agrees not to allow any connections, directly or indirectly, to any of its lines until a permit has been secured from the Town.

9. The County agrees that at such time as it sells, assigns or transfers any unit or units of sewage held by it, it will furnish or cause to be furnished to the Clerk of the Town all information required by Section 4 and Section 11 of the Ordinance adopted by the Board of Commissioners of the Town on April 28, 1970.

10. The County agrees not to deposit or allow to be deposited from its line or lines more than 27,500 gallons of sewage in any one period of twenty-four (24) hours.

11. The County agrees not to assign or transfer all or any of its rights and obligations contained in this agreement unless and until the assignee or transferee of such rights and obligations has entered into a valid and binding agreement with the Town containing and embodying all of the provisions, terms and conditions of this agreement between the Town and the County.

IN WITNESS WHEREOF, the Town of Lake Lure has caused this agreement to be signed in its name by its Mayor and duly attested by its Town Clerk, and has caused its corporate seal to be hereto affixed, all by and under the authority of resolution of its Board of Commissioners; and Rutherford County has caused this agreement to be signed in its name by the Chairman of its Board of County Commissioners and duly attested by the Clerk to the said Board of County Commissioners, and has caused its corporate seal to be hereto affixed, all by and under the authority of resolution of the Board of County Commissioners of Rutherford County; this the day and year first above written.

TOWN OF LAKE LURE

BY: J. Paul Wilson
Mayor

Attest: Blanche B. Liles
Town Clerk

RUTHERFORD COUNTY

By: J. Doyle Elliott
Chairman, Board of County Commissioners

Attest: A. M. York
Clerk to Board of County Commissioners

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

Meeting Date: April 13, 2021

SUBJECT: ZPB Member Appointment

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: D
Department: Administration
Contact: Michelle Jolley, Town Clerk

BRIEF SUMMARY: The ZPB Board has a vacant position and will need to appoint someone to fill an unexpired term expiring on December 31, 2022 (the remainder of Jonathan Hinkle's term). There are four applications on file for consideration.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Appoint _____ as a Regular Member on the ZPB Board to fill an unexpired term ending on December 31, 2022.

FUNDING SOURCE: n/a

ATTACHMENTS: ZPB Member Applications

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff defers to Council to make a decision on who to appoint to the ZPB Board.



MAR 16 2021

VOLUNTEER APPLICATION FORM

Name: Darren Blum

Address: 206 Yacht Island Dr. Lake Lure Resident for 1 years

Home Phone: _____ Cell Phone: 828-989-5345 Email: darrenblum@yahoo.com

Employer: Self Address: _____

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

☒Board of
Adjustment &
Lake Structure
Appeals Board☒Zoning &
Planning Board☒Lake Advisory
Board☒Parks &
Recreation
Board☐

ABC Board

☐Utility
Advisory
Board☒Isothermal
Planning &
Development
Commission
(IPDC)

Rationale and qualifications for serving: I recently moved here and would like to help the town. I've served on other similar types of boards and enjoy it.

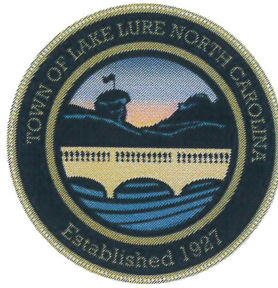
Other volunteer activities in which you are currently involved, including other Boards or Committees:

Rotary, beach community

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

I am an attorney for almost 25 years so its gives me experience with some issues that the town may experience

Signature: Darren Blum Date: 3-16-21



VOLUNTEER APPLICATION FORM

Name: Mac Hillabush

Address: 379 mountain blvd Lake Lure Resident for 3 ish years

Home Phone: _____ Cell Phone: 425-941-2503 Email: mhillabush@camp lurecrest.org

Employer: camp lurecrest Address: 207 charlotte dr.

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

☐

Board of
Adjustment &
Lake Structure
Appeals Board

☒

Zoning &
Planning Board

☐

Lake Advisory
Board

☐

Parks &
Recreation
Board

☐

ABC Board

☐

Utility
Advisory
Board

☐

Isothermal
Planning &
Development
Commission
(IPDC)

Rationale and qualifications for serving: I have owned 2 businesses in CR and LL for the past 2.5 years and now
work at camp lurecrest as the facilities director . So I'm in vested in the area and want to see it continue to stay
beautiful and function well. I Owned a motel and ran a Handy Man Bus. so know a lot of different aspects of the area.

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

Non at this time. In the past I have volunteered at the YMCA ,Boys and Girls Club and did foster car for 8 years.

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

As the Facilities director I over see all aspect of our 68 acre property including over 20 building and our vast water front.

Camp Lurecrest has been here since 1948. I believe it would be great to be apart of the team that keeps this area
moving in the appropriate direction. Thanks for your consideration.

Signature: Mac Hillabush

Date: 3/19-21



MAC HILLABUSH

PROFILE

I am a family man who walks with integrity. I am hard-working, fun loving and enjoy making a difference in the world through the impacting the lives of the people I encounter.

CONTACT

PHONE:
425-941-2503 (Cell)

EMAIL:
machillabush@gmail.com

ADDRESS:
676 Main Street
PO Box 99
Chimney Rock, NC 28720

EDUCATION

Newport High School – Bellevue, WA
1995-1999

Word of Life Bible Institute – Schroon Lake, NY
1999-2001

Continuing Education Courses – Seattle, WA

- Foster Parent Training
- Counseling
- Drug/Alcohol Abuse & Trauma
- First Aid

WORK EXPERIENCE

Camp Lurecrest - Interim Facilities Director- Lake Lure, NC | March-July 2020

Emergency repairs as well as regular maintenance for plumbing, electrical, carpentry, vehicle maintenance, welding, equipment operations, i.e. skid steer, dump truck, etc. Worked alongside camp director and program staff to prepare camp activities and facilities. Worked with outside contractors to complete major projects.

Equinox - Maintenance/Mentor - Bat Cave, NC | Spring 2019

Mentored at-risk teenage boys. Repairs and maintenance for plumbing, electrical, carpentry. Pick up and delivery of construction materials.

Handyman Services - Owner- Chimney Rock, NC | 2019-present

Site visits, bid on projects and complete projects. Jobs would include minor electrical, minor plumbing, trim work, painting, concrete work, welding, framing, etc.

Hickory Falls Guesthouse – Owner – Chimney Rock, NC | 2018–Nov.2020

Own and operate a small 10 room motel, meeting the needs of our guests, housekeeping, and maintenance.

Waste Management – Lead Driver – Seattle, WA | 2013–2018

Drove a garbage, recycling and yard-waste truck. Coordinated a team of drivers to make sure that routes were completed with excellence and problems were solved.

**Lake Sawyer Christian Church - Youth Pastor –
Black Diamond, WA | 2010 – 2013**

Oversaw and directed all weekly Jr. & Sr. High Youth Group meetings (approximately 100 students).. Developed leadership team and mentored students.

**Cascade Community Church -Facilities Director-
Monroe, WA | 2008-2010**

Coordinated a team of staff and volunteers for set up and tear down of all church and school events and meetings at the church facility. Maintained the building needs through regular maintenance, repairs, and scheduling contractors for major repairs. Maintained multiple church vehicles, scheduled regular maintenance, and state safety inspections. Oversaw annual budget for facilities and vehicles.

**Cascade Community Church -Jr. High Youth Pastor –
Monroe, WA | 2001–2010**

Coordinated and taught weekly Jr. High Youth Group meetings with 80+ students; developed volunteer leadership teams, directed events, retreats & camps.

**MSR Northwest-Sound Room Installation Supervisor-
Bellevue, WA | 1998-2010 (Contract work)**

Communicated with office and hospitals to coordinate the set-up and tear-down of sound systems using a team of laborers, heavy equipment, and hand tools.

SKILLS

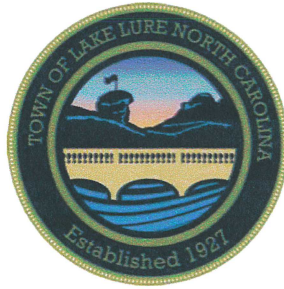
CDL Driver's License – P1 & Air Brakes since 2004

Leadership Development - Planned workshops, community events and retreats to develop leadership skills

Basic Welding, Plumbing, Carpentry, Auto & Electrical Skills

Customer Service- awards for exceptional customer service in the hospitality industry

Adaptability & Teachability-successful in a variety of different circumstances, willing to learn new skills



RECEIVED
APR 08 2021

VOLUNTEER APPLICATION FORM

Name: Brian Proctor
Address: PO Box 237 Lake Lure Lake Lure Resident for < 1 years
Home Phone: 8572341885 Cell Phone: 8572341885 Email: briandproctor@gmail.com
Employer: Fidelity Investments Address: 700 Seaport Blvd Boston, Ma 02270

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



Board of
Adjustment & Lake
Structure Appeals
Board



Zoning & Planning
Board



Lake Advisory
Board



Parks & Recreation
Board



ABC Board



Utility Advisory
Board

Rationale and qualifications for serving: I am very interested in preserving the
Unique character of lake lure while promoting resort / tourism
growth, sustainability and smart strategic planning.

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

I served as a board member for the First Church of
Braintree, Ma. I also am a member of the Spindles Antique Auto Club.

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

I have a B.A in economics and a Master's in Computer
science. I specialize in Corporate Auditing, governance
and informational systems design / engineering

Signature: Brian Proctor

Date: 3/26/21



VOLUNTEER APPLICATION FORM

Name: Mark Windfeldt
Address: 370 Shumont Estates Drive Lake Lure Resident for 2 years
Home Phone: Cell Phone: 595-5226 Email: markwindfeldt@gmail.com
Employer: Tryon Equestrian Center Address: 4066 Pea Ridge Road, Mill Springs, NC

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

<u>1</u> ☒	<u>2</u> ☒	☐	☐	☐	☐
Board of Adjustment & Lake Structure Appeals Board	Zoning & Planning Board	Lake Advisory Board	Parks & Recreation Board	ABC Board	Utility Advisory Board

Rationale and qualifications for serving: _____

Contribute my experience in the planning and management
of development of Lake Lure

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

Currently serving RTR board in Rutherfordton. Seeking
position of Finance Committee in R/B.

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

Extensive experience in real estate development, interfacing with
planning and zoning, as well as property taxes and valuation
adjustment.

Signature: MB. Windfeldt Date: 3-23-2021

Mark B Windfeldt

(h) 828.436.5028 (c) 828.595.5226
Lake Lure, North Carolina
markwindfeldt@gmail.com
www.linkedin.com/in/markwindfeldt

CAREER SYNOPSIS

The focus of my career has been in organizations with upward mobility both in vertical expansion of established markets, and horizontal introduction of new markets and products. As the financial leader, I work with the key operations and executive leaders to create business value. This begins with learning who the key operators, vendors, customers, and financial contributors are and what their needs are for business metric and financial reporting products. Understanding fundamentally the key products, how they are produced and brought to market, and the systems which measure those activities are the building blocks of creating valuable financial reporting systems.

STRENGTHS

- Operations focus and understanding of the business and products
- Creating partnerships with operators, financial contributors, key vendors and customers
- Identifying revenue and cost streams and creating systems to measure and manage them
- Experience with a variety of capital sources and creating transactions and reporting to utilize them
- Implementing systems to control, measure and report on business processes
- Compliance with regulatory and outside lending and capital requirements
- Mentoring and developing finance and systems professionals
- Technical expertise with business automation and reporting systems

EXPERIENCE AND CONTRIBUTIONS

Tryon and Wellington Equestrian Partners

Tryon, NC and Wellington, FL

Chief Financial Officer

2015-Current

\$100M annual revenue, 1,500 employees. Operator of the premier equestrian centers in North Carolina and Florida

Privately Held; Business models include event production, lodging, food service, private clubs and real estate development

- Integral to a four-fold increase in the size of the business, including \$500M in new capital from a variety of sources.
- Restructured internal and external reporting systems clarifying income streams and accountability
- Expanded the finance and HR teams by three-fold in four years
- Respected financial leader of the organization shareholders, operators, business leaders, vendors, and outside professionals

Mark B. Windfeldt

Peninsula Transportation Group

Fort Lauderdale, FL

Chief Financial Officer

2012-2015

\$55M annual revenue, 600 employees. Operator of conventional taxi, black car, and para-transit services in two Florida counties.

Privately held; business models included scheduled transit, for hire transportation and charter transit

- Restructured internal and external reporting systems
- Key lender contact and lender development
- Transitioned year-end audit and tax relationship

Navarre Corporation

New Hope, MN

Controller, NDS Division

2008-2012

\$500M annual revenue, 600 employees. Provider of IT products and logistical services nationwide

Publicly Held; business models included wholesale distribution to national chains, direct fulfillment of end user, digital content distribution and licensing

- Incorporated SAP BI and SAP COPA in monthly close, financial analysis, and budgeting
- Created comprehensive daily, weekly and monthly KPI metrics
- Developed monthly forecasting process
- Implemented regular business reviews to identify and manage business risk

Ecolab

St. Paul, MN

Assistant Controller, EEC Division

2004-2008

\$155M annual revenue, 1,000 employees. Maintenance and installation of commercial food preparation and storage equipment, nation-wide

Publicly Held; business model was primarily institutional and multi-unit food providers

- Transitioned all reporting and analytics to SAP
- Managed SOX implementation, including ongoing testing and documentation
- Presented monthly reviews of business performance and progress to senior Ecolab management
- Created monthly, quarterly and annual, key performance reporting
- Coordinated Internal Audit response, including remediation of all gaps and follow-up reporting

RTM, Inc (Purchased FAI)

St. Louis Park, MN

Vice President of Finance. West Region

2002-2003

\$165M annual revenue, 5,000 employees. Operated 181 Arby's and 17 Sbarro restaurants in 6 states

Privately held; business model was the acquisition and construction of multiple markets through a variety of brands with an emphasis on strategic divestiture after building above market multiples

Mark B. Windfeldt

- Oversaw all aspects of the Due Diligence and Purchase Accounting for the purchase of FAI
- Transitioned 57 FAI locations to the RTM accounting system and controls
- Created West Region Accounting Team, hiring and training 8 accountants in six months
- Installed budgeting and forecasting
- Implemented incentive programs on all management levels

Franchise Associates, Inc. (FAI)

St. Louis Park, MN

Chief Financial Officer / Controller

1984-2002

\$85M annual revenue, 1,800 employees. Operated 57 Arby's and 17 Sbarro restaurants

Privately held; business model was building above market profitability through rapid innovation of facilities and products, to present an alternative in the quick serve segment

- Developed models for cash flow, debt/equity, new stores, new products, advertising cost/benefit
- Developed and presented annual Board of Directors meetings
- Implemented budgeting and forecasting
- Created and administered all incentive programs
- Ongoing process improvements, substantially decreasing accounting costs
- Hired, developed and promoted a Controller, IT Director and Point-of-Sale specialist

PHILANTHROPIC EXPERIENCE

Plymouth Concert Band

Plymouth, MN

Plymouth Fine Arts Council

Founder; Treasurer/President

1999-2006

PCB was an ensemble of 65 advanced musicians assembled from the City of Plymouth and surrounding communities. The mission of the group was to enhance the sense of civic identity in a primarily bedroom suburb.

PFAC is an organization formed under the direction of the Plymouth City Council to promote and fund the performing and visual arts in the City.

Conceptualized and created the PCB. Recruited the first Board of Directors. Recruited and hired the Musical Director. Located the rehearsal space. Assembled the musical library. Recruited musicians. Created a concert schedule and located performing spaces. Rented and purchased equipment.

Created both legal entities including the 501c status, tax returns and various compliance. Grant writer for both organizations and follow-up reporting to the Grantors.

Solicited and received of \$120K combined funding from various local on state agencies

EDUCATION AND PROFESSIONAL DEVELOPMENT

- Various professional development programs; finance, management, negotiation, strategic planning
- CPA, (inactive)
- St. Cloud State University; Bachelor of Science, Accounting

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

Meeting Date: April 13, 2021

SUBJECT: Lake Use Boating Survey

AGENDA INFORMATION:

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

BRIEF SUMMARY The LAB discussed “Wake Surfing” at their April 5, meeting. Attached is draft survey created to solicit information from boaters and lake front property owners. The responses received from this survey could be used to craft new changes to the Lake Use Regulations regarding wake surfing and/or other lake related activity. We may need to answer the following questions before sending the survey.

1. Are there any changes needed?
2. Who should receive the survey?
3. Do you want the LAB to review the survey?
4. When do we send it out and return date?

RECOMMENDED MOTION AND REQUESTED ACTIONS Staff is looking for direction from Town Council/Marine Commission regarding next steps.

FUNDING SOURCE: N/A

ATTACHMENTS: “DRAFT” Survey

STAFF’S COMMENTS AND RECOMMENDATIONS:



PARKS, RECREATION, & LAKE DEPARTMENT
Director Dean Givens

Lake Use Survey

April 2021

The Marine Commission for the Town of Lake Lure is considering regulations to limit the impact of boats that are designed to create wakes large enough to support wake surfing behind the boat.

Please, understand that the issue at hand is NOT wake boarding, which is similar to water skiing where the skier or wake boarder holds onto a rope attached to the boat.

We are seeking input from Lake Lure citizens who have boats on waterfront property. This survey is being sent to Lake Lure residents who have a boat registered on our lake.

The survey results will be compiled and made available to the public. Your response is confidential and no one's name or address will be included in the published results. Only the totals from the survey. The survey forms are numbered to insure that we receive only one per household.

Please, answer the following questions and return your survey by April ____ to: Lake Use Survey, Town of Lake Lure, P.O. Box 255, Lake Lure, NC 29746. You can also scan and email the survey to loa@townoflakelure.com or fax it to 828-625-8371.

1. Which of the following activities do you participate in? Circle all that apply.

- a. Water Skiing
- b. Wake Boarding (with a rope)
- c. Wake Surfing (without a rope)
- d. Tubing
- e. Stand-up Paddle Boarding

2. Do you support (Check only one)

- a. Limiting Wake Surfing to the middle of the lake only
- b. Prohibiting Wake Surfing on Lake Lure
- c. Leaving things as they are
- d. Other. Explain _____

3. Additional comments: _____

4. Please, list any other issues you would like to see addressed by your Marine Commission.

XII

CLOSED SESSION

- In Accordance with G.S. 143-318.11(a)(3) for the Attorney Client Privilege or Legal Claims and with G.S. 143-318.11(a)(6) for the purpose of discussing personnel matters