



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, AUGUST 10, 2021, 5:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

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 5:03 p.m. and gave the invocation. Council members led the pledge of allegiance.

II. APPROVE THE AGENDA

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

III. MAYOR'S COMMUNICATIONS

Mayor Carol C. Pritchett welcomed everyone. Mayor Pritchett discussed the inability to stream the meeting video and zoom simultaneously. She went over COVID-19 CDC guidelines and vaccinations. Mayor Pritchett verified that there is no public hearing at this meeting.

IV. TOWN MANAGER COMMUNICATIONS

Town Manager Shannon Baldwin reminded the board of his retirement on December 1st this year. He announced that Jennifer Duncan has been hired as the HR/CS Specialist, she was the former Branch Manager at the United Bank in Lake Lure. Manager Baldwin introduced the individuals who led discussions during the presentation section of the agenda including George Eller, Johnathan Pittman, and Laura Krejci.

V. PRESENTATION

George Eller, Safety Engineer with NC DEQ gave a presentation about the dam. He communicated that the goal is to repair old dams or build new dams. Mr. Eller explained details about the dam including the high hazard class, it is one of the largest dams in the State, constructed 1997, and it is in fair condition based on the evaluation of Schnabel Engineering. Mr. Eller also noted that the dam has an emergency access plan which is required by law, if the dam were to fail there would be a large sum of acres inundated. Mr. Eller informed the council that the dam has issues such as inadequate still way capacity during a big storm, a monolith instability problem, size weakness and a series of concrete shells, it does not have reservoir drain that is required through regulations, seepage and leakage occurs, and there is concrete spalling and exposed rebar. Mr. Eller explained that the emergency access plan needs to be updated annually and exercised, and he suggested table top exercise with multiple players. Mr. Eller additionally suggest that it would be good to have warning signs and barriers at spillways, dam failure characterized by rapid uncontrollable release by the reservoir, and emergency action plans should be sent to dam safety and NC emergency management. Mr. Eller presented an inundation map of Lake Lure and explained the potential severity of dam failure. He continued to explain that the current enforcement process including notice of inspection and notice of deficiency, and that Lake Lure is currently between the first and second step now. Mr. Eller concluded his presentation by encouraging the Town to update the emergency action plan and begin implementing table top exercises, he asked if anyone had any questions. Mayor Pritchett thanked him and no questions were asked.

Johnathan Pittman of Schnabel Engineering presented. He discussed that a way to path forward to the dam would be a reservoir drain. Mr. Pittman explained that Schnabel is in contract with the Town to design this train between the spillway and power house located near base of the dam. Mr. Pittman noted that the dam will be drained 90 percent in the event of an emergency. He described the drain infrastructure and displayed an image of the drain infrastructure to meeting attendees. Mr. Pittman noted that there is a 50 percent design committal that is due this month and staff and council will discuss changes to finish design. Mr. Pittman explained that the goal is to begin construction in spring of 2022 and it should take three months to complete. Mr. Pittman informed the Council that in 2018 and 2019 alternatives to modify dams were looked at and dam replacement was discussed, and ultimately the replacement dam was voted on in February to be proceeded on. Mr. Pittman stated that the cost between rehabilitation and replacement were similar but replacement will allow for a longer service life that will last over 100 years. Mr. Pittman described the logistics of replacement such as of the existing dam gets removed, but most of it will remain under water so it does not affect recreation and new operations. He made attendees aware that the current dam has hydroelectric and hydroelectric will not be included in new dam, but will be designed to add to new dam at a later date if desired. Mr. Pittman noted that the replacement dam on a 10 year schedule. Mr. Pittman detailed steps in the project including conceptual design, field investigations, detail design, permitting, bidding, and construction are the next steps. Mr. Pittman stated that the ultimate goal is to minimize impacts to delaying construction and

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replacement will avoid this compared to modifications. He asked if anyone had questions and no questions were asked. Mayor Pritchett thanked him.

Communication Specialist Laura Krejci presented and discussed funding the dam through grants. Ms. Krejci explained that the Town has applied for FEMA High Hazard Potential Dam Grants. Ms. Krejci continues to explain that the first grant applied for was a spillway grant and the Town was granted 80,000 dollars to support this project. Ms. Krejci noted that the FEMA grant required that the Town pay 35 percent of matching funds and that the Council developed a reserve fund specifically for the dam which is critical in obtaining grants. Ms. Krejci stated that in 2020 the Town applied for another grant for the purpose of a reservoir drain and received 121,000 dollars in funding, in which the Town matched 35 percent. Finance Director Sam Karr helps ensure that funds are matched and extensive reports are done to make certain that all doings are being done appropriately. Ms. Krejci explained that in 2021 a second opportunity occurred for the 2020 funds that another agency else could not use. Thus, Ms. Krejci informed that the Town applied for a grant for conceptual design and has not find out if this project will be funded. Ms. Krejci added that another grant had been applied for in 2021 for field investigation with the amount being 1.3 million dollars. She notes that the Town does not anticipate getting the entirety of the grant, and that the Town is waiting to be informed of the outcome for this grant. In addition to grants, Ms. Krejci explained that the Town has been working on funding through the Infrastructure Bill through the Policy Group who helped support the Town through Nation Transportation Committee to replace bridge over dam. Ms. Krejci stated that the first phase replacement dam has been submitted for 8 million dollars, which the Town must match by 25 percent. Ms. Krejci explained that this has been applied for through legislators Cawthorne, Burr, Tillis and that it had gained letter support on a national level. Ms. Krejci noted that H.R. 3684 is the national bill that can be found regarding the bill. Town Manager Baldwin asked Ms. Krejci to detail the other grant amount. She explained that all combined amounts to 240,000 dollars. Mayor Pritchett mentioned that the recent increase in taxes is going towards the dam reserve fund for matching funding. Commissioner DiOrio and Town Manager Baldwin discussed a conversation that occurred with the Policy Group that inferred that the Group is confident that the Town will get funding. Commissioner DiOrio and Mr. Baldwin explained that all levels of government agree that it is everyone's best interest to get replacement dam due to the economic impact of the Town of Lake Lure, maintaining wetlands, and the possible flooding effects of having a high hazard dam. Mr. DiOrio provided input that this will allow for more room to invest in green energy and rural transportation access due to bridge on dam. Ms. Krejci explained that when the design begins, more money will be invested in this project through the Town, grants, and loans within ten years. Ms. Krejci noted that the budget line item "lake lure dam reserve" on tax documents will be for dam reserve. Council members explained that 16 cost saving methods are being examined this year to help make up some of the 1.6 million dollars. Council also noted the tax raise of 11 cents will equate to an overall of 19 percent through town savings.

VI. COUNCIL LIAISON REPORTS & COMMENTS

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

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Board.

Commissioner DiOrio reported the activities of the Utilities Advisory Board.

Commissioner Patrick Bryant reported the activities of the Board of Adjustment and Lake Structure Appeals Board and the Parks and Recreation Board.

VII. PUBLIC FORUM

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

Steven Milito, 1412 Proctor Road, spoke on behalf of the Homeowner's Association (HOA) at Proctor Road Neighborhood. Spoke with Council a while back about redirecting traffic through their road. Mr. Milito explained that traffic in the area has increased and contacts at the park offer optimism for a completed roadway in the park which will devote traffic to the end of the road. Mr. Milito stated that the Chimney Rock Ridge HOA attorneys have sent an email that requests Town inform residents in the area if they make changes to the roads and to maintain them. Mr. Milito informed the board that that these roads are town owned. Town Manager Baldwin stated that the Public Works Department has been mowing the adjacent right of way. Public Works Director David Arrowood spoke on this matter and discussed that the Public Works Department started mowing the right-of-way this year at least a couple of times a year, but there is no gravel on the road and that gravel should be inserted to considered it an open street. Commissioner DiOrio asked Mr. Milito to verify if it were a street or right of way. Mr. Milito and Commissioner DiOrio discussed that it is technically a right of way. Town Manager Baldwin verified that the Proctor Road residents currently have to pass through a parking lot and improvements would be needed to the right of way.

Mark Hoek, 159 Miller Wood Manner, represented the Parks and Recreation Board that expressed concerns over saving the golf course and green space. Mr. Hoek communicated that he and other Parks and Recreation Board members find it irresponsible for town management to close municipal golf course without seeking out a new owner. Mr. Hoek requested that no decision be made and that the golf course contract termination could be rescheduled until the end of the year. Mr. Hoek suggested that golf course issues can be avoided if the town permits multiple uses, in which he listed examples. He explained that local business owners had confided in him. Mr. Hoek informed the council that this year set a record for golf course use. Mr. Hoek expressed his thoughts that terminating the golf course contract will save Town money on paper but may lose more if Town quits funding course because green space will still need to be maintained and loss of revenues. Mr. Hoek claimed that the Town did not address this with residents and there is a petition to keep the golf course current agreement. Mr. Hoek concluded by noting an appraisal that had been conducted and he explained viable uses of the golf course space.

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Laura Doster, 274 Thomas Edison Road, representing Chamber of Commerce announced that the Olympiad is August 13th through the 15th this Friday, Saturday, and Sunday. Ms. Doster stated that a lot of people come to this event from out of town and state. Ms. Doster informed the meeting attendees of this good news.

Pat Buede, 2153 Memorial Highway, expressed her thoughts that the golf course to be used for the residents and taxpayers instead of tourists.

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 David DiOrio made a motion to approve the Consent Agenda, as presented. Commissioner John Moore seconded. The motion passed 4-0. Therefore, the Consent Agenda incorporating the following items was unanimously approved and adopted:

- A. Adopt the July 2, 2021 Special Meeting Minutes and the July 13, 2021 Regular Meeting Minutes.
- B. Resolution No. 21-08-10 Declaration of Intent to Reimburse Relative to Vehicles and/or Equipment
- C. Golf Course Property Lease Early Termination Agreement
- D. Budget Amendment #312 - Schnabel's Reservoir Drain Design
- E. Ordinance No. 21-08-10 – Grant Project funded by the Coronavirus State and Local Recovery Funds of HR 1319 American Rescue Plan Act of 2021

IX. UNFINISHED BUSINESS:

No unfinished business.

X. NEW BUSINESS:

- A. Wastewater Treatment Plant Chemical Room Up-Fit Presentation and Discussion**
- B. Wastewater Treatment Plant Chemical Room Up-Fit Budget Amendment No. 311**

Dam and Hydroelectric Director Dean Lindsey discussed the chemical room up-fit. This includes floor, wall, lighting repairs and new tanks. If this is to be passed it is almost a 28,000 dollar saving. Shannon Baldwin asked when the last time chemicals bids were. Director Lindsey did not know exact dates, but the current supplier has been here since Director Lindsey has worked for the Town. Commissioner David DiOrio motions to approve Budget Amendment No. 311 for the purpose of the Wastewater Treatment Plant Chemical Room Up-Fit, Commissioner John Kilby seconded the motion. The motion passed 4-0.

X. NEW BUSINESS:

- C. Dam and Hydroelectric Automation Project Presentation and Discussion**
- D. Dam and Hydroelectric Automation Project Budget Amendment No. 310**

Dam and Hydroelectric Director Dean Lindsey discussed the dam automation which was scheduled for 2020 but due to COVID-19 it needs to be rescheduled to this year. This project would give Duke Energy remote energy and control. Director Lindsey mentioned a re-request for automation. Commissioner David DiOrio discussed the link between automation and table top mentioned by George Keller during presentations. Director Lindsey stated that EAP has been updated but table top had not been scheduled yet. Commissioner David DiOrio motions to pass Budget Amendment No. 310 for the purpose of Dam and Hydroelectric Automation Project. Commissioner Patrick Bryant seconded the motion. The motion passed 4-0.

X. NEW BUSINESS:

- E. Street Signs (Private Streets) Policy Discussion**

Public Works Director David Arrowood explained that he was approached by resident Liz Geary about erecting a street sign on a private road located within the Town. Ms. Geary sent Director Arrowood the Town Council Regular Minutes from May 14, 1995 which show that the Council at that time had approved this concept. Director Arrowood reached out to adjoining towns and they do not do this for private streets. Director Arrowood expressed that he thought that the council might want to review this. Director Arrowood recommended that the Town should not do erect street signs on private streets. Town Manager Shannon Baldwin asked what compliance goes into signage. It is noted that most places now sale DOT approved signs. The Fire and Community

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Development departments have authority in sign compliance enforcement. Commissioner John Kilby asked who has responsibility of road maintenance. Director Arrowood answered that it is HOA/POA or community. Director Arrowood stated that he will get in touch with Ms. Geary after board decision. Commissioner John Moore asked Attorney William Morgan what procedures may be taken at this meeting or if this needs to be re-addressed next month. Town Attorney William Morgan stated that a motion can be addressed tonight but a resolution and policy may be adopted at a later date. Commissioner John Moore motioned to change the policy to ensure that the Town does not participate in installing and maintaining street signs on private streets. Commissioner David DiOrio seconded motion. The motion passed 4-0. Mayor Carole Pritchett asked about emergency situations. Director Arrowood explained there are existing regulations and permits to ensure that road sign does go up.

X. NEW BUSINESS:

F. Town Manager Recruitment Process

Commissioner David Diorio discussed Town Manager Shannon Baldwin's retirement. The Council discussed the process to hire a new town manager. Attorney Morgan noted that he is reviewing external hiring firms. Manager Baldwin stated that he had sent an email to Council and Attorney Morgan that included mentions of firms that specialize in hiring managers. Commissioner David DiOrio proposes that the council allow Attorney Morgan to contact firms to hire new Town Manager and that price referral and recommendations should be considered in making a decision on best-fit hiring firm.

XI. CLOSED SESSION

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

During Closed Session, Council discussed a personnel matter.

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

XII. ADJOURN THE MEETING

With no further business, Commissioner David DiOrio made a motion to adjourn the meeting at 7:30 p.m. Commissioner Patrick Bryant seconded and the motion carried 4-0.

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ATTEST:

Olivia Stewman,
Town Clerk

Mayor Carol C. Pritchett