



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, MAY 11, 2021, 5:00 P.M. VIA ZOOM**

PRESENT Mayor Carol C. Pritchett

VIA ZOOM: 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 5:21 p.m.

II. APPROVAL OF THE AGENDA

Commissioner David Diorio proposed removing “UAB Member Appointment” from the meeting agenda as there is only one current application on file which came in the day of the meeting and has not yet been reviewed. He asked that this be moved to the June meeting. Commissioner Patrick Bryant proposed removing the “Lake Use Survey Discussion” as we continue to gather information and as the proposed amendments to the Lake Use Regulations were postponed until June 17th.

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

III. MAYOR’S COMMUNICATIONS

Mayor Pritchett announced that a meeting will be held on May 18th to discuss when to begin the process of lowering the Lake. She stated the Town was fortunate to receive a dredging grant from NC DEQ and are able to spend over \$800k in order to dredge the Lake. Those funds must be used in 2021, the year in which they were granted. In order to do the hydraulic dredging the Lake must be lowered. but the exact date when it will begin to be lowered is uncertain. More information will be presented at the next Town Council meeting and a schedule will be presented as soon as it’s available.

IV. PUBLIC HEARING

A. ORDINANCE NO. 21-05-11 AMENDING CHAPTER 92 ZONING REGULATIONS

Assistant Community Development Director Mitchell Anderson provided an overview of the proposed changes to Chapter 160D of the Zoning Regulations. The Land Use Regulations have been updated and the Town must update the Zoning Ordinance to align with the State's regulations. They have been reviewed by the ICCDC who provided recommendations which was reviewed by the Town Attorney, staff, and the ZPB. The ZPB recommended adoption of this ordinance after their review. Mr. Baldwin pointed out that this amendment is a mandate by the State. Mr. Anderson added that the majority of this amendment is technical and mandated definitions from the State. There was nothing particular in content being amended.

Mayor Pritchett asked if there were any other comments and no one requested to speak. She stated that the public hearing would be recessed until May 13th at 1:00 p.m. during a special Town Council meeting.

Commissioner David DiOrio made a motion to recess the public hearing until May 13th at 1:00 p.m. Commissioner Patrick Bryant seconded and the motion carried 4-0.

IV. PUBLIC HEARING

B. ORDINANCE NO. 21-05-11A AMENDING CHAPTER 91 OF THE SUBDIVISION REGULATIONS

Assistant Community Development Director Mitchell Anderson provided an overview of the proposed changes.

Mayor Pritchett asked if there were any other comments and no one requested to speak. She stated that the public hearing would be recessed until May 13th at 1:00 p.m. during a special Town Council meeting.

Commissioner John Moore made a motion to recess the public hearing until May 13th at 1:00 p.m. Commissioner David DiOrio seconded and the motion carried 4-0.

IV. PUBLIC HEARING

C. ORDINANCE NO. 21-05-11B AMENDING CHAPTER 92.116(D) OF THE ZONING REGULATIONS

Assistant Community Development Director Mitchell Anderson provided an overview of the proposed changes to the Zoning Regulations in regards to fencing. The proposed amendment allows for installation of chain link fencing to protect and secure property. He noted that fencing will be required for cell towers which will be coming in the future.

Mayor Pritchett asked if there were any other comments and no one requested to speak. She stated that the public hearing would be recessed until May 13th at 1:00 p.m. during a special Town Council meeting.

Commissioner John Moore made a motion to recess the public hearing until May 13th at 1:00 p.m. Commissioner David DiOrio seconded and the motion carried 4-0.

V. TOWN MANAGER COMMUNICATIONS

Town Manager Shannon Baldwin stated we have secured the grant via FEMA and will begin the process this week.

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 FORUM

Mayor Carol C. Pritchett invited the audience to speak.

Debra Gardner, 137 Firefly Cove, questioned how long it would take in order to use all of the money awarded from the NC DEQ grant. She stated that she would like to delay the drawdown of the Lake as long as possible since fall is a busy season on the Lake. She stated that her son is getting married October 24th and they have a lot of activities scheduled during that time. Mayor

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Pritchett stated that dredging would be discussed further with the engineers during the meeting on May 18th.

Ken Golliher, 143 Bee Tree Point, expressed that he has been learning a lot about the Town's infrastructure issues and wished that the public was interested in those issues more so than wakesurfing. He stated that he received a document not signed by anyone that included half-truths and wished there was a response that would be issued to that letter. He suggested having a second infrastructure meeting to address the accusations made.

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 presented. Commissioner John Kilby seconded. Therefore, the Consent Agenda incorporating the following items was unanimously approved and adopted:

- A. Adoption of the April 28, 2021 Regular Work Group Meeting Minutes
- B. Request from Mike Finnern to Remove a Tree Within the Lake Boundary
- C. Resolution No. 21-04-28a Honoring the Powers-Moore

RESOLUTION NO. 21-04-28A A RESOLUTION HONORING THE POWERS-MOORE FAMILY

WHEREAS, Lee Leeper Powers was born April 9, 1899 in Morristown, Tennessee; and

WHEREAS, Lee L. Powers was a native of East Tennessee, a region of Southern Appalachia, and a direct descendent of Captain Jarnagin, a Revolutionary War Soldier; and

WHEREAS, Lee L. Powers was a man of influence, vision and love, and chose to make this his permanent home; and

WHEREAS, Lee L. Powers relocated to the Town of Lake Lure shortly after the 1929 Stock Market Crash to assist with covering the debt for an outstanding loan made by the United States Fidelity & Guaranty Company to Chimney Rock Mountains, Incorporated; and

WHEREAS, Lee L. Powers was extremely instrumental in the survival of the town during the Great Depression and over the decades that followed; and

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WHEREAS, Lee L. Powers had expertise in construction and financing and supervised the construction of the log Golf Club House, the Old North Carolina Highway Patrol Building which is now Lodge on Lake Lure, and the Town's water reservoirs and many others; and

WHEREAS, Lee L. Powers was instrumental in engineering what has been called the "Town of Lake Lure's Greatest Deal," the purchase of the Dam and Lake on July 26, 1965; and

WHEREAS, Lee L. Powers married Thelma Odom, a native of Rutherford County, NC, having two daughters, Marylyn Powers Moore and Martha Jane Powers; and

WHEREAS, Lee L. Powers welcomed President Franklin Delano Roosevelt to Lake Lure in 1936, hosted the President at the Powers residence, and accompanied him on the campaign trail in NC; and

WHEREAS, Lee L. Powers served in the NC General Assembly in 1945 while living in Lake Lure, and was personally acquainted with many NC Governors; and

WHEREAS, Lee L. Powers owned and operated the Bottomless Pools for many years; and

WHEREAS, Lee L. Powers passed away on February 14, 1993. It should be noted that his energies and decisions were geared to what would be best for Lake Lure and that his substantial gifts to our Town were motivated by concern for the environment; and

WHEREAS, the Powers-Moore Family has kept a presence in the Town of Lake Lure for nearly 90 years; and

NOW, THEREFORE BE IT RESOLVED, the Lake Lure Town Council expresses sincere appreciation for the life work of Lee Leeper Powers and the enormous positive impact and many positive contributions he made to the Town of Lake Lure, its citizens and to future generations and by this action honor him for a lifetime of service to this community.

NOW, THEREFORE BE IT FURTHER RESOLVED, the Lake Lure Town Council names that one mile section of the Lake Lure Town Center Walkway stretching from Boys Camp Road to Harris Road as the "Powers-Moore Walkway."

READ, APPROVED AND ADOPTED this the 11th day of May, 2021.

D. Approval of Budget Amendment #306 – Real Estate Purchase

IX. UNFINISHED BUSINESS:

There was no unfinished business to discuss.

X. NEW BUSINESS:

A. FIRE DEPARTMENT SERVICES BUDGET DISCUSSION

Town Manager Shannon Baldwin provided context. Town Manager Shannon Baldwin, Mayor Pritchett, Commissioner DiOrio and Fire Chief Dustin Waycaster met with all of the volunteer fire departments that assist in supplementing fire protection inside the Town to discuss budget issues and concerns that the Town is facing in regards to the Town's infrastructure needs. The Town officials requested that the departments review their contracts with the Town for supplemental fire protection and bring back a proposal amount for the Town's services for Town Council to consider. The boards and officers of each fire department met to discuss the information that was provided to them and returned their respected requests as follows:

Chimney Rock VFD \$35,000.00 (-22%)	Previous Contract Amount \$45,000.00
Fairfield Mountains VFD \$67,000.00 (-37%)	Previous Contract Amount \$107,458.00
Bills Creek VFD \$55,000.00 (-0%)	Previous Contract Amount \$55,000.00

Fire Chief Dustin Waycaster presented the Fire Department services budget. In attendance with him via Zoom was Fire Chief Jamie Howell with Bills Creek Fire Department and Louis Welge Chairman of the Board of Directors with Bills Creek Fire Department. Fire Chief Waycaster stated that Bills Creek provided a letter of intent that they wanted to receive the same funds that they had received in previous years.

Mr. Howell explained that they have already prepared their annual budget and submitted to the County. Chief Waycaster suggested that Council begin their budget discussions with the local fire departments in January each year and negotiate contracts sooner in the coming years so they know how to make requests or changes to the County each year regarding their budget.

Commissioner DiOrio relayed that the Town determines the amount each year based on the services that are provided. The contract is written so that the Town will assess the services each year. Fire Chief Howell noted that he would need to speak with members of the Board of Directors first. Chief Waycaster suggested allowing them time to speak with their Board of Directors before making a decision on their contract amount but moving forward with the other two fire department contracts.

Commissioner DiOrio made a motion to approve the presented requested amounts for fire protection services for Chimney Rock VFD and Fairfield Mountains VFD for the Fiscal Year 2021/2022 contracts and defer a decision on Bills Creek Fire Department until after their deliberations on the amount proposed of \$42,900. Commissioner John Moore seconded and the motion carried 4-0.

XII. 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 discussion attorney client privilege and with G.S. 143-318.11(a)(6) for personnel matters. Commissioner David DiOrio seconded and the motion carried 4-0.

During Closed Session, Council discussed a personnel matter and Mr. Baldwin's retirement notice.

Commissioner David DiOrio made a motion to return to open session. Commissioner John Moore seconded and the motion carried 4-0.

XIII. ADJOURN THE MEETING

With no further business, Commissioner David DiOrio made a motion to adjourn the meeting at 6:47 p.m. Commissioner John Kilby seconded and the motion carried 4-0.

ATTEST:

Michelle Jolley,
Town Clerk

Mayor Carol C. Pritchett