



**MINUTES OF THE SPECIAL MEETING OF THE LAKE LURE MARINE COMMISSION HELD WEDNESDAY, AUGUST 26, 2020, 8:30 A.M. VIRTUALLY VIA ZOOM**

**PRESENT** Mayor Carol C. Pritchett  
**VIA ZOOM:** Mayor Pro Tem John W. Moore  
Commissioner Patrick Bryant  
Commissioner David DiOrio  
Commissioner John Kilby  
Shannon Baldwin, Town Manager  
Dean Givens, Parks, Recreation, and Lake Director

**ABSENT:** N/A

**CALL TO ORDER**

Mayor Carol C. Pritchett called the meeting to order at 8:30 a.m.

**APPROVAL OF THE AGENDA**

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

**III. LURE OF THE SMOKIES OPEN WATER EVENT REQUEST**

Smoky Mountain Aquatic Club requested to host an open water event (Lure of the Smokies swim event) to be held at the Lake Lure Beach September 12-13, 2020. The event meets safety guidelines approved by NC Swimming and USA Swimming. This Club is a small swim club and one of only two competitive clubs in the Asheville area that serves approximately 150 swimmers from various counties.

Commissioner John Kilby noted that the first request was disorganized and Rumbling Bald did not approve the event to be held inside the Resort. They are now requesting the event be held at the Lake Lure Beach. He stated that he discussed his concerns with George Wittmer and feels that the event has more control. Commissioner DiOrio expressed his concerns regarding COVID-19 mentioning that North Carolina is still under Phase 2 guidelines. He felt that allowing the event to proceed would go against the State's guidelines for social events. He also pointed out that the number of Coronavirus cases have escalated in the County and the peak is supposed to occur around

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the time of this event. He stated that the NC High School Athletic Association has a policy suspending all athletic activities until November 1<sup>st</sup> for all contact sports.

Mireille Aleman explained the water safety plan for the event and noted that she has had discussions with Fire Chief Dustin Waycaster and Police Chief Sean Humphries. Coach Charlie McCanless, Head Coach of the Smoky Mountain Aquatic Club, commented on safety standards put in place by NC Swimming and USA Swimming. There will be three events each day (3 Saturday and 3 Sunday) and are limiting the number of participants due to COVID-19. He mentioned that the swimmers will start in waves as an added safety measure. He stated that they have some of the best meet officials in the State to come and officiate and EMS will be on site as well. He mentioned that the races are timed and any swimmers left in the water past the allotted time will be removed from the course.

Commissioner DiOrio asked if police would be on the Lake to help monitor boating traffic around the swimmers. Chief Waycaster stated that both police and fire would have boats on the water to help monitor traffic especially in the area of the boat ramp and Marina. Coach McCanless noted that all the coaches are certified lifeguards. Commissioner DiOrio asked if rest spots will be set up for swimmers and Coach McCanless stated that he would coordinate with volunteers to make sure they have enough kayakers on the water to assist with rest spots. Commissioner DiOrio asked that the volunteers coordinate their communications with the fire officials explaining that they have hand signals they use for different situations. Ms. Aleman mentioned that she is also working with Laura Doster, Executive Director of the Hickory Nut Gorge Chamber, to help coordinate the volunteer force.

Commissioner DiOrio questioned if the first responders assisting were being compensated. Chief Waycaster stated that he plans is to use on-shift staff dedicated in helping to assist with the event. However, if something comes up he will have to rotate staff around to maintain coverage at the event and to respond to calls. He stated that he is not aware of charging for utilization of his staff. Commissioner DiOrio asked that he get up with Chief Humphries to discuss a mechanism for compensation in case overtime is needed. He noted that other events held in the Town have given donations and felt that something equivalent to that would be fair. Coach McCanless stated that he would discuss this with Chief Humphries and Chief Waycaster. Chief Humphries mentioned that he is planning to call in one reserve officer to assist during the event and his full-time staff would be available if needed. He explained that they could hire an off-duty officer through the Department for \$25 an hour. Mr. Givens noted that a lake patrol officer would be on the Lake as well.

Commissioner DiOrio questioned what would happen if Phase 2 gets extended past the event weekend no more than 25 people can gather. Chief Waycaster stated that the Board could choose to postpone the event if they feel necessary to do so for safety concerns. However, he felt that social distancing could be maintained and expressed that the use of masks for the volunteers must also be enforced. Mr. Baldwin explained that it is the Town's responsibility to ensure safety and ensure their plans meet the guidelines of

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the State. Commissioner Kilby asked if the event could be pushed out two more weeks. Coach McCanless felt that it could but noted that the water may be cooler and he would have to coordinate with the Lake Lure Inn about use of the Beach during that time.

Commissioner DiOrio stated that this event does not comply with the restrictions set forth in Phase 2. He felt the Board should reconsider if Phase 2 gets extended. Chief Waycaster noted that there has been a sharp increase in the active number of Coronavirus cases in the Town in the recent weeks. Details of the event continued to be discussed by the Marine Commission. Chief Waycaster stated that the event would be exceeding the number allowed for a social gathering. The executive order is only in effect until the 11<sup>th</sup> and the Governor will then decide if he wants to extend Phase 2. Commissioner DiOrio mentioned that if Phase 2 is extended and the Town still allows the event to be held, the Town could be held liable if an issue or a breakout occurs. Coach McCanless commented that he believes their event would comply with the guidelines as long as they keep groups at 25 or less. Mr. Baldwin pointed out that there would be more than 25 people on the Beach, including volunteers and felt it would be difficult to comply with the guidelines.

The Board discussed allowing the event to be held the following weekend instead, if Phase 2 does not get extended. Ms. Aleman explained that was more involved than just coordinating a change of date with the Lake Lure Inn. Commissioner DiOrio also pointed out that most of the Town's volunteers would be senior citizens, who are at a higher risk of contracting the Coronavirus. Ms. Aleman agreed and stated that they would be providing their own volunteers of less vulnerable people. Mayor Pritchett questioned if this event could be postponed until next spring and Coach McCanless stated yes. He reported that USA Swimming discussed Lake Lure as a possibility for open water national championships and other events in the future. He noted that a good time period to postpone this event to would be in late May. Ms. Aleman commented that they want to cooperate and want to have a long-lasting collaboration with the Town, mention that safety is a priority to them.

Commissioner DiOrio suggested approving this event if the Governor does not extend Phase 2. Commissioner Bryant read the details of Section 9 of Executive Order 141. He noted that the Beach can hold up to 2,000 and the Order requires enough space for 500 people. Commissioner Kilby suggested not approving the event request but supporting it in the spring of next year. Commissioner Moore expressed that this event would be great for the Town and he would like to see it as a long-term reoccurring event in the future.

There was a consensus of the Marine Commission to not approve the event for the 11<sup>th</sup> and 12<sup>th</sup> at this time due to the COVID-19 pandemic and Phase 2 Executive Order. Coach McCanless stated that they understand the Marine Commission's position and they put the safety of the kids first. Mayor Pritchett thanked them and expressed that the Town would like to continue to work with them on events in the future. Commissioner Bryant noted that May 22<sup>nd</sup> was a potential event date next year for this event to be held at the Beach.

**IV. LAKE LURE TOURS REQUEST FOR A 2020 COMMERCIAL BOAT PERMIT**

Parks, Recreation, and Lake Director Dean Givens explained the request. Lake Lure Tours is wanting to exchange one of their tour boat stickers for a livery boat sticker. They are asking to make one of their small tritoons a rental boat instead of a tour boat as there is a higher need for private boat rentals right now due to COVID-19. Commissioner DiOrio stated that this would not impact the Lake Commercial Model and that they are trying to adjust their business to accommodate the current changes and conditions. Board members were all in favor of the request.

Commissioner John Kilby made a motion to approve a 2020 Commercial Livery Boat Permit for Lake Lure Tours. Commissioner David DiOrio seconded and the motion carried 4-0.

**ADJOURNMENT**

With no further business, Commissioner David DiOrio made a motion to adjourn the meeting at 9:47 a.m. Commissioner John Kilby seconded and the motion carried 4-0.

  
Michelle Jolley,  
Town Clerk

  
Mayor Carol C. Pritchett

