



MINUTES OF THE SPECIAL MEETING OF THE LAKE LURE MARINE COMMISSION HELD TUESDAY, OCTOBER 13, 2020, 4:00 P.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
William Morgan, Jr., Town Attorney

ABSENT: N/A

I. CALL TO ORDER

Mayor Carol C. Pritchett called the meeting to order at 4:00 p.m.

II. APPROVAL OF THE AGENDA

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

III. LAKE LURE RACING & ROWING RETREATS FOR A ROWING REGATTA

Parks, Recreation, and Lake Director Dean Givens explained the request he received via email. He stated that Wade Oppliger and Leslie Rowland with Lake Lure Racing & Rowing Retreats are requesting to hold a Rowing Regatta on Lake Lure December 5-6, 2020 and asking that Council waive the boat permitting requirements for the event, approval to allow course identification by means of temporary markers on existing buoys, provide stand by support for any emergency needs, notify the community prior to and weekend of the Regatta, restrict boat activity during the event on both Saturday and Sunday, and allow signage at the Marina boat launch. The Regatta will be presented as an invitational race not sanctioned by US Rowing which would make the logistics of the event much easier and less expensive to implement. The Regatta will feature two days of races, the first on Saturday starting from the dock at Rumbling Bald Resort's beach and ending at the opening to Lake Lure Beach's Marina, and on Sunday

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starting from the Lake House restaurant to the Lake Lure Beach Marina, including a loop around the island at the top of that channel. They also plan to have a beach party Saturday night coordinated with the Lake Lure Inn and will adhere to social distancing and face masks state guidelines. Lake Lure Rowing will provide a fee of \$10/boat per race that will be paid to the Town. The Chamber will provide on the water support for safety and course management. The races will begin at 9 a.m. and should take about 22 to 30 minutes to complete. They will sequence each boat to start every 15 seconds. Commissioner Bryant noted that the boats are single boats and will not include teams. This event will be on a small scale and dedicated to social distancing and provide a reasonable number of participants. Commissioner Moore did not believe there would be much boat traffic in December and suggested asking those that are on the Lake to be courteous to the rowers instead of asking that they not use the Lake during the event.

Mr. Oppliger proposed erecting a sign the day of the event to let boaters know what is going on and felt this may help minimize movement on the Lake during the time of the event. He noted that rowers should move through areas fairly quickly. Commissioner DiOrio questioned if the Town's first responders would be on scene, and Mr. Givens stated that they would, and expressed that the Town should be reimbursed for their time overseeing the event. Commissioner DiOrio also questioned the number of people that would be on the Beach during the beach party and if it would meet the intent of the State guidelines on social distancing. Commissioner Bryant mentioned that this has not been fully discussed with Mr. Oppliger but stated it is limited to 50 people at this time and would be worth noting in the itinerary. Mr. Baldwin pointed out that state guidelines could change between now and the time of the event and whatever guidelines are in place during the time of the event is what should be followed.

Commissioner John Moore made a motion to approve the request from Lake Lure Racing & Rowing Retreats for a Rowing Regatta to be held on Lake Lure December 5-6, 2020 and that the guidelines of Executive Order 141 be followed in accordance with the date of the event, to waive the boat permit requirements for the event, and to require compensation for the Town's first responder services that have been requested for the event. Commissioner Patrick Bryant seconded and the motion carried 3-0. (Commissioner John Kilby lost internet connection and was not present during the motion. However, there was still a quorum present and the vote passed unanimously.)

IV. USE OF ELECTRIC SURFBOARDS ON THE LAKE

Parks, Recreation, and Lake Director Dean Givens provided an overview of the request. He stated that he was contacted last year from someone requesting a boat permit for an electric surfboard. Because there was no specific category in the Regulations for this type of vessel, he asked the Lake Advisory Board (LAB) to review and discuss the request. The LAB felt that the Lake Use Regulations solely prohibit the use of electric surfboards in its definition of a "personal watercraft," which is defined as "an inboard powered craft using a water-jet pump as the primary source of propulsion and operated by a person sitting, standing or kneeling on the craft rather than in the conventional

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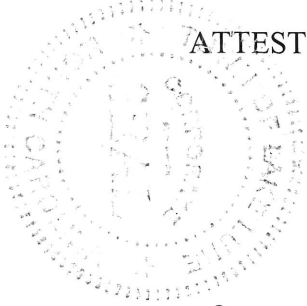
manner of boat operation.” Mr. Givens then reported that he received a phone call a few months ago from someone questioning if electric surfboards were allowed on the Lake and he relayed to them that they are not. A few weeks ago, he was notified that one was spotted on the Lake without a permit. A Lake Lure Policeman responded and instructed the gentleman to remain off of the Lake. It was the same gentleman Mr. Givens had spoken with over the phone. Mr. Givens mentioned that he then received an email from Jim and Janet Walters, Lake Lure residents, requesting the Marine Commission to consider allowing the use of a lift foil hydrofoil surfboard on the Lake and that the gentleman who he spoke with and who was asked to remain off of the Lake with this type of vessel was their nephew, Charles Keith Marshal Jr. The email explained that their nephew, Mr. Marshal, recently purchased a home at 346 Chapel Point Rd. and attempted to purchase a boat permit for their electric surfboard. They were told that there is no specific category for this type of vessel and that it would fall within the category of jet skis, which are not allowed. They explained that the surfboard is in no way similar to a jet ski as it is battery driven, quiet, and creates no wake. They also expressed that they recognize this is a newer type of vessel on the Lake and did not feel that it would have any negative impacts. They felt that it would fall more in line with electric boats or canoes and kayaks with electric motors, which are permitted on the Lake. Mr. Givens again relayed that the LAB discussed the use of these types of vessels during their meeting on August 5, 2019 and unanimously agreed that they should not be permitted on the Lake for safety reasons. They also recommended amending the Lake Use Regulations definition for “Personal Watercraft or Skicraft” to define it as “an inboard craft using a water-jet pump or a battery driven, gas engine driven housed propeller as a primary source of propulsion and operated by a person sitting, standing or kneeling on the craft rather than in the conventional manner of boat operation.” This recommended amendment to the Regulations has not yet been forwarded to the Marine Commission for review.

Commissioner Moore noted that he was not in attendance during the August 5, 2019 LAB meeting but did not believe that these types of vessels would cause any concerns. However, he suggested they not be allowed with vacation rentals. He stated the bigger issue on the Lake are wake surfers who are pulled behind boats that create tremendous wake. (Commissioner Kilby joined back in the meeting.) Mr. Givens suggested requiring these types of vessels to stay within 75’ feet of shoreline for safety reasons and pointed out that they can go as fast as 25 mph. Commissioner Kilby commented that the LAB conducted research on these vessels and unanimously agreed to not allow them on the Lake because of their speed and safety concerns. Discussion continued. The Board agreed to take no action at this time. Therefore, these types of watercraft would remain under the category of “personal watercraft” which are currently prohibited under the Lake Use Regulations.

V. ADJOURNMENT

With no further business, Commissioner John Moore a motion to adjourn the meeting at 4:29 p.m. Commissioner John Kilby seconded and the motion carried 4-0.

ATTEST:




Michelle Jolley,
Town Clerk


Mayor Carol C. Pritchett