

Town of Lake Lure - Lake Advisory Board

- Minutes of Regular Monthly Meeting -



The Lake Advisory Board held their regular monthly meeting at the Lake Lure Municipal Center on Monday, the 5th day of June, 2017 at 3:30 p.m.

Attendees:

Mark Helms (chairperson)
Bill Ashman
Gary Johnson
Dan Breneman
Sonya Ledford
Joe Pritchett
Gary Hasenfus
Mary Ann Silvey (council
liaison)
Dean Givens, Dir. Lake Ops.
Mgmt. Officer
Clint Calhoun, Environmental
Management
Mayor Bob Keith

Non-Attending Members: N/A

Call to Order and Agenda Review:

Chairman Mark Helms called the meeting to order at 3:30 p.m.

Approval of the minutes:

Joe Pritchett made a motion to approve the minutes of the May 1, 2017 regular meeting as presented. Bill Ashman seconded and the motion carried unanimously.

Individual Meeting Reports and Actions:

Lake Operations Department – Lake Operations Director Dean Givens reviewed the department's report that was sent to board members by email prior to the meeting. Mr. Givens also stated that he has been asked about dual permitting of boats and explained that in the previous Town Manager allowed owners of commercially permitted boats to purchase a personal

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boat permit in addition to their commercial boat permit to allow the owner of the boat to use it recreationally. The board showed general support for the allowing owners to purchase dual permits for commercially permitted boat, but agreed to revisit the topic at the next Lake Advisory Board meeting.

Council Liaison – Commissioner Mary Ann Silvey reported the activities of the Marine Commission and stated that the Marine Commission did not approve a proposed resolution amending the Lake Use Regulations that was presented at their March meeting, but the proposed amendments will be considered again at the June Marine Commission Meeting.

Special Topics –

a) Review and Discussion of Proposed Lake Use Regulation Revisions--
Chairman Helms stated that there were two sections of the Lake Use Regulations that the Board looked at during their review of the Lake Use Regulations and agreed to be revisited after further research. The Board discussed launch site requirements currently in the Lake Use Regulations that are not being enforced and reviewed each line of section 1.58 of the Lake Use Regulations (proposed to be renumbered as section 4.08). Bill Ashman made a motion, to recommend the following revisions to the Lake Use Regulations. Gary Johnson seconded by and the motion carried unanimously.

[ADDITIONS TO TEXT ARE UNDERLINED; DELETIONS ARE ~~STRUCK THROUGH~~.]

~~§ 1.58~~ 4.08 LAUNCHING WATER VESSELS & LAUNCH SITES

(A) Launching of motorized water vessels into the lake shall be allowed only from general and private launch sites ~~having valid launch site permits~~.

~~(B) All general launch sites providing entry of motorized water vessels into the lake are required to obtain and display a launch permit at launch site.~~

~~(C) General launch site permits shall be renewed annually. Initially, the marine commission shall issue permits for no more than four general launch sites. The marine commission may increase or decrease the number of permits issued for general launch sites as the demand for such launch sites and the utilization of permitted general launch sites may dictate.~~

~~(D) The marine commission reserves the right to revoke general and private launch site permits.~~

~~(E) Beginning in 2005 and for every year thereafter, general launch site renewal applications must be submitted to the marine commission prior to the first day of November. Permits will then be approved or disapproved by the marine commission prior to the first day of January of the following year and, unless revoked by marine~~

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~~commission, shall remain in effect until the last day of December of that year.~~

~~(F) Beginning in 2005, existing private launch sites shall be required to obtain a private launch site permit.~~

~~(G)~~(B) No new private launch sites for motorized boats may be created on the lake.

~~(H)~~(C) The marine commission may close or restrict use of any or all general launch sites when it is deemed that conditions exist which threaten the safe, recreational usage of the lake. (Res. Passed 4-12-05) Penalty, see § 1.99

The Board also read and reviewed Section 1.16 of the Lake Use Regulations requiring a permit to operate a public bathing beach. The Board agreed that the section should be removed since it is not being enforced. Following discussion, Dan Breneman made a motion to recommend that section 1.16 be deleted from the Lake Use Regulations. Bill Ashman seconded and the motion to recommend the following amendment carried unanimously:

~~§ 1.16 — PERMIT REQUIRED TO OPERATE PUBLIC BATHING BEACH.~~

~~— No public bathing beach shall be operated within the corporate limits of the town by any person, firm, or corporation without first obtaining a permit from the marine commission for said purpose and filing with the marine commission a petition for said permit, which shall describe the location of said beach, that adequate bathing insurance will be obtained and kept in force at all times for the protection of the public, and that the same will operate in full compliance with the ordinances and regulations provided by the town or marine commission from time to time regulating beaches within the town.~~

~~(Res. Passed 3-9-04) Penalty, see § 1.99~~

The Board reviewed an email sent to them prior to the meeting by Commissioner Stephen Webber and discussed the definition of “Commercial Use” as defined in the Lake Structure Regulations. The Board determined that the current definition of “Commercial Use” in the Lake Structure Regulations is acceptable. Gary Johnson made a motion to recommend no change to the definition “Commercial Use” in the Lake Structure Regulations. Joe Pritchett seconded and the motion carried unanimously.

Board members discussed Town Council’s direction at their budget workshop asking that the Lake Advisory Board make a recommendation concerning mandatory concession agreements for all Tour Boats (Classification 5 permits). The Board discussed concession agreements for tour boats and Dan Breneman made a motion to amend section 1.57 (proposed to be renumbered as 4.07) subparagraph (N) by adding the following:

(8) Tour boats require a concession agreement with the Town regardless of the number permitted.

Bill Ashman seconded and the motion carried unanimously.

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- b) Review the Lake Advisory Board's Recommendation to the Marine Commission Concerning Proposed Fees for Commercial Boat Slips

Chairman Helms reviewed the Board's previous recommendation to charge \$200 for all commercial slips that do not house commercially permitted boats. Dan Breneman expressed concerns about the proposed fee stating that he believes the financial burden of supporting the Lake should be shared with all residents, not just those who use the Lake commercially. Bill Ashman made a motion that the Board uphold their original motion to recommend that the Town access a fee of \$200 for all boat slips that generate revenue directly or indirectly except those that house commercially permitted boats. Funds paid to the Town for the proposed slip fees should be applied to the Lake Operations Fund primarily for dredging. Joe Pritchett seconded and the motion carried unanimously.

Board Member Areas of Responsibility Reports:

Fishery & Ecosystem – Gary Hasenfus stated that fishing has been excellent and most fishermen are doing well and fish seem to be thicker than they were in the past. He believes what the Town has been doing concerning fishery is working.

Lake Structures – Gary Johnson stated that he attended a recent Lake Structure Appeals Board meeting and asked Mr. Calhoun to review a recent variance case of the Lake Structure Appeals Board.

Dredging & Watershed Stabilization – Joe Pritchett discussed funding in the proposed 2017-2018 budget for dredging.

Public Forum

Clarence "Chuck" Stokes of 280 Mark Twain Drive explained that he previously submitted a request for placement of a buoy and it was denied. Mr. Stokes described that area where the buoy is proposed and requested that the Board reconsider the request for placement of a buoy at 280 Mark Twain Drive or somewhere in that general area on the same side of the Lake due to safety concerns. Mr. Givens stated that he can see the potential issue described by Mr. Stokes. Following discussion, Gary Hasenfus made a motion to place a new buoy on the Lake in the vicinity of 280 Mark Twain Drive. Bill Ashman seconded and the motion carried unanimously.

Adjournment: Gary Hasenfus made a motion to adjourn the meeting at 5:53 p.m. Dan Breneman seconded and the motion carried unanimously.

Andrea H. Calvert, Town Clerk