



Lake Lure Lake Advisory Board

March 4, 2019

Call to Order

Chairman Mark Helms called to order the March 4, 2019 meeting of the Lake Advisory Board at 3:30 p.m. at the Lake Lure Town Hall.

Roll Call

Board Members present:

Mark Helms, Chairman

Gary Johnson (via phone conference)

Michael Yelton

Dan Breneman

Bill Ashman

Sonya Ledford

Town Council Members present:

Councilman John Kilby

Other Members Present:

Dean Givens, Director of Lake Operations

Absent:

Gary Hasenfus

APPROVAL OF AGENDA AND MEETING MINUTES

The Agenda for the March 4, 2019 meeting was reviewed. Mr. Givens asked to add to Discussions, a subject for allowing retired employees boating permits at no cost. He also wished to add and speak about Fire Fly Cove dredging. Mr. Breneman asked to add a discussion regarding going before the Marine Commission regarding his permits. Mr. Helms revised the Agenda under § 4, a. Changes to Permitting Fee, b. Retired Employee Boating Permits, c. Firefly Cove Dredging, d. Discussion regarding Mr. Breneman going before the Marine Commission. **Mr. Ashman made a motion to approve the Agenda as amended. Mr. Johnson seconded and all were in favor.**

The Minutes of the February 4, 2019 Board Meeting were reviewed. **Mr. Johnson made a motion to approve the Minutes. Mr. Breneman seconded and all were in favor.**

Discussion of proposed changes to the Lake Use Regulations

Mr. Givens reviewed a recommendation to go before the Marine Commission regarding specialized equipment for contractors on Lake Lure. Mr. Helms read the recommendation to add § 4.01 PERMIT FEE; BOATING PERMIT REQUIRED (D) (3) (see attachment).

There was a motion made by Mr. Ashman to accept the Recommendation by Mr. Givens and to present it to the Marine Commission. Mr. Gary Johnson seconded the motion.

The Board discussed that this would be for specialized vessels that would need access to the lake for construction purposes. The Board discussed permitting cost for the specialized vessels and that they all agreed they wanted it to be fair to other contractors who work on the lake. Mr. Kilby stated that he did receive a complaint from a local contractor who felt that all contractors should be held to the same rates. There was a lengthy discussion regarding the rates and whether to prorate the full fee or not. There was discussion to remove the word "prorated" as well as "temporary" in the recommendation. Mr. Givens reviewed the term "specialized". He stated that these type vessels are not an everyday contractor type vessel. He mentioned they would be larger. The Board discussed that most likely the cost would be paid by the homeowners and there needed to be fairness. Mr. Breneman stated that his main goal was to protect the local contractors. The Board agreed. Mr. Givens stated that the wording of the document, was his recommendation. There was further discussion to use the current yearly commercial permit fees. Mr. Givens explained that the word "prorate" meant that it would prorate your commercial temporary boat permit (as in months). If the contractor asked for 90 days, that would be the prorate off of the regular permit. Mr. Givens stated that this is what was done for the previous contractor with this request. There was further discussion regarding rates as well as that if the contractor were permitted a 90 day permit that he must be off the water or there would be further recourse. Mr. Ashman stated that he would make a motion to leave it the way it is and Mr. Breneman stated he would be against that. Mr. Yelton stated that because we have already allowed one contractor to purchase commercial temporary boat permit and set the fees for him, that we would have to remain the same. Mr. Breneman stated that there would be no protection for the contractors. It was mentioned that the contractor would put the cost off to the homeowner. Mr. Ashman stated that it should be the homeowner we're protecting because they were going to have to pay the fee.

Mr. Helms reread the permitting wording. Mr. Helms stated that there was already a motion on the floor for Mr. Givens to present the § 4.01 PERMIT FEE; BOATING PERMIT REQUIRED (D) (3) to the Marine Commission for approval. There was no other discussion.

The Board held a vote to leave Mr. Givens recommendation as is and to present it to the Marine Commission. Ms. Ledford, Mr. Ashman, Mr. Yelton and Mr. Johnson voted in favor. Those who voted against were Mr. Helms and Mr. Breneman. The vote passed by unanimous decision.

Discussion regarding Retired Employees being allowed free Boating Permits

Mr. Hems began by reading a letter written by retired Lake Lure Chief of Police Mike Bustle asking to waive the fee for boating permits to retired Lake Lure personnel. The Board discussed which employees currently had their boating permits waived. Mr. Givens stated that Police, Full time and Volunteer Firefighters, EMS and town employees had their boating permits waived. There are currently no waivers for retired employees. Mr. Givens stated that Mr. Bustle was asking that his

request be added to the Lake Use Regulations. Mr. Breneman discussed if this was for all town employees. He asked if it included volunteers. Mr. Givens stated that the way he would present it is that if you were a paid employee of this town and you retired from this town that you would be allowed to get the free permit. There was discussion as to whether you had to be a resident or not. Mr. Givens stated that it should be regardless of their living location as most employees did not live in Lake Lure. There was further discussion. Mr. Ashman wanted to know what exposure the town had before he would vote on this. He explained he would like to see how many we were looking at. Mr. Givens discussed the numbers of permits given to the employees (as mentioned in the beginning of the discussion) each year. There were anywhere from 24 to 33 permits. Mr. Givens felt that Mr. Bustles request is a good thing. They discussed years of service as a part of this request. A suggestion of ten years was agreed on. A suggestion of a \$50 fee was discussed but not agreed to.

A motion was made by Mr. Breneman to recommend to the Marine Commission to change the Lake Use Regulations by adding that a retired employee that has worked for the Town of Lake Lure for a minimum of ten years may be given a boating permit with no fee. Mr. Yelton seconded the motion and all were in favor.

Firefly Cove Dredging Discussion

Mr. Givens discussed a letter from Firefly Cove wherein Firefly Cove asked that the dredging of Lake Lure include their cove which has seen large amounts of silt pushed in by the past years storms. They offered to pay 50% of the cost to the Town of Lake Lure. The Board discussed that this process of homeowners of a cove paying 50% has been used in the past. Mr. Helms, who asked to recuse himself from the vote as he was a resident of Firefly Cove, mentioned that there were 2 slips that were unusable due to the silt. Mr. Givens stated that the dredging could be completed before June.

There was also discussion by Mr. Givens that Rumbling Bald, would not be able to have their dredging done this year as it was not budgeted, however they worked out a plan to move piers around so they could have full use of their slips.

Mr. Johnson stated that right now the cost is the lowest that it will be.

A motion was made by Mr. Breneman to recommend to the Marine Commission to allow the town to dredge Firefly Cove with 50% of the cost being paid by Firefly Cove. The motion was seconded by Mr. Johnson and all were in favor. Mr. Helms had previously recused himself from this motion and did not vote.

Discussion regarding Mr. Breneman going to Marine Commission regarding his boating permits

Mr. Breneman recused himself from any vote resulting from his request. He requested that he be put on the March Marine Commission Agenda to appeal the vote from the Lake Advisory Board regarding the denial of his boating permits because he did not meet the deadline for November 1st, 2018. Members of the Board mentioned that they didn't believe he needed permission from the Board. He Mr. Breneman explained that he was told by the Town Clerk that he would need to approach the Lake Advisory Board before he could go to the Marine Commission. There was discussion regarding this. Mr. Ashman reminded Mr. Breneman that the approval of those permits were tabled for 90 days and not denied. Mr. Givens confirmed that the permits were tabled until a study was done by a sub-committee to find out how many hours that boats are actually using in the lake. Mr. Ashman stated

that he thought we needed to wait for that information. Mr. Helms suggested to Mr. Breneman to tell Town Clerk Michelle Jolley that both he and Commissioner Kilby asked for her to put him on the Agenda for the Marine Commission. Mr. Breneman agreed.

Report from Lake Operations – Dean Givens

Mr. Givens distributed a copy of the monthly report he sends to the Town Manager (see attachment). He explained that this format would be how future reports looked and that it included Parks and Rec. He explained that because there is no longer a Lake Operations Department, but a Parks, Recreation and Lake Department that his reports will include both Parks & Recreation Board as well as Lake Advisory Board. Mr. Givens advised the Board that he was now the Parks, Recreation and Lakes Director and that Mr. Murphy is the Coordinator.

Mr. Breneman stated that Mr. Givens report was great. Mr. Breneman asked about the debris in the lake on the shorelines. Mr. Givens mentioned that the Town boats have had to have service due to them breaking down. He also mentioned that labor has been hard to come by. Mr. Givens stated that in the spring the lake will be cleaned up. He is also looking for help in doing this and Mr. Breneman offered his assistance especially at the Lake Lure Village shorelines. Mr. Givens updated the Board on the progress of finding volunteers to help with water sample collecting and other lake matters. Mr. Kilby suggested having a Spring Clean Saturday event to promote clean up. He suggested he could use Mrs. Esther Lusk to help get the word out. Mr. Givens felt this was a very good idea.

Report from Council Liaison – Commissioner John Kilby

Mr. Kilby updated the Board on the study being done at the dam and that due to the report that Mr. Rick Schnabel is working on, it appears now that the dam's not as bad as they once thought. Mr. Kilby stated that the State is putting pressure on them regarding the data on the bridge replacement. There was a meeting with the State and they offered a 2nd alternative which would be placing a new bridge directly to the side of the current bridge on the lake side. Mr. Schnabel felt that there would be an issue with drilling footers in the lake bed on that side of the dam due to structural integrity of the dam. There was discussion regarding this plan by the Board. There was a discussion that due to the dam's age, that the Town needed to look out thirty years ahead when a plan for the bridge is accepted. Town Council is holding off on any decision until the Schnabel Report is completed.

Mr. Kilby discussed the sewer plan that the Utilities Board committee is working on. He stated that he wanted to mention what an asset Mayor Cooley is being that he is a retired Engineer and he has brought a great deal of expertise to the table. Mr. Kilby also mentioned that the Green Line funds are in the process of being transferred so the Town can use them for the low pressure sewer costs.

Mr. Helms mentioned that the staff is doing a great job at controlling the Dam levels. He mentioned that Mr. Mitchell Anderson is being transferred to Garrett Murphy's old position as Mr. Murphy is now working with Parks & Recreation.

Special Topic regarding Rowing Teams – Dean Givens

Mr. Givens told the Board that he, the Town Mayor and Town Manager met with Wade and Leslie. They are getting details together for exactly what they are wanting to bring to the town. Mr. Helms stated he had breakfast with them and he feels they truly have a good thing in wanting to bring semi-

small rowing team and Regattas to Lake Lure. Mr. Ashman stated that the Mayor asked him to work with the couple and Mr. Ashman feels they have a great avenue to explore.

A member of the audience, Mr. Dave Diorio, took this time to mention the US Swim Event that will be taking place at the Lake Lure Beach June 8th. Swimmers will be coming from all over. It will be very similar to the Olympiad but solely for swimmers. He explained it will be a three mile event. The entire event will be about three hours. They are expecting about 150 swimmers. He mentioned it would be a great opportunity for the town and area businesses.

Fishery & Ecosystem – Gary Hasenfus

Not Present

Lake Structures – Gary Johnson

Mr. Johnson stated there was nothing new to add.

Emergency Preparedness & Response - Dan Breneman

Mr. Breneman stated there was nothing new to add.

Dredging & Watershed Stabilization – Michael Yelton

Mr. Yelton stated there was nothing new to add.

Water Quality – Bill Ashman

Mr. Ashman stated there was nothing new to add.

Regulations & Law Enforcement – Sonja Ledford

Ms. Ledford stated there was nothing new to add.

Welcome Guests, Residents & Voters wanting to speak – Mark Helms

Mr. George Wittmer wanted to give Kudos to Ms. Ledford for making the Swim Park and Beach Area so fresh with a new coat of paint. Ms. Ledford and several of her staff have redone all the Board Walk fencing and it looks wonderful.

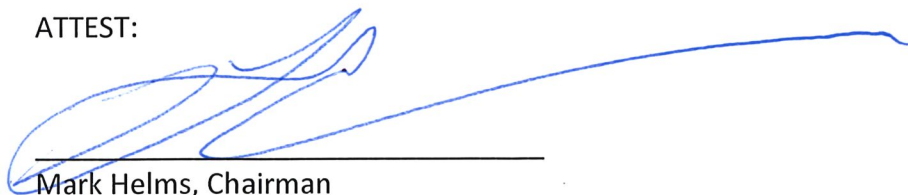
Adjournment

Mr. Ashman made a motion to adjourn the meeting at 4:53 pm. Mr. Breneman seconded the motion and all were in favor.

Minutes were transcribed by Kat Canant, Administrative Assistant to LLPD.

The next regular meeting of the Lake Advisory Board meeting will be March 4, 2019 at 3:30 pm.

ATTEST:



Mark Helms, Chairman