

# Town of Lake Lure - Lake Advisory Board

## - Minutes of Regular Monthly Meeting -

The Lake Advisory Board held their regular monthly meeting at the Town of Lake Lure Municipal Center on Monday the 8<sup>th</sup> day of September, 2008 at 5:30 p.m.

**Attendees:**

Bo Williams (vice-chair)  
Harvey Harris  
Gary Hasenfus  
Bob Keith  
Dean Givens (DLO)  
Wiley Bourne  
Jeanine Noble (Council Liaison)

**Non-Attending Members:**

Chris Braund (Chairperson)  
Robin Proctor

**Guests:**

Name: Ed Dittmer

**General Meeting Actions:**

- Vice-Chairperson, Bo Williams, called the meeting to order at 5:30 p.m.
- After discussion, Bob Keith made a motion, seconded by Harvey Harris, to approve the minutes of the August 2008 regular meeting as written. The vote of approval was unanimous.
- See below for individual reports
- Bo Williams made a move to adjourn the meeting at 6:35p.m., seconded by Gary Hasenfus. The vote of approval was unanimous.

**Public Forum:**

- Ed Dittmer, Chairman of Lake Lure Parks & Recreation Board, presented information & research, as well as a proposal from Parks & Recreation, to put a lighted fountain in the town marina area. After discussion and questions, Wiley Bourne made a motion that the LAB supports the proposal for a lighted fountain. Bob Keith seconded the motion. Vote of agreement was unanimous.
- Dean Givens asked Ed Dittmer to look into putting a volleyball court in Morse Park. Ed agreed that he would look into that and report back to LAB.

**Individual Meeting Reports and Actions:****Lake Operations Administrator – Dean Givens reported:**

- Dean reported that the fecal count is very low all over the lake
- Dissolve oxygen readings are down, but “on course” with what it was this time last year. Dean has been monitoring this twice per day, every day.
- Now that season is near an end, Dean will have more time to build additional fish habitats
- Everything is fine with the Dam. We have a company doing maintenance work on the penstocks (where the water flows through to the generators); once that’s done, they’ll be able to bring the generators back up on-line.
- The sewer still operates under the state-mandated Special Order of Consent and the contractors are here now removing the old equipment. Upgrades should be complete in 6 weeks.
- Dredging & Watershed - Lake Norman Dredging has removed all of their equipment, pipes, barge, etc. They have another job in another town.
- Commercial & Recreation: The Olympiad was a big success; only one accident occurred - during the bike portion of the triathlon.

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- Law Enforcement: 27 Lake Patrols, Assisted 7 Stranded Boats. It appears that everyone is doing better with the regulations and making better attempts to comply
- Dean has put new town logo graphics on the town pontoon, which is his patrol boat (photos were passed around to each board member). This is an attempt to make the boat more approachable – as opposed to something that will intimidate people, it now looks like something to provide help and information to people on the lake.
- The old police boat has been moved to the boathouse at the dam; now officers can get to a boat from either end of the lake.
- A new underwater camera was purchased today. Dean and Gary will be going out soon to get some pictures of the underwater fish habitats to bring back up for us to see. This camera serves a two-fold purpose, because William Grimes can also use this camera to find and identify leaks in the dam.
- This week Dean will be moving his office to above the fire station near the golf course. He has also joined the Fire Department and will be helping them out.
- Dean presented information and statistics on a “decoy coyote” he has found that could potentially help eliminate the geese problem.
- Discussion on the possibility of waterfowl control by intentional elimination. Dean said that next year the patrol officers would be given the authority to eliminate waterfowl without having to go through all the red tape that is in place now.

### **Town Council / Marine Commission Liaison – Jeanine Noble reported:**

- No Report

### **Emergency Preparedness & Response – Bob Keith reported:**

- No Report

### **Dredging & Watershed Stabilization – Harvey Harris reported:**

- No Report

*[from a report submitted prior to the meeting:]*

On September 3, 2008, Clint Calhoun provided the following in an email:

"Here is an update on the Lago Vista Development Project. We are still in the investigative phase as it relates to the Lago Vista sedimentation issues. We are accumulating data to determine what type of rainfall event we actually had and how it related to the measures that were on-site. The project is halted with three primary objectives: (1) Cleanup of all off-site sedimentation damage; (2) Containment of further sedimentation potential on-site; (3) Stabilization of all exposed areas currently on-site. Until these objectives are obtained, they will not be allowed to further improve the site. Once the investigative phase is completed we will begin the process of determining what civil penalties (if any) will be assessed and what those amounts might be based on the developer's record of compliance, storm design, conditions on-site at the time of failure, off-site damages, and accessory costs such as Town staff hours and cleanup costs, consultant fees, etc. Just so people know, I have continuously

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visited this site since its start and the project proceeds according to the plan and under the direction of their engineer. When I have conducted inspections, they have worked to remedy any problems that have been encountered. What went wrong up there (if anything) is still being determined and we will be applying the law as required under our local program authority. The Division of Water Quality is also involved and have been on-site and will be partnering with us as the enforcement case moves forward. If anyone has any questions, please direct them to me and I will do what I can to answer them."

The Upper Broad River Watershed Protection Committee met on 8/14/08. Highlights of the meeting were as follows:

1. Discussed status of various erosion control projects including Fairfield Church site and suggestion that next spring the Committee consider a program to assist landowners to install plant material in treating critical areas.
2. Administrative issues were discussed and three motions were passed.
  - a. Cancel the existing Memo of Understanding (MOU) between funding organizations to restructure the MOU to reflect current operations.
  - b. Carolina Mountain Land Conservancy to receive funds for conservation easement outreach and education.
  - c. Expressed UBRWPC intent that member Russell Blevins discuss with grantors consideration of funding changes to support a watershed/stormwater assessment project.
3. The next meeting is scheduled for Wednesday, 9/17, 9am at the Town Hall.

### **Commercial & Recreational - Bo Williams reported:**

- No Report

### **Fishery & Ecosystem – Gary Hasenfus reported:**

- No Report

### **Lake Structures – Wiley Bourne reported:**

- No Report

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### **Dam & Sewer Operations, Water Quality – Robin Proctor reported:**

- No Report

*[from a report submitted by Chris Braund prior to the meeting:]*

On September 5<sup>th</sup>, there was a workshop held with town officials and a group of citizens concerned with the welfare of the Rocky Broad River below the dam and wastewater treatment plant. The meeting was organized to encourage information sharing and partnerships between the town and groups like the Rutherford Outdoor Coalition, Clean The Broad and various downstream businesses. The meeting was also attended by a representative of the NC Division of Water Quality and Harlow Brown, the town's new engineer on the sewer project. In the preceeding weeks, there had been a growing amount of public concern (including videos posted on YouTube of the treatment discharge entering the river) and a general lack of current, factual information. Commissioners Pitts and Hyatt, along with Steve Wheeler, were very effective in clearing up rumors and misconceptions, and providing factual information and rationale for the group.

#### Topics reviewed:

- the history and current status of waste treatment at Lake Lure's facility
- the new plans for plant improvements and the daily and weekly water testing protocols
- the serious issue of illegal dumping by septic pumping services into Lake Lure manholes – and impacts on the treatment plant and downstream discharge
- the plans for a regional solution...a connection to a 16" pipe that would run along Hwy 64/74A and connect to Rutherfordton's facility (which is a more modern and underutilized plant).

There was consensus that the regional plan is an attractive solution for all—cost effective for Lake Lure, it completely eliminates discharge into the river near the dam and provides possible sewer connections for communities along Hwy 64/74A to Rutherfordton. The next steps include:

- (1) completing the plant improvements (estimated 6 weeks)
- (2) continuing efforts to secure Rutherford County and Rutherfordton support as well as state/federal/local funding for the regional solution
- (3) building the regional solution (a best-case possibility of just 3 years!)
- (4) decommissioning or re-purposing Lake Lure's treatment plant
- (5) an aggressive leak-sealing effort targeting the under-lake collection pipes

### **Regulations & Law Enforcement - Chris Braund reported:**

- No Report

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### Other Business

- None

### Recap of Motions Passed:

- The Lake Advisory Board supports the proposed upgrade to the fountain in the marina area (as presented by the Parks & Recreation Board) – and will prepare a statement of support to be provided to the Town Council.

### Open Action Items:

| Open Actions                                                                                                                                                                        | Owner           | Update                                                                                                                                                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Make recommendations on where short-term docking should be permissible on town property (e.g., near the gazebo?) and parking time limitations, definition of public docking. (3/08) | Chris           | Recommendations prepared and distributed to the LAB members. Will review at the October meeting. Recommendations can go directly to Dean (DLO) for implementation.              |
| Convene an LAB subcommittee to meet with town attorneys and town council with the purposed of developing grandfathering provisions for the Lake Structures regulations. (3/08)      | Chris           | <ul style="list-style-type: none"><li>• Awaiting scheduling of this workshop</li></ul>                                                                                          |
| Prepare draft Standard Operating Procedures manual chapters for each area of responsibility. (3/08)                                                                                 | All LAB members | <ul style="list-style-type: none"><li>• Templates provided</li><li>• Law Enforcement draft completed</li><li>• Dredging &amp; Watershed stabilization draft completed</li></ul> |
| Prepare and submit the draft Lake Advisory Committee bylaws for review and approval by the town council/marine commission. (1/08)                                                   | Chris           |                                                                                                                                                                                 |

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### Closed Action Items:

| Closed Actions                                                                                                                                                                                                                               | Owner        | Update                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------------------------------------------------------------------------------------------------------|
| Draft an initial version of committee member responsibilities [by area] (12/07)                                                                                                                                                              | Chris        | Distributed to all Board members, included in draft Charter/Bylaws                                      |
| Work with town staff and police department to communicate the elimination of the winter catch & release period. (12/07)                                                                                                                      | Gary         | Done                                                                                                    |
| Request support from town staff in preparing minutes from tape recordings of LAC meetings. (1/08)                                                                                                                                            | Chris        | Done                                                                                                    |
| Provide standard operating procedures templates to each member for their area of responsibility. (2/08)                                                                                                                                      | Chris        | Done                                                                                                    |
| Obtain signage for the non-motorized boat launch ramp near the ABC store. (1/08)                                                                                                                                                             | Bo & Dean    | <ul style="list-style-type: none"> <li>• Just need to add “LL boat permit required” language</li> </ul> |
| Identify the language needed to clarify the “annual” on the annual boat permits and in the guide to lake rules. (3/08)                                                                                                                       | Dean & Chris | Done                                                                                                    |
| Prepare a letter to the LAB & Marine Commission on his problems with Todd’s RV& Marine. (5/08)                                                                                                                                               | Dean         | Done                                                                                                    |
| Communicate to Ron Morgan and the fireboat crew the sensitivity to the wake generated by the fireboat...for other boaters, lakefront properties. They should make every effort possible to minimize high-speed runs near other boats. (6/08) | Bob          | Done                                                                                                    |

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### Open Recommendations to the Council / Marine Commission:

| Recommendation                                                                                                                                                                                                                                                                                             | Date      | Status                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------------------------------------------------------------|
| The Lake Advisory Board recommends that the town install a channel through the peninsula that separates the beach area from the mouth of Pool Creek.                                                                                                                                                       | May 2008  |                                                                  |
| The Lake Advisory Board recommends that Town Council consider re-naming the Town Marina to the Washburn Marina in honor of the Washburn Family and their service to Lake Lure.                                                                                                                             | June 2008 | Done<br>Next action: new signage                                 |
| The Lake Advisory Board recommends to the Town Council (1) that the town consider banning the feeding of all waterfowl by residents and/or tourists on town property in an effort to eventually eliminate the geese problem, and (2) that the town should look into solutions for long-term geese control. | July 2008 | (1) Done                                                         |
| The Lake Advisory Board recommends to the Marine Commission the amendment of the fishing regulations (size and creel limits) in section 1.02 of the Lake Use Regulations to match the default statewide fishing regulations.                                                                               | July 2008 | Next action: public hearing at October Marine Commission meeting |

Respectfully submitted,

Melissa Messer  
Administrative Assistant