

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE MARINE COMMISSION HELD TUESDAY, JULY 12, 2011, 3:00 P.M. AT THE LAKE LURE MUNICIPAL CENTER**

**PRESENT:** Presiding Officer Bob Keith  
Commission Member John W. Moore  
Commission Member Wayne Hyatt  
Commission Member Mary Ann Silvey  
  
Christopher Braund, Town Manager

**ABSENT:** Commission Member Linda Turner

**CALL TO ORDER**

Presiding Officer Keith called the meeting to order at 3:00 p.m.

**INVOCATION**

Commission Member Hyatt gave the invocation.

**APPROVE THE AGENDA**

After discussion, Commission Member Moore made a motion to approve the agenda as presented. Commission Member Silvey seconded the motion and the vote of approval was unanimous.

**PUBLIC HEARING RESOLUTION NO. 11-07-12 AMENDING THE LAKE USE REGULATIONS**

Presiding Officer Keith called the public hearing regarding proposed Resolution No. 11-07-12 to order and invited citizens to speak. No one requested to speak.

Lake Operations Director Dean Givens briefly reviewed Resolution No. 11-07-12 amending the Lake Use Regulations Section 1.03 Limits on Number of Fishing Lines, Section 1.51 (C) Permits Fee; Boating Permit Required, Section 1.57 (F) Commercial Operations, and Section 1.59 (D) Lake Commercial License Schedule.

Commission Member Hyatt made a motion to close the public hearing. Commission Member Moore seconded the motion and the vote to close the public hearing was unanimous.

**CONSIDER ADOPTION OF RESOLUTION NO. 11-07-12 AMENDING THE LAKE USE REGULATIONS**

Public notices were duly given and published in the Forest City Daily Courier.

After discussion, Commission Member Hyatt made a motion to adopt Resolution No. 11-07-12 as amended. Amending Section 1.03 of the Lake Use Regulations, Limits on Number of Fishing Lines, Section 1.51 (C) Permit Fees; Boating Permit Required and Section 1.59 (D) Lake Commercial Licensing; omitting the proposed amendment to Section 1.57 (F) Commercial Operations. Commission Member Moore seconded the motion. Commission Members Moore and Hyatt voted in favor of adopting the amended resolution. Commission Member Silvey voted against adoption of the resolution. Therefore, the motion carried with a vote of 2 to 1 in favor.

**RESOLUTION NO. 11-07-12  
OF THE TOWN OF LAKE LURE MARINE COMMISSION AMENDING THE LAKE USE REGULATIONS PERTAINING TO LIMITS ON NUMBER OF FISHING LINES, BOAT PERMIT FEES, AND COMMERCIAL NON-MOTORIZED BOAT PERMITS**

**WHEREAS**, the Lake Lure Town Council has created the Lake Lure Marine Commission as authorized by special act of the General Assembly of the State of North Carolina for the purposes of regulating all activities on Lake Lure; and

**WHEREAS**, the lake use regulations were adopted by resolution on March 9, 2004; and

**WHEREAS**, the Lake Lure Marine Commission, upon the recommendation of the Lake Lure Lake Advisory Board, has determined that said regulations should be amended to further define and regulate activities on Lake Lure;

**NOW, THEREFORE, BE IT RESOLVED BY THE LAKE LURE MARINE COMMISSION** that the following revisions to the lake use regulations are hereby placed in effect and shall be enforced by the Town of Lake Lure:

[Words ~~stricken through~~ to be deleted, words underlined to be added]

**SECTION ONE.** Amend Section 1.03 as follows; Section 1.04 shall be renumbered as "Section 1.03" and Section 1.05 shall be renumbered as "Section 1.04":

~~§ 1.03 — LIMITS ON NUMBERS OF FISHING LINES~~

~~It shall be unlawful for any person, firm, or corporation to place more than two lines for the catching of fish in the waters of Lake Lure. (Res. Passed 4-12-05) Penalty, see § 1.99~~

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**SECTION TWO.** Amend Section 1.51 as follows:

§ 1.51 PERMIT FEE; BOAT PERMIT REQUIRED

- (C) All town employees and any member on the active roster of the Lake Lure, Bill's Creek, Chimney Rock, or Fairfield Volunteer Fire Departments shall be entitled to receive one complimentary annual water vessel permit. A member on the active roster of the Bat Cave, Gerton or Sunny View Volunteer Fire Departments may purchase one annual water vessel permit at the resident rate. A member on the active roster of the Hickory Nut Gorge Emergency Medical Service shall be entitled to one complimentary annual water vessel permit.

**SECTION THREE.** Amend Section 1.59 (D) as follows:

§ 1.59 LAKE COMMERCIAL LICENSING.

(D)

Criterion	Commercial Classifications							
	Livery (Class 1)	Resorts (Class 2)	Camps (Class 3)	Ski Schools (Class 4)	Tour Boats (Class 5)	Fishing Guides (Class 6)	Services (Class 7)	Real Estate Agents (Class 8)
<b>Fee</b>	\$30.00	30.00	\$30.00	\$30.00	\$30.00	\$30.00	\$15.00	\$15.00
<b>Seasonal Operation</b>	Businesses must operate on the lake for a full season (summer, spring/fall OR winter) to be eligible to receive a lake commercial license. Commercial activities planned for a day, week or other period less than one full season will not be considered. (Res. Passed 10-12-10)							
<b>Lake Impact Limit (Summer)</b>	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*
<b>Lake Impact Limit (Spring/Fall)</b>	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*
<b>Lake Impact Limit (Winter)</b>	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*
<b>Max Permits / Operation</b>	4 per owner or business entity**	3 per owner or business entity**	3 per owner or business entity**	2 per owner or business entity**	2 per owner or business entity**	2 per owner or business entity**	2 per owner or business entity**	3 per owner or business entity**

Adopted this 14th day of July, 2011.

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**PUBLIC FORUM**

Presiding Officer Keith invited the audience to speak on any non-agenda item and/or consent agenda topics and no one requested to speak.

**CONSENT AGENDA**

Presiding Officer Keith presented the consent agenda and asked if any item should be removed before calling for action.

Commission Member Silvey moved, seconded by Commission Member Hyatt, to approve the consent agenda item(s) as presented. Therefore, the consent agenda, incorporating the following item was unanimously approved:

- a. minutes of the April 12, 2011 (regular meeting).

**End of Consent Agenda**

**HEARING – JESSE M. GARDNER TO APPEAL CIVIL CITATION NO. 000126**

Lake Operations Director Dean Givens read into the record a letter addressed to the Lake Lure Marine Commission from Corporal H.W. Martin dated July, 11, 2011 with regards to Jesse M. Gardner's Civil Citation No. 000126. (Attached is the letter from Cpl. Martin to the Marine Commission and a copy of Citation No. 000126.) Jesse M. Gardner was absent from the hearing, but sent his written appeal prior to the hearing.

After discussion, Commission Member Moore made a motion to reduce Jesse M. Gardner's Citation No. 000126 to a warning. Commission Member Silvey seconded the motion and the vote of approval was unanimous.

**ADJOURNMENT**

With no further items of discussion, Commission Member Moore made a motion to adjourn the meeting. Commission Member Hyatt seconded the motion and the vote of approval was unanimous.

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Andrea H. Calvert  
Lake Lure Marine Commission Clerk