

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE MARINE COMMISSION HELD TUESDAY, MARCH 12, 2019, 4:00 P.M. AT THE LAKE LURE MUNICIPAL CENTER**

**PRESENT:** Mayor Kevin Cooley  
Mayor Pro Tem John W. Moore  
Commissioner Bob Cameron  
Commissioner John Kilby  
Commissioner Stephen M. Webber  
Shannon Baldwin, Town Manager

**ABSENT:** N/A

**CALL TO ORDER**

Mayor Kevin Cooley called the meeting to order at 4:02 p.m.

**INVOCATION**

Mayor Kevin Cooley gave the invocation and Council members led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

Commissioner Webber proposed adding item "D" to "New Business" to discuss dredging in Fire Fly Cove.

Commissioner Bob Cameron made a motion to approve the Agenda as amended. Commissioner John Kilby seconded and the motion carried 4-0.

**PUBLIC FORUM**

Mayor Kevin Cooley invited the audience to speak and no one requested to speak at this time.

**A. PUBLIC HEARING – RESOLUTION NO. 19-03-12 AMENDING THE LAKE USE REGULATIONS**

Mayor Kevin Cooley opened the Public Hearing and invited the audience to speak regarding Resolution 19-03-12. No one from the public requested to speak at this time.

Dean Givens, Parks, Recreation and Lake Director, explained that the proposed amendment to the regulations would allow specialized equipment to be used on the lake for construction and would allow staff the ability to approve requests to use this equipment on the lake for a specific period of time. He noted that the Lake Advisory Board reviewed the proposed amendment and voted 4-2 in favor of recommending the proposed amendment to the Lake Use Regulations.

Commissioner Bob Cameron made a motion to close the public hearing. Commissioner Stephen Webber seconded and the motion carried 4-0.

**CONSENT AGENDA**

Mayor Kevin Cooley presented the Consent Agenda and asked if any items should be removed before calling for action.

Commissioner Stephen Webber made a motion to approve the Consent Agenda, as presented. Commissioner Bob Cameron seconded and the motion carried 4-0. Therefore, the Consent Agenda incorporating the following item was unanimously approved:

- A. Adopt the December 11, 2018 Regular Meeting Minutes.

**NEW BUSINESS**

**A. ADOPTION OF RESOLUTION NO. 19-03-12 AMENDING THE LAKE USE REGULATIONS**

Commissioner Bob Cameron made a motion to approve Resolution No. 19-03-12 amending the Lake Use Regulations as presented. Mayor Pro Tem John Moore seconded the motion.

Mayor Pro Tem John Moore recommended that the approval of special equipment be at the discretion of the Parks, Recreation and Lake Director or the Town Manager. Council unanimously agreed with this amendment to the Resolution. The motion carried 4-0 to approve Resolution No. 19-03-12, as amended.

**NEW BUSINESS**

**B. REQUEST FROM DAN BRENEMAN TO APPEAL A DECISION OF THE LAKE ADVISORY BOARD**

Mr. Givens explained that the LAB tabled a discussion to study the Lake Commercial Model until additional information is gathered regarding commercial boat hours. The LAB also decided to not approve any future requests for additional commercial boat permits until the study has been completed. Commissioner Webber pointed out that it was mentioned at a previous LAB meeting that the study would take approximately 90 days, noting that the 90 days is close to being up. Mr. Givens stated that the study would need more than 90 days mentioning that the LAB created a subcommittee to study the Model; however, he stated the study may not be completed this boating season. He explained that the study should take place during the summer to get the correct data needed for the Model to see how many hours boats are using during the boating season. Mr. Givens pointed out that Mr. Breneman is requesting a commercial license to permit two motorized boats and noted that there are two others requesting a commercial license to permit one boat as well.

Mr. Breneman explained that he presented his request for a commercial boat license to permit two pontoon boats to the LAB in December. He stated that the LAB reviewed and discussed that a study be conducted within 90 days before approving any additional commercial boat permits. LAB Chairman Mark Helms and Commissioner Webber felt that if Mr. Breneman's request is approved, the two other requests for a commercial boat permit should be approved as well to treat everyone fairly. The Board ensued in discussion. Commissioner Webber pointed out that anyone who does not pay for their commercial boat permits by the April 15<sup>th</sup> deadline will fall out of the Model, which would create additional room in the Model. Mayor Pro Tem John Moore suggested requiring an hour meter on every commercial boat to collect valuable data needed for the study. Commissioner Webber agreed with Mayor Pro Tem John Moore and recommended tasking the LAB to discuss this matter, come up with a timeline to implement this, and discuss how long would be given to get this accomplished before not allowing someone to register their commercial boat. Commissioner Kilby felt that a commercial rental boat permitted to use for vacation rental homes should be included in a separate category and felt it should be a requirement that the boat be titled to the person that owns the vacation rental home to help determine how many vacation rental boats to include in the Model.

Commissioner Webber made a motion that the LAB discuss the feasibility of the installation of hour meters on commercial boats as well as the feasibility of a separate permit category for vacation rentals. Commissioner Cameron seconded and the motion carried 4-0.

Commissioner Webber explained that he did not believe in exceptions for one person but preferred changing rules instead of making exceptions if the rule is unsatisfactory.

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Commissioner Webber made a motion that the approval of Mr. Breneman's permits without the study be denied. Commissioner Cameron seconded and the motion carried 4-0.

**NEW BUSINESS**

**C. FREE PERMITS FOR TOWN OF LAKE LURE RETIREES**

Mr. Givens reported that he received a call from retired Lake Lure Police Chief, Mike Bustle, who requested the Town offer a complimentary boat permit for Lake Lure retirees. Mr. Givens noted that the LAB reviewed this request and recommended approval of one complimentary boat permit for Lake Lure retirees with 10+ years with the Town. Mr. Givens mentioned that Mr. Bustle retired with 8 years full-time with the Town but served as a Reserve Officer with the Town for 12 years.

Mayor Pro Tem John Moore questioned how many Lake Lure retirees there are with 10+ years and Mr. Givens stated that he was unsure but could find out. He pointed out that the Town has averaged giving between 20-30 complimentary boat permits a year. Mr. Givens also mentioned that the Town Attorney researched the Bailey Act of North Carolina who stated that it did not apply to the Town offering complimentary boat permits to retirees. Mr. Givens felt that further review on this matter was needed before being approved and Council agreed. Commissioner Webber suggested that retirees have at least 10 consecutive years of service and retiring from the Town of Lake Lure. He also pointed out that there is a loophole in the Lake Use Regulations for a potential of two members of the same family to get complimentary boat permits. He felt the intent was to allow only one complimentary boat permit per family and felt that the LAB should review and close the loophole in the Regulations. Council agreed to table this matter for further research until the next Marine Commission Meeting.

**NEW BUSINESS**

**D. DREDGING IN FIREFLY COVE**

Mr. Givens reported that the storms last year devastated Firefly Cove mentioning that most of the cove is unnavigable. He stated that the Firefly Cove Property Owners' Association is requesting the Town match funds up to \$70,000 to dredge inside Firefly Cove. He mentioned that the dredge is currently sitting just outside of Firefly Cove and is within a few weeks of finishing up work being done for the Town. He stated that once that work is completed Tim Edwards, dredging contractor, could then move into Firefly Cove to start dredging inside Firefly Cove if approved. Mayor Pro Tem pointed out that he lives inside Firefly Cove and asked to be recused from this discussion. However, he stated that he would not benefit financially if Firefly Cove were dredged. Commissioner Webber stated that he did not feel this was necessary as Mayor Pro Tem John Moore did not stand to receive any financial gain from this decision.

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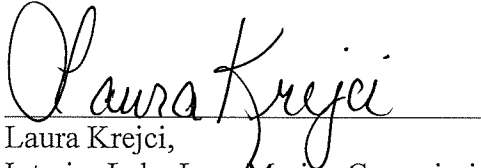
Commissioner Stephen Webber made a motion that Mayor Pro Tem John Moore did not need to be recused. Commissioner John Kilby seconded and the motion carried 4-0.

Commissioner Webber made a motion to support this application and do the appropriate Budget Amendment necessary to fund it. Commissioner John Kilby seconded and the motion carried 4-0.

Mr. Givens pointed out that a Budget Amendment to dredge inside Firefly Cove and to move \$70,000 from Silt Reserves to the Dredging Funds is on the Agenda for the Town Council Meeting. Commissioner Webber stated that he would support this Budget Amendment to move the amount necessary.

**ADJOURNMENT**

With no further business, Commissioner Bob Cameron made a motion to adjourn the meeting at 4:40 p.m. Commissioner John Kilby seconded and the motion carried 4-0.

  
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Laura Krejci,

Interim Lake Lure Marine Commission Clerk

