

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE MARINE COMMISSION HELD TUESDAY, OCTOBER 14, 2008, 3:00 P.M. AT THE LAKE LURE MUNICIPAL CENTER**

**PRESENT:** Presiding Officer Pro tem Russ Pitts  
Commission Member Jeanine Noble  
Commission Member Linda Turner

Steve Wheeler, Town Manager

**ABSENT:** Presiding Officer Jim Proctor  
Commission Member Wayne Hyatt

**CALL TO ORDER**

Presiding Officer Pro Tem Pitts called the meeting to order at 3:00 p.m.

**INVOCATION**

Commission Member Noble gave the invocation.

**APPROVE THE AGENDA**

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

**PUBLIC HEARING - PROPOSED AMENDMENTS TO THE LAKE USE REGULATIONS**

Commission Member Noble gave a brief overview and answered questions pertaining to proposed Resolution No. 08-10-14 amending the Lake Use Regulations and Mayor Pro Tem Pitts read this resolution into the record.

Presiding Officer Pro Tem Pitts opened the public hearing regarding proposed Resolution No. 08-10-14 and invited citizens to speak during the public hearing. No one requested to speak during this hearing.

After discussion, Commission Member Turner made a motion to close the public hearing. Commission Member Noble seconded the motion and the vote of approval was unanimous.

**CONSIDER ADOPTING PROPOSED RESOLUTION NO. 08-10-14 AMENDING THE LAKE USE REGULATIONS**

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

After discussion, Commission Member Turner made a motion to adopt Resolution No. 08-10-14 as presented. Commission Member Noble seconded the motion and the vote of approval was unanimous.

**RESOLUTION NO. 08-10-14**

**OF THE TOWN OF LAKE LURE MARINE COMMISSION  
AMENDING THE LAKE USE REGULATIONS PERTAINING  
TO FISH SIZE AND CREEL LIMITS**

**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 Committee, 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 1.02 as follows:

§ 1.02 LIMITS ON NUMBERS AND SIZE OF FISH CAUGHT.

The maximum number and minimum size of trout, bass and crappie that may be taken from Lake Lure is as follows:

Trout: ~~A limit of 5 per day, per person; all must be no less than 15 inches long.~~ Lake Lure is classified by the NC Wildlife Resources Commission as "Undesignated Waters". For mountain trout, there is no size limit or bait restriction. There is no closed season and no

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trout fishing license is required. The daily creel limit for trout is 7 fish.

Bass: A limit of 5 per day, per person (total bass). May include 2 largemouth less than minimum size and 2 smallmouth less than minimum size.

*Largemouth Bass* must be no less than ~~16~~ 14 inches long.  
*Smallmouth Bass* must be no less than ~~14~~ 12 inches long.

Crappie: A limit of 20 per day, per person; all must be no less than 8 inches long.

Adopted this 14th day of October, 2008.

ATTEST:

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Mary A. Flack, MMC, Clerk  
Marine Commission

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Jim Proctor, Presiding Officer  
Marine Commission

APPROVED AS TO FORM:

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J. Christopher Callahan  
Town Attorney

**HEARING - DANIEL B. PETKAS TO APPEAL CIVIL CITATION NO. 000259**

Town Manager Wheeler sworn in Lake Operations Administrator Dean Givens who gave testimony during the hearing with regards to Daniel B. Petkas for Civil Citation No. 000259. (Attached is a copy of Citation No. 000259.)

Mr. Wheeler also sworn in Robert Reik who gave testimony during the hearing with regards to Daniel B. Petkas for Civil Citation No. 000259. Mr. Reik stated that his friend Mr. Petkas had no idea that they were violating a regulation after observing other boaters towing more than two rafts with children on them. Mr. Reik said Mr. Petkas should have been given a warning instead of a citation.

Daniel B. Petkas was absent from his hearing and Robert Reik spoke on his behalf.

After discussion, Commission Member Noble made a motion to uphold Daniel B. Petkas's Citation No. 000259 as written. Commissioner Member Turner seconded the motion and the vote of approval was unanimous.

**HEARING - ELLERY W. VICK TO APPEAL CIVIL CITATION NO. 000261**

Town Manager Wheeler sworn in Lake Operations Administrator Dean Givens who gave testimony during the hearing with regards to Ellery W. Vick for Civil Citation No. 000261. (Attached is a copy of Citation No. 000261.)

Presiding Officer Pro Tem Pitts read into the record a letter from Ellery W. Vick dated August 3, 2008. (Attached is a copy of the letter from Ellery W. Vick dated August 3, 2008.) Ellery W. Vick was absent from his hearing.

After discussion, Commission Member Noble made a motion to uphold Ellery W. Vick's Citation No. 000261 as written. Commission Member Turner seconded the motion and the vote of approval was unanimous.

Lake Operations Administrator Dean Givens agreed to talk to staff at Lake Lure Adventures about requiring individuals to sign off when receiving lake rules during the issuing of boat permits.

**PUBLIC FORUM**

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

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

- a. minutes of the July 8, 2008 (regular meeting)

**End of Consent Agenda**

**CONSIDER A REQUEST FROM DOUG LONG ON BEHALF OF THE LAKE LURE DRAGON BOAT ORGANIZATION REGARDING BOAT RACING OPERATIONS**

Presiding Officer Pro Tem Pitts read into the record a memorandum from the Lake Advisory Board dated October 7, 2008 regarding the request from Doug Long on behalf of the Lake Lure

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Dragon Boat Racing organization. (Attached is a copy of the memorandum from the Lake Advisory Board dated October 7, 2008.)

After discussion, Commission Member Turner made a motion to approved the request from Doug Long on behalf of the Lake Lure Dragon Boat Organization regarding boat racing operations contingent upon certain stipulations as recommended by the Lake Advisory Board and outlined in the memorandum dated October 7, 2008. Commission Member Noble seconded the motion and the vote of approval was unanimous.

<b>ADJOURNMENT</b>
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With no further items of discussion, Commission Member Noble made a motion to adjourn the meeting at 3:47 p.m. Commission Member Turner seconded the motion and the vote of approval was unanimous.

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Mary A. Flack, MMC  
Lake Lure Marine Commission Clerk