



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE MARINE COMMISSION HELD TUESDAY, JUNE 14, 2022, 4:00 P.M. AT THE LAKE LURE TOWN HALL**

**PRESENT:** Mayor Carol C. Pritchett  
Mayor Pro Tem David DiOrio  
Commissioner Patrick Bryant  
Commissioner Jim Proctor  
Commissioner Scott Doster

William Morgan, Jr., Town Attorney  
William Hank Perkins, Jr., Town Manager  
Dean Givens, Parks, Recreation, and Lake Director  
Dana Bradley, Parks, Recreation, and Trails Coordinator

**ABSENT:** N/A

**I. CALL TO ORDER**

Mayor Pritchett called the meeting to order at 4:00 p.m.

**II. AGENDA ADOPTION**

Commissioner David DiOrio made a motion to amend the agenda for the purpose of adding article VI section F Edneyville Boy Scout Troop 605 Boat Permit Fee Waiver Request. Commissioner Jim Proctor seconded and the motion carried 4-0.

Commissioner DiOrio made a motion to approve the agenda, as amended. Commissioner Patrick Bryant seconded and the motion carried 4-0.

**III. PUBLIC COMMENT**

Mayor Pritchett invited members of the audience to speak.

There were no public comments.

#### **IV. CONSENT AGENDA**

Mayor Pritchett presented the Consent Agenda and asked if there were any proposed changes before calling for action.

Commissioner Scott Doster made a motion to approve the Consent Agenda, as presented. Commissioner DiOrio seconded and the motion carried 4-0. Therefore, the Consent Agenda incorporating the following item was unanimously approved:

- A. Approval of the September 14, 2021 Regular Marine Commission Meeting Minutes, the December 28, 2022 Special Marine Commission Meeting Minutes, and the March 8, 2022 Regular Marine Commission Meeting Minutes

#### **V. NEW BUSINESS**

##### **A. MARINE BOAT SLIP LATE PAYMENT FEE AND FEE FOR CHANGING BOAT SLIPS**

Parks, Recreation, and Trails Coordinator Dana Bradley explained that since the Parks, Recreation, and Lake Department took over the management of Washburn Marina boat slips in 2021, staff has recognized an abundance of late payments. Coordinator Bradley requested permission from the Marine Commission to implement a late fee of \$100 with the inclusion of a 3 day grace period. Coordinator Bradley recommended the loss of boat slip privileges, without any refund, after a payment is thirty days late.

Commissioner Proctor expressed concern in regard to the three day grace period and recommended a longer grace period. Commissioner Doster recommended a seven to ten day grace period. Commissioner Proctor recommended a two-week grace period.

Commissioner Bryant made a motion to approve the recommendation of a \$100 late fee with a 14 day grace period and loss of boat slip privilege if payment is not received within 30 days. Commissioner Doster seconded and the motion carried 4-0.

Coordinator Bradley explained that another issue that Parks, Recreation, and Lake Department is experiencing is large numbers of slip renters requesting to change their slip to a different slip location. Coordinator Bradley noted that other marinas in the community have a fee for moving slips. Coordinator Bradley requested a \$100 moving fee for each request to change boat slip locations.

Commissioner Doster made a motion to approve a moving fee of \$100 for each request to change boat slips. Commissioner DiOrio seconded and the motion carried 4-0.

**V. NEW BUSINESS**

**B. MARINE BOAT SLIP PAYMENT PLAN**

Coordinator Bradley explained that under existing procedures, Washburn Marina boat slip renters have the option of paying their boat slip in-full by January 15<sup>th</sup> or they may opt for a payment plan consisting of three payments from January to March. Coordinator Bradley noted that managing the payment plan generates a lot of extra time and work for the Parks, Recreation, and Lake Department staff. Coordinator Bradley noted that she had researched other marinas and found that payment plans are not offered. Coordinator Bradley requested that the boat slip renter payment plan be eliminated and the payment option be updated to require payments be made in-full by January 31<sup>st</sup> of each year.

Mayor Pritchett recommended that if the Town decides to make this change, the public should be informed as soon as possible. Coordinator Bradley ensured the Commission that she could make this information available as soon as possible.

Commissioner DiOrio made a motion to approve the request to eliminate the Marina boat slip payment plan and update the payment option to a one-time payment due on January 31<sup>st</sup> each year. Commissioner Doster seconded and the motion carried 4-0.

**V. NEW BUSINESS**

**C. REVOKED MARINE SLIP – RUSS DUNST**

Coordinator Bradley explained that on May 4th the Parks, Recreation, and Lake Department was notified that a vacation rental boat was being used in a Washburn Marina boat slip spot rented by Russ Dunst. Coordinator Bradley noted that upon Department investigation, it was determined that Christina Stepp, Mr. Dunst's relative was the individual using the slip for a vacation rental boat. Coordinator Bradley provided Marine Commission with a copy of Mr. Dunst's signed Washburn Marina Boat Slip Rental Agreement. Coordinator Bradley pointed out that the agreement states that only a boat registered in the renters name will be allowed in the slip that they rent, and that sub-leasing is prohibited. Coordinator Bradley further noted that the agreement states that the operation of any commercial business, other than that of the concessionaire of the marina, is prohibited at the Washburn Marina. Coordinator Bradley recommended that Mr. Dunst's Washburn Marina boat slip privileges be revoked permanently.

Commissioner Proctor made a motion to permanently revoke Mr. Russ Dunst's Washburn Marina boat slip privileges. Commissioner Doster seconded and the motioned carried 4-0.

**V. NEW BUSINESS**

**D. REQUEST TO APPEAL CIVIL CITATION NO. 000835**

Mayor Pritchett announced that the Marine Commissioner will be tabling the item.

Commissioner Proctor made a motion to table Civil Citation No. 000835. Commissioner DiOrio seconded and the motion carried 4-0.

**V. NEW BUSINESS**

**E. REQUEST FROM JAMES SCIANDRA FOR AN ADDITIONAL TOUR BOAT  
ON THE COMMERCIAL BOAT MODEL**

Parks, Recreation, and Lake Director Dean Givens explained that James Sciandra is requesting to add an additional boat to the commercial model. Director Givens noted that upon scoping regulations, he had determined that Mr. Sciandra's request would need to fit a specific category. Director Givens stated that Mr. Sciandra's boat motor is very low, the boat cannot hold more than a couple of people, but Sciandra would like to test out a "tour" business venture. Director Givens noted that Mr. Sciandra operates two livery boats and has at least one vacation rental boat. Director Givens expressed that there has never been any issues occur with Mr. Sciandra.

Director Givens noted the original request is for a livery, but it has been determined that it would be more appropriately categorized as a tour boat. Director Givens noted that there is room for one more tour boat in the model, but none for liveries unless vacation rentals are adjusted. Director Givens relayed that Mr. Sciandra is concerned about paying dues for a tour boats with limited capacity, since the other tour boats in the model are much larger and can hold a much greater capacity. Director Givens explained that the fee for a tour boat is \$3,000 and the fee for a livery is \$2,000. Director Givens noted that he has a neutral opinion, but wanted to bring the request to the attention of Marine Commission.

Commissioner Proctor questioned if any creation or changing of requests should go to the Lake Advisory Board (LAB) for recommendation prior to being addressed by Marine Commission. Mayor Pritchett asked if the LAB had deliberated about the request at any prior meetings. Director Givens stated that this request has not been addressed by the LAB. Commissioner Proctor expressed concern that if Marine Commission made any decision on the request without taking the appropriate steps, it may create a sense of over-ease and set a precedents. Commissioner Proctor expressed support for additional discussion following LAB deliberation.

Commission Doster noted that Mr. Sciandra has had a great record with the Town and asked if a concession agreement would be required. Director Givens explained that a concession agreement is required and recommended a special waiver for one year if the Commission chooses to approve the request from Mr. Sciandra.

Commissioner Doster asked if it would be restricted to the one boat. Director Givens answered yes.

Commissioner Proctor expressed that a draft concession agreement should be presented with the request before any decision is made. There was consensus to take the request to the LAB for consideration of a recommendation. Director Givens noted that a tour boat operator has to have

a direct concession agreement with the Town. Director Givens also noted that the commercial space being requested is the Lake House Restaurant.

Commissioner Proctor asked Director Givens to relay to Mr. Sciandra that the Marine Commission supports his idea, but will need additional information before making a decision to approve or deny the request.

Commissioner Bryant noted that Lake Lure Tours does well with smaller, more private tours and expressed that people may be willing to pay Mr. Sciandra more for a more private experience.

Mayor Pritchett asked if the Commissioners would like to make a motion.

Commissioner DiOrio asked to recuse himself because he has personal connection to Mr. Sciandra.

Commissioner Proctor made a motion to allow Commissioner Diorio to be recused. Commissioner Doster seconded and the motion carried 3-0.

Commissioner Proctor made a motion to refer the request from James Sciandra for an additional tour boat on the commercial boat model item to the Lake Advisory Board for recommendation. Commissioner Bryant seconded and motion carried 3-0.

Commissioner DiOrio re-joined the meeting.

<b>V. NEW BUSINESS</b>
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<b>F. BOY SCOUT</b>
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Mr. Don Henderson with the Edneyville Boy Scouts Troop 605 presented the Commissioners with a document detailing his request. It was explained that in past years, Troop 605 had been granted permission to waive two motorized and two non-motorized boat permits each year, but this was never documented in past minutes so new staff was unaware of this agreement. Mr. Henderson requested an official waiver of two motorized and two non-motorized boat permits for Troop 605 in the future, and requested to be reimbursed for this year.

Commissioner Proctor noted that he was Mayor in 2007 and remembers this approval taking place.

Commissioner DiOrio thanked Mr. Henderson for his work. Commissioner DiOrio expressed concern that a precedence was set in 2007 when this waiver was granted to an organization that is not considered a non-profit.

Commissioner Proctor noted that in 2007, Council justified the waiver request because the Edneyville Boy Scouts performed community services for the Town such as lake clean up.

Commissioner Proctor noted that it would need to be known that in order to request a waiver, non-profits have to partake in community service for the Town.

Commissioner DiOrio asked if Mr. Henderson received a resident rate because he lives in Town limits and Mr. Henderson said yes.

Commissioner DiOrio recommended having the Edneyville Boy Scout Troop 605 present an annual report to the Marine Commission each year in order to be granted a waiver. Commissioner DiOrio noted support of the Scouts. Commissioner Doster and Commissioner Proctor expressed support for Commissioner DiOrio's recommendation.

Commissioner DiOrio confirmed that the Town can reimburse Boy Scouts Troop 605 for this year for one motorized and two non-motorized.

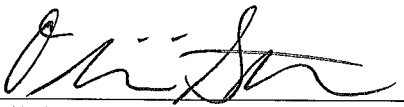
Commissioner DiOrio noted that Mr. Henderson is required to have proof of liability insurance. Mr. Henderson agreed.


Commissioner DiOrio made a motion to approve the reimbursement of one complimentary motorized boat permits and two motorized boat permits for 2022 and to require Ednveyville Boy Scouts Troop 605 to attend the first Marine Commission meeting of the year to present an annual report as a stipulation to receiving a waiver for boat permit fees in the future. Commissioner Doster seconded and the motion carried 4-0.

## VI. ADJOURNMENT

With no further business, Commissioner Bryant made a motion to adjourn the meeting 4:39 p.m. Commissioner Proctor seconded and the motion carried 4-0.

ATTEST:

  
Olivia Stewman,  
Town Clerk

  
Mayor Carol C. Pritchett

