

**LAKE LURE MARINE COMMISSION
REGULAR MEETING PACKET**

Tuesday, June 13, 2023
4:00 p.m.



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

TOWN OF LAKE LURE

Marine Commission Regular Meeting

Tuesday, June 13, 2023 – 4:00 PM
Lake Lure Municipal Center



Agenda

I. Call to Order

II. Agenda Adoption

III. Public Comment

The public is invited to speak on any non-agenda and/or consent agenda topics. Comments should be limited to less than five minutes.

IV. Consent Agenda

A. Approval of the March 14, 2023 Regular Marine Commission Meeting Minutes - Page 3

V. Unfinished Business

VI. Hearing

A. Request to Appeal Civil Citation No. 000321 - Page 8

B. Request to Appeal Civil Citation No. 000318 - Page 14

C. Request to Appeal Civil Citation No. 000319 - Page 20

D. Request to Appeal Civil Citation No. 000323 - Page 26

E. Request to Appeal Civil Citation No. 001226 - Page 33

F. Request to Appeal Civil Citation No. 001251 - Page 37

G. Request to Appeal Civil Citation No. 000250 - Page 41

VII. New Business

A. Boy Scouts Troop 605 Annual Report - Page 46

B. Lodge on Lake Lure - Page 47

VIII. Adjournment

III

PUBLIC COMMENT

The public is invited to speak. Please keep comments limited to three minutes or less. Comments may also be submitted in writing to the Town Clerk, ostewman@townoflakelure.com, at least one hour prior to the meeting.

IV

CONSENT AGENDA

- A. Approval of the March 14, 2023 Regular Marine Commission Meeting Minutes

MINUTES OF THE REGULAR MEETING OF THE LAKE LURE MARINE COMMISSION HELD TUESDAY, MARCH 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 Carol C. Pritchett called the meeting to order at 4:00 p.m.

II. AGENDA ADOPTION

Commissioner Doster noted that the Boy Scouts presentation will be postponed until June. Commissioner DiOrio made a motion to adopt the agenda, as presented. Commissioner Bryant seconded and the motion carried 4-0.

III. PUBLIC COMMENT

Mayor Pritchett invited members of the audience to speak.

Donald Freeman, 1423 Bear Creek Road, Leicester, NC explained that he is a non-resident fisherman and expressed concern in regard to restrictions placed on non-residents and fishermen this year. Mr. Freeman detailed that the issue with the daily permit for non-residents is that fishermen like to fish early in the morning and permits are not sold until later in the morning. Mr. Freeman also expressed concern with the 10 HP limitation. Mr. Freeman noted that it is difficult to turn around for the launching spots from the green space where the permits are not sold this year. Mr. Freeman explained that he has enjoyed the lake for years and has never experienced a problem with non-residents, but has experienced issues with residents. Mr. Freeman expressed that

there are not many fishermen throughout the week at one time. Mr. Freeman stated that he can no longer fish on Lake Lure because of the new regulations and asked for reconsideration for non-resident fishermen restrictions. Mr. Freeman expressed support for the new speed limit. Commissioner DiOrio explained that permits can be bought at the Marina and in advance. Commissioner DiOrio noted town is developing a protocol to allow a lock boxes for permit pickup outside of office hours and permit holders will need to identify days that will be on the Lake. Mr. Freeman expressed that he would like to buy an annual fishing permit that was available in the past. DiOrio expressed that the weekend peak season congestion is the issue. Commissioner DiOrio explained that comments will be considered and addressed.

IV. CONSENT AGENDA

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

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

- A. Approval of the December 13, 2022 Regular Marine Commission Meeting Minutes

V. UNFINISHED BUSINESS

There was no unfinished business to discuss.

VI. NEW BUSINESS

A. REQUEST TO APPEAL DENIAL OF 2023 BOAT PERMIT FOR 2020 NAUTIQUE GS20 EXCEEDING THE 4,000 POUND LIMIT

Parks, Recreation, and Lake Director Dean Givens explained that this year, staff is building a new boat database, and are requiring specifications and enforcing lake use regulations for each individual permit. Director Givens stated that upon checking this information for Mr. Brian Walker’s permit, it was identified that his boat was about 4,090 lbs. and the limit is 4,000 lb. dry weight. Director Givens explained that because the boat was not in regulation, the Town denied Mr. Walker’s permit, and Mr. Walker would like to appeal this to Marine Commission. It was noted Mr. Walker has been pleasant to work with and that the permit was denied only because of the lake use regulations.

Commissioner DiOrio noted that this boat had been address previously, as the Town was aware the boat could be a problem in terms of weight. Commissioner DiOrio also noted that Mr. Walker worked with the Town to use a weight ticket process and Mr. Walker was issued a permit for the boat in past years. It was detailed that the trailer manufacturer had also made a mistake which sent the boat weight over the limit. Commissioner DiOrio expressed that Mr. Walker made

a good faith effort to do the right thing, and expressed support for waiving the permit denial. Commissioner Doster agreed. Commissioner Proctor also agreed and noted that taking all items of the boat would likely result in the boat being in compliance with the weight limit. Mayor Pritchett expressed that Marine Commission is dedicated to enforcing the lake use regulations, but noted that there are extenuated circumstances in this situation because permits were granted for the boat previously and precedence is not being set.

Commissioner DiOrio made a motion to grant the request to appeal denial of 2023 boat permit for 2020 Nautique GS20 exceeding the 4,000 pound limit. Commissioner Doster seconded and all voted in favor.

Mr. Walker thanked Marine Commission and asked if this process will have to be taken annually. Director Givens answered no and that the meeting minutes detailing this decision will be attached to permit applications in the future.

VI. NEW BUSINESS

B. BOY SCOUTS TROOP 605 ANNUAL REPORT

This item was postponed until June.

VII. ADJOURNMENT

With no further business, Commissioner Proctor made a motion to adjourn the meeting 4:19 p.m. Commissioner Bryant seconded and the motion carried 4-0.

ATTEST:

Olivia Stewman,
Town Clerk

Mayor Carol C. Pritchett

V
UNFINISHED
BUSINESS

VI

HEARING

- A. Request to Appeal Civil Citation No. 000321
- B. Request to Appeal Civil Citation No. 000318
- C. Request to Appeal Civil Citation No. 000319
- D. Request to Appeal Civil Citation No. 000323
- E. Request to Appeal Civil Citation No. 001226
- F. Request to Appeal Civil Citation No. 001251
- G. Request to Appeal Civil Citation No. 000250

LAKE LURE MARINE COMMISSION
AGENDA ITEM REQUEST FORM
Meeting Date: June 13, 2023

SUBJECT: Request to Appeal Civil Citation No. 000321

AGENDA INFORMATION:

Agenda Location: Hearing

Item Number: A

Department: Lake Operations

Contact: Dean Givens, Lake Operations Director

Presenter: Dean Givens, Lake Operations Director

BRIEF SUMMARY:

Mr. Christopher Henkel has requested to appeal Civil Citation No. 000321 issued by Sgt. Carl Umphlett on May 13th for operation of a boat without a valid permit. (See attached information)

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve or deny the request to appeal Civil Citation No. 000321.

ATTACHMENTS:

Appeal Request from Christopher Henkel; Letter from LLPD to Mr. Henkel; Copy of Civil Citation No. 000321; Appeal Hearing Confirmation Letter

Appeal for Civil Citation

Lake Lure Marine Commission

By: Chris Henkel

Date of Citation: 5/13/2023

Citation: Operation of a boat without a permit (1.51)C

My name is Chris Henkel and I just moved to the Fairview area to pursue my dream of living in the mountains. Being in nature soothes my soul brings me joy.

After being in town for a couple weeks, my friend Aspen, who grew up in Gerton, told me to check out Eagle Rock and Lake Lure. This past Saturday, I went to Eagle Rock and took a nice hike, and after working up a sweat I thought getting out on the water would be very nice. I drove down into the cute village of Chimney Rock for the first time and admired everything I saw. I continued west on Memorial Highway, past the flowering bridge. To my delight I then saw a sign for Lake Lure Washburn Marina Welcome Center, and it read "Our Beautiful Lake Is Back! Yippee!". I turned left here and drove past Lake Lure Tours and parked on the left across from the building next to a sign that read "Public Parking".

I noticed a little boat dock to the left of the Lake Lure tours building and was excited to see a public put in for my paddle board. The time was 6pm, and I got my PFD, and other things ready to hit the water. I paid close attention to signage as I walked from my truck to the little put in dock and I noted that it said "Absolutely no fishing from marina boat docks". I proceeded to put my board in and paddle out past the beautiful park and into the main lake area. A police boat passed, I waved from a distance, and they waved back. I continued out on the water for about 15 minutes before sitting on my board to enjoy the view looking back towards Chimney Rock. As I headed back to the marina, the same police boat from earlier was also heading back in. She slowed down and asked me how I was doing, and I said, "Good, thank you!", to which she replied, "Have a good evening!". I thanked her, wished her a happy evening, and with a smile continued back in.

I paddled back into the marina after a lovely hour or so on the water and got back to the same boat dock I put in on. As I landed a police officer walked out towards the dock, and I greeted him with a smile, and he said "It's a nice day for it!". I told him that I had also gone for a lovely hike at Eagle Rock, and that "this turned into a perfect day!".

He then asked me if I had a permit to be on the water, and in genuine confusion I politely told him that I had no idea a permit was required. The officer asked me for my ID, which we walked 50 feet left of the boat dock to get from my truck.

I was wholly expecting a casual exchange of information and a warning, given the surprising circumstances of this information of my breaking a law that was not posted on the public put in location, or anywhere in view of the public parking area. He informed me that he had to write me a citation for \$250, which made my jaw drop. I politely pleaded with Officer Umphlett, and he told me that I could go through the appeal process. So I walked over to his cruiser with him while he processed my information.

When I mentioned to him that there is no signage indicating that using the lake required a permit, he said “well, we cant put signs *everywhere*.”

He pointed to the boat ramp to the left of the boat dock that I put in on, and he informed me that there is a sign over there.

To my logical mind, I saw the boat ramp as the place for trucks to back boats into the water, and the boat dock for putting in small craft; just as it is at the other lakes I have recreated in. Therefore, I never walked over there, or gave any thought to using the boat ramp for my paddleboard, as the boat dock is the normal place to get in the water.

In closing, I am politely asking the Marine Commission of Lake Lure to Waive this citation. I am aware that ignorance of the law is not an excuse – but, a private marina, boat dock, and lake – must have adequate signage at the entrance, and at any access point for the public to reach the water so that people are aware that they are on private property. As an outsider, I was 100% under the impression that I was at a public access point, because every single step of the way, from pulling into the marina, to getting my board in the water – there were zero indications that I was breaking any rules. So I plead for the commission to understand an honest mistake of ignorance, and to trust that I would not have proceeded into the lake had there been any signage whatsoever that a permit was required for water craft of *any* kind.

Thank you for reading,

With peace,

Chris Henkel

513-910-7127

chrishenks@gmail.com

RECEIVED
MAY 16 2023



Lake Lure Police Department

Chief Sean Humphries

Post Office Box 195 Lake Lure, North Carolina 28746

828-625-4685 F. 828-625-8839

townoflakelure.com

May 15, 2023

Christopher Steven Henkel
5978 Hickory Tree Ct
Cincinnati, Oh 45233

Christopher Steven Henkel

\$225.00

You recently were cited for a lake violation on **5/13/2023** in the Town of Lake Lure, (please see copy of Citation attached).

Your Citation cost is **\$250.00** and is due within 30 days from the date of your Citation.

Please call Parks, Recreation and Lake Office at (828) 625-9983 ext. 502 for the total amount of your fine, which much be paid within 30 days from the day of your Citation.

Even if you wish to appeal, your fine(s) must be paid within 30 days from the date of your Citation.

Please call should you have any questions.

Kat Canant

Kat Canant
Administrative Assistant
Lake Lure Police Department

cc: LLPD File
PR&L



Town of Lake Lure Civil Citation

Permit # NONE St. Reg. N/A RADDLEBOARD

Vacation Rental Non-Vacation Rental

Issued to: CHRISTOPHER STEVEN HENKEL

Address: 5978 HICKORY TREE CT
CINCINNATI, OH

Telephone # 513-910-7127

Location: MANAUA BAY

Date/Time: 5-13-2023 1900

Issued By: C. UMPHRESS

Warning Citation/fine # 250

Operation of boat without valid permit (1.51)C

Wake Violation (within 75 ft of shoreline or unauthorized areas, during no wake hours, within 100 ft of emergency vessel displaying lights) (1.53)C

Child under 13 w/out PFD (1.55)C

Towing more than two persons at a time (1.54)C

Reckless endangerment (1.54)C

to wit:

Swimming violation (under the influence, unaccompanied, unauthorized area) (1.15/1.17)C

Trespassing (1.05)B

Littering (1.54)B

Uncertified Operator (1.57)A

Boat tied to public dock more than 2.5 hours (1.53)A

Other

No. 000321

45233



Town of

Lake Lure

est. 1927

North Carolina

April 19, 2023

Christopher Steven Henkel
5978 Hickory Tree Ct.
Cincinnati, OH 45233

Re: Request to Appeal Civil Citation No. 000321

Dear Mr. Henkel:

The Town of Lake Lure Marine Commission has scheduled a hearing at their next regular meeting on June 13, 2023, at 4:00 p.m., or shortly thereafter, in the council meeting room of the Lake Lure Municipal Center, located at 2948 Memorial Highway, to hear your appeal regarding Civil Citation No. 000321.

You may contact me at 828-625-9983 ext. 104 should you need further information regarding the hearing.

Sincerely,

Olivia Stewman,
Town Clerk

Copy: Lake Lure Marine Commission Members
Hank Perkins, Town Manager
Dean Givens, Parks, Recreation, and Lake Director
Dana Bradley, Parks, Recreation, and Trails Coordinator

LAKE LURE MARINE COMMISSION
AGENDA ITEM REQUEST FORM
Meeting Date: June 13, 2023

SUBJECT: Request to Appeal Civil Citation No. 000318

AGENDA INFORMATION:

Agenda Location: Hearing
Item Number: B
Department: Lake Operations
Contact: Dean Givens, Lake Operations Director
Presenter: Dean Givens, Lake Operations Director

BRIEF SUMMARY:

Mr. John Davis has requested to appeal Civil Citation No. 000318 issued by Sgt. Carl Umphlett on May 12th for operation of a boat without a valid permit and boating license. (See attached information)

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve or deny the request to appeal Civil Citation No. 000318.

ATTACHMENTS:

Appeal Request from John & Pamela Davis; Letter from LLPD to Mr. Davis; Copy of Civil Citation No. 000318; Appeal Hearing Confirmation Letter

Videos submitted by John and Pam Davis available in the Office of the Clerk and were provide to the Marine Commission. Videos shows the Davis' reviewing the information provided by their vacation rental which did not find to include the Lake Use Regulations and Pam Davis detailing their experience.

John & Pam Davis
425 East New England Ave
Pinebluff, NC 28373

Pam: 910 603-2280

John: 910 690-4351

This is an attempt to appeal the citations my wife and I received on May 12th 2023, on Lake Lure while on vacation. Each citation found us in violation of operating our kayaks without a valid permit as well as no boating license for each boat, amounting to a \$1000.00 total due.

I paid the amount due of \$1000.00, plus an additional \$30.00 Fee (?) on 15 May, 2023.

Background:

My wife decided in November 2022 to purchase our stay at the Pine Gables Cabins as a surprise birthday present to me, and did so to coincide with Mothers day. She decided on Lake Lure since she'd been there before with our grandchildren and loved it.

She went to the Pine Gables web site and locked in our reservation for the 11th to the 14th of May.

On May 12th, Pam and I were on our Kayaks in the lake when we were approached by Officer C. Umphlett. He informed us of our violations and issued us our citations. I told him that we had no indicators of these requirements anywhere and he informed us that these should have been in our guest book at the cabin. I had previously looked at the book, (which is about 30 pages) only to find the login information for the wifi. I had no reason to read the rest (as far as I knew) with only historic info, dining, events or anything else since Pam and I were only concerned about taking our kayaks out and attending the "Crafts" event on Saturday.

Observations:

1. When Pam went to the Pine Gables Website to lock in our reservation, there was no obvious "alert to boaters" regarding these requirements. There was only an agreement assuming risks when using their canoes and using flotation devices for children.
Likewise, upon further research of their site, (after we were given our citations) we discovered the following under a separate tag labeled "FAQs"

Can I bring my own boat?

You may bring your own boat, but you will need a Lake Lure Boat Permit from the Town of Lake Lure. For more information, here is a link to the town's web page for permits.

http://townoflakelure.com/boat_permit_fees.htm

The Boat Permit requirement is not readily noticeable unless specific research or a "deep dive" throughout the site, or in the FAQs section. Additionally, nothing is said about the Boat License or insurance requirements even within the FAQ info. We had no guidance from the town or the cabin rental process indicating we needed to do more research.

2. The "Guest Information for Jim's Cabin" book is something I did look at as soon as we arrived. First thing I looked for was a CONTENTS page for references. There was none to be found. Something highlighted as "Required Reading for Boaters" on the cover page would have been nice to see there. (or anywhere)

I did find on about page 23, under "Fishing at Pine Gables and in the Region" heading, halfway down the page and in the middle of a paragraph the following: "Also, boat permits are required on Lake Lure if you bring your own boat or canoe" Once again though, this was all found after the manila divider which was tabbed UNIQUE SHOPS/LOCAL BUSINESSES...

I understand that town ordinances regarding boating requirements that go above and beyond what the state requires, such as further permitting; licensing; and insurance requirements of 300K per vessel; are probably not something people renting their cabins out want to display openly BUT.... Perhaps a simple sign on the cabin's dock outlining the requirements wouldn't be asking too much?

3. I understand that for safety or liability considerations, these requirements for boaters are well justified. Any reasonable precaution needs to be implemented before someone is hurt. I'm also very familiar with Risk Assessment and the methods of mitigating risk for liability purposes or more importantly for safety itself. I would just add though that there is perhaps a need to mitigate the kind of predicament I find my wife and I in now. For instance, when I came into the town, the first thing I did was check out the marina, in case I needed to put the boats in there. A simple sign at the ramp specifying the town's requirements would have resulted in my heeding these requirements. Likewise, a CAUTION BOATERS notation on the cover sheet of the Cabins Guest Information book with detailed information regarding the town's requirements. Or even a CONTENTS list in the book with something suggesting REQUIRED READING FOR BOATERS, would have probably helped.
Something to consider though is that putting information on the town's website, when I had no reason to go there, or inside the FAQs tab on the Pine Gables site wasn't enough. My wife and I don't spend a lot of time navigating, or deep diving websites for obscure or unknown requirements we'd have no reason to look for.
5. Finally, my wife and I are in our sixties and on a fixed income. \$1000.00 is alot for us. My wife and I both have medical issues which prohibit us from doing many of the things we'd otherwise like to be doing. I retired from the Army after 28 years of active service and 25 as a Special Forces operator and instructor. I've had 8 surgeries since 2014 and the last one being brain surgery in November 2022, I am 100% total and permanently disabled. I bought these kayaks for my wife and I because this is something we can do together in beautiful places such as Lake Lure. This was our first attempt at a trip like this without our kids or grandkids. I registered both boats which is a requirement because they do have trolling motors. I bought Pam's fishing license online on May 12th, mine is free because of my disabilities. Point is, we did everything we knew to do to be legal and safe, we also would have done whatever was required if only we had known what was required.
6. The town of Lake Lure may never do more to mitigate this from ever happening to others like Pam and I. While technically we're guilty of violating your town's requirements, I also suspect that we don't match the profile of your typical violators. Our slow kayaks don't travel over 5 MPH or even create a wake. My wife and I agree that we have learned a valuable lesson and only ask to not be held financially liable for these infractions when afterall, despite our preparations and good intentions, we simply didn't have all the information when perhaps more could have been done to ensure we did.

Thanks..... John and Pam Davis

RECEIVED

MAY 16 2023



Lake Lure Police Department

Chief Sean Humphries

Post Office Box 195 Lake Lure, North Carolina 28746

828-625-4685 F. 828-625-8839

townoflakelure.com

May 15, 2023

John Michael Davis
425 E. New England Ave
Pinebluff, NC 28373

John Michael Davis

You recently were cited for a lake violation on **5/12/2023** in the Town of Lake Lure, (please see copy of Citation attached).

Your Citation cost is **\$500.00** and is due within 30 days from the date of your Citation.

Please call Parks, Recreation and Lake Office at (828) 625-9983 ext. 502 for the total amount of your fine, which much be paid within 30 days from the day of your Citation.

Even if you wish to appeal, your fine(s) must be paid within 30 days from the date of your Citation.

Please call should you have any questions.

Kat Canant

Kat Canant
Administrative Assistant
Lake Lure Police Department

cc: LLPD File
PR&L

NO PERMIT \$250
NO L. CONSR \$250
= \$500



Town of Lake Lure Civil Citation

Permit # NONE St. Reg. NC 9949E10

Vacation Rental Non-Vacation Rental

Issued to: JOHN MICHAEL DAVIS^{CU} DAVIS

Address: 425 E. NEW ENGLAND AVE
PINEBLUFF, NC 28373

Telephone # 910-690-4251

Location: MAIN CHANNEL

Date/Time: 5/12/23 1707

Issued By: C. WIMPLETT

Warning Citation/fine 500

Operation of boat without valid permit (1.51)C

Wake Violation (within 75 ft of shoreline or unauthorized areas, during no wake hours, within 100 ft of emergency vessel displaying lights) (1.53)C

Child under 13 w/out PFD (1.55)C

Towing more than two persons at a time (1.54)C

Reckless endangerment (1.54)C

to wit:

Swimming violation (under the influence, unaccompanied, unauthorized area) (1.15/1.17)C

Trespassing (1.05)B

Littering (1.54)B

Uncertified Operator (1.57)A

Boat tied to public dock more than 2.5 hours (1.53)A

Other

NO BOATING LICENSE

No. 000318

April 19, 2023

John Michael Davis
425 E. New England Ave.
Pinebluff, NC 28373

Re: Request to Appeal Civil Citation No. 000318

Dear Mr. Davis:

The Town of Lake Lure Marine Commission has scheduled a hearing at their next regular meeting on June 13, 2023, at 4:00 p.m., or shortly thereafter, in the council meeting room of the Lake Lure Municipal Center, located at 2948 Memorial Highway, to hear your appeal regarding Civil Citation No. 000318.

You may contact me at 828-625-9983 ext. 104 should you need further information regarding the hearing.

Sincerely,



Olivia Stewman,
Town Clerk

Copy: Lake Lure Marine Commission Members
Hank Perkins, Town Manager
Dean Givens, Parks, Recreation, and Lake Director
Dana Bradley, Parks, Recreation, and Trails Coordinator

LAKE LURE MARINE COMMISSION
AGENDA ITEM REQUEST FORM
Meeting Date: June 13, 2023

SUBJECT: Request to Appeal Civil Citation No. 000319

AGENDA INFORMATION:

Agenda Location: Hearing
Item Number: C
Department: Lake Operations
Contact: Dean Givens, Lake Operations Director
Presenter: Dean Givens, Lake Operations Director

BRIEF SUMMARY:

Mrs. Pamela Davis has requested to appeal Civil Citation No. 000319 issued by Sgt. Carl Umphlett on May 12th for operation of a boat without a valid permit and boating license. (See attached information)

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve or deny the request to appeal Civil Citation No. 000319.

ATTACHMENTS:

Appeal Request from John & Pamela Davis; Letter from LLPD to Mrs. Davis; Copy of Civil Citation No. 000319; Appeal Hearing Confirmation Letter

Videos submitted by John and Pam Davis available in the Office of the Clerk and were provide to the Marine Commission. Videos shows the Davis' reviewing the information provided by their vacation rental which did not find to include the Lake Use Regulations and Pam Davis detailing their experience.

John & Pam Davis
425 East New England Ave
Pinebluff, NC 28373

Pam: 910 603-2280

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I paid the amount due of \$1000.00, plus an additional \$30.00 Fee (?) on 15 May, 2023.

Background:

My wife decided in November 2022 to purchase our stay at the Pine Gables Cabins as a surprise birthday present to me, and did so to coincide with Mothers day. She decided on Lake Lure since she'd been there before with our grandchildren and loved it.

She went to the Pine Gables web site and locked in our reservation for the 11th to the 14th of May.

On May 12th, Pam and I were on our Kayaks in the lake when we were approached by Officer C. Umphlett. He informed us of our violations and issued us our citations. I told him that we had no indicators of these requirements anywhere and he informed us that these should have been in our guest book at the cabin. I had previously looked at the book, (which is about 30 pages) only to find the login information for the wifi. I had no reason to read the rest (as far as I knew) with only historic info, dining, events or anything else since Pam and I were only concerned about taking our kayaks out and attending the "Crafts" event on Saturday.

Observations:

1. When Pam went to the Pine Gables Website to lock in our reservation, there was no obvious "alert to boaters" regarding these requirements. There was only an agreement assuming risks when using their canoes and using flotation devices for children.
Likewise, upon further research of their site, (after we were given our citations) we discovered the following under a separate tag labeled "FAQs"

Can I bring my own boat?

You may bring your own boat, but you will need a Lake Lure Boat Permit from the Town of Lake Lure. For more information, here is a link to the town's web page for permits.

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2. The "Guest Information for Jim's Cabin" book is something I did look at as soon as we arrived. First thing I looked for was a CONTENTS page for references. There was none to be found. Something highlighted as "Required Reading for Boaters" on the cover page would have been nice to see there. (or anywhere)

I did find on about page 23, under "Fishing at Pine Gables and in the Region" heading, halfway down the page and in the middle of a paragraph the following: "Also, boat permits are required on Lake Lure if you bring your own boat or canoe" Once again though, this was all found after the manila divider which was tabbed UNIQUE SHOPS/LOCAL BUSINESSES...

I understand that town ordinances regarding boating requirements that go above and beyond what the state requires, such as further permitting; licensing; and insurance requirements of 300K per vessel; are probably not something people renting their cabins out want to display openly BUT.... Perhaps a simple sign on the cabin's dock outlining the requirements wouldn't be asking too much?

3. I understand that for safety or liability considerations, these requirements for boaters are well justified. Any reasonable precaution needs to be implemented before someone is hurt. I'm also very familiar with Risk Assessment and the methods of mitigating risk for liability purposes or more importantly for safety itself. I would just add though that there is perhaps a need to mitigate the kind of predicament I find my wife and I in now. For instance, when I came into the town, the first thing I did was check out the marina, in case I needed to put the boats in there. A simple sign at the ramp specifying the town's requirements would have resulted in my heeding these requirements. Likewise, a CAUTION BOATERS notation on the cover sheet of the Cabins Guest Information book with detailed information regarding the town's requirements. Or even a CONTENTS list in the book with something suggesting REQUIRED READING FOR BOATERS, would have probably helped.
Something to consider though is that putting information on the town's website, when I had no reason to go there, or inside the FAQs tab on the Pine Gables site wasn't enough. My wife and I don't spend a lot of time navigating, or deep diving websites for obscure or unknown requirements we'd have no reason to look for.
5. Finally, my wife and I are in our sixties and on a fixed income. \$1000.00 is alot for us. My wife and I both have medical issues which prohibit us from doing many of the things we'd otherwise like to be doing. I retired from the Army after 28 years of active service and 25 as a Special Forces operator and instructor. I've had 8 surgeries since 2014 and the last one being brain surgery in November 2022, I am 100% total and permanently disabled. I bought these kayaks for my wife and I because this is something we can do together in beautiful places such as Lake Lure. This was our first attempt at a trip like this without our kids or grandkids. I registered both boats which is a requirement because they do have trolling motors. I bought Pam's fishing license online on May 12th, mine is free because of my disabilities. Point is, we did everything we knew to do to be legal and safe, we also would have done whatever was required if only we had known what was required.
6. The town of Lake Lure may never do more to mitigate this from ever happening to others like Pam and I. While technically we're guilty of violating your town's requirements, I also suspect that we don't match the profile of your typical violators. Our slow kayaks don't travel over 5 MPH or even create a wake. My wife and I agree that we have learned a valuable lesson and only ask to not be held financially liable for these infractions when afterall, despite our preparations and good intentions, we simply didn't have all the information when perhaps more could have been done to ensure we did.

Thanks..... John and Pam Davis

RECEIVED
MAY 16 2023



Lake Lure Police Department

Chief Sean Humphries

Post Office Box 195 Lake Lure, North Carolina 28746

828-625-4685 F. 828-625-8839

townoflakelure.com

May 15, 2023

Pamela Ruth Davis
425 E. New England Ave
Pinebluff, NC 28373

Pamela Ruth Davis

You recently were cited for a lake violation on **5/12/2023** in the Town of Lake Lure, (please see copy of Citation attached).

Your Citation cost is **\$500.00** and is due within 30 days from the date of your Citation.

Please call Parks, Recreation and Lake Office at (828) 625-9983 ext. 502 for the total amount of your fine, which much be paid within 30 days from the day of your Citation.

Even if you wish to appeal, your fine(s) must be paid within 30 days from the date of your Citation.

Please call should you have any questions.

Kat Canant

Kat Canant
Administrative Assistant
Lake Lure Police Department

cc: LLPD File
PR&L

NO PERMIT \$250⁰⁰
NO LICENSE \$250⁰⁰
\$500⁰⁰



Town of Lake Lure Civil Citation

Permit # NONE St. Reg MC 994

Vacation Rental Non-Vacation Rental

Issued to: PAMELA RUTH DAVIS

Address: 425 E. NEW ENGLAND AVE

PINE BLUFF, NC 28373

Telephone # _____

Location: ABEN CHANNEL

Date/Time: 5/2/23 1707

Issued By: C. CUMPLETT

Warning Citation/fine 4500

Operation of boat without valid permit (1.51)C

Wake Violation (within 75 ft of shoreline or unauthorized areas, during no wake hours, within 100 ft of emergency vessel displaying lights) (1.53)C

Child under 13 w/out PFD (1.55)C

Towing more than two persons at a time (1.54)C

Reckless endangerment (1.54)C

to wit:

Swimming violation (under the influence, unaccompanied, unauthorized area) (1.15/1.17)C

Trespassing (1.05)B

Littering (1.54)B

Uncertified Operator (1.57)A

Boat tied to public dock more than 2.5 hours (1.53)A

Other

NO BOATER LICENSE

No. 000319



Town of

Lake Lure

est. 1927

North Carolina

April 19, 2023

Pamela Ruth Davis
425 E. New England Ave.
Pinebluff, NC 28373

Re: Request to Appeal Civil Citation No. 000319

Dear Mrs. Davis:

The Town of Lake Lure Marine Commission has scheduled a hearing at their next regular meeting on June 13, 2023, at 4:00 p.m., or shortly thereafter, in the council meeting room of the Lake Lure Municipal Center, located at 2948 Memorial Highway, to hear your appeal regarding Civil Citation No. 000319.

You may contact me at 828-625-9983 ext. 104 should you need further information regarding the hearing.

Sincerely,

Olivia Stewman,
Town Clerk

Copy: Lake Lure Marine Commission Members
Hank Perkins, Town Manager
Dean Givens, Parks, Recreation, and Lake Director
Dana Bradley, Parks, Recreation, and Trails Coordinator

LAKE LURE MARINE COMMISSION
AGENDA ITEM REQUEST FORM
Meeting Date: June 13, 2023

SUBJECT: Request to Appeal Civil Citation No. 000323

AGENDA INFORMATION:

Agenda Location: Hearing
Item Number: D
Department: Lake Operations
Contact: Dean Givens, Lake Operations Director
Presenter: Dean Givens, Lake Operations Director

BRIEF SUMMARY:

Mr. Patrick Jones has requested to appeal Civil Citation No. 000323 issued by Sgt. Carl Umphlett on May 23rd for operation of a boat without a valid permit and boating license. (See attached information)

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve or deny the request to appeal Civil Citation No. 000323.

ATTACHMENTS:

Appeal Request from Patrick Jones; Copy of Civil Citation No. 000323; Civil Fine Payment Receipts; Appeal Hearing Confirmation Letter

From: Patrick Jones
Sent: Tuesday, May 30, 2023 10:58 AM
To: Olivia Stewman <OStewman@townoflakelure.com>
Subject: Ticket for Permit and Boaters test

Hi Ms. Stewman,

I am reaching out to you as my son received two tickets (see attached) this past week one for no boat permit and the second for not have taking the boaters test which he took afterward. We keep our boat at Lake Lure Marine during winter and the boat was to be dropped off at Dock H at Lake Lure Marina. Unfortunately with the holiday weekend, they asked if they could drop off earlier in the week on Wednesday which I said yes because my son could get it and bring it to our house. I spoke with last year and was told by Dan Bradley that if it was just transporting the boat to our boat house that I could get the permit when I got up there. I did arrive Thursday night and went to get our Lake permit Friday morning (paid for the tickets see attached) but then couldn't register our boat because it is in my brother-in-laws name not my father-in-law's (property owner). Apparently this has been a rule in the past but we have always been able to register with no one ever bringing this up.

We are dealing with NC Wildlife now to add my father in law to the title but I do think it is unfair on the tickets as it was always told that you can have your boat dropped off and take it directly to the boathouse.

Can you help me out on the ticket I paid minus the 3% credit card charge if you still have to pay that???

Thanks for your consideration. Patrick

Patrick Jones

On 6/5/2023 10:36 AM, Olivia Stewman wrote:

Good morning,

I apologize for the delayed response. I was out of the office last week. You do have the right to request an appeal of the ticket to the Lake Lure Marine Commission. While I do not have the authority to make any decisions in regard to the ticket or payment, I would be happy to place a request to appeal the citation on the next Marine Commission meeting. The meeting is on Tuesday, June 13th, at 4:00 p.m. Is this something that you would like to pursue?

Thank you!

Olivia Stewman, MPA
Town Clerk
2948 Memorial Hwy
Lake Lure, NC 28746
Office: 828-625-9983, Ext. 104
Web: townoflakelure.com

From: Patrick Jones
Sent: Monday, June 5, 2023 11:18 AM
To: Olivia Stewman <OStewman@townoflakelure.com>
Subject: Re: Ticket for Permit and Boaters test

Hi Olivia,

Thank you for your reply and I would like to pursue. Unfortunately I am not able to attend in person on the 13th as I will be traveling. Is this something I can do without personally attending?

Thank you for your help. Patrick

On 6/5/2023 11:25 AM, Olivia Stewman wrote:
Mr. Jones

I am happy to help! You do not have to attend. If you choose to proceed, I will provide the Commission with your request/explanation and citation information. They would base their decision on the information provided.

Thank you!

Olivia Stewman, MPA
Town Clerk
2948 Memorial Hwy
Lake Lure, NC 28746
Office: 828-625-9983, Ext. 104
Web: townoflakelure.com

From: Patrick Jones
Sent: Monday, June 5, 2023 12:39 PM
To: Olivia Stewman <OStewman@townoflakelure.com>
Subject: Re: Ticket for Permit and Boaters test

Thank you so much as that would be great!! Please let me know if you need additional info on my end.

Regards, Patrick

Permit # 22 or Reg. 22

Vacation Rental Non-Vacation Rental

Issued to: London Blair Jones

Address: 3222 Eastman Dr
Atlanta, GA 30305

Telephone # 404-844-7014

Location: Point Clear

Date/Time: 8/23/22 10:30am

Issued By: C. [unclear]

Warning Citation/fine \$100.00

- Operation of boat without valid permit (1.51)C
- Wake Violation (within 75 ft of shoreline or unauthorized areas, during no wake hours, within 100 ft of emergency vessel displaying lights) (1.53)C
- Child under 13 w/out PFD (1.55)C
- Towing more than two persons at a time (1.54)C
- Reckless endangerment (1.54)C
- to wit:
- Swimming violation (under the influence, unaccompanied, unauthorized area) (1.15/1.17)C
- Trespassing (1.05)B
- Littering (1.54)B
- Uncertified Operator (1.57)A
- Boat tied to public dock more than 2.5 hours (1.53)A

Other also cited with boater license

No. 000323

TOWN OF LAKE LURE
PO BOX 5
LAKE LURE, NC 28746
828-625-9983

CASH RECEIPT Printed 10:21:06 - 05/26/23
OPERATOR CORBIE
Posted On 05/26/23

Batch:15846
Transaction:31

Description

Total

REFERENCE NUMBER: CIVIAL FINES
NAME: BRANDON JONES
ADDRESS: 635 WEST CLOVERHERST AVE [ATHENS GA 30606]
CITY STATE ZIP: ATHENS GA 30606

CIVIL FINE 500.00
Fund 10 Acct 361202
000323

Check #	
Cash Paid	
Credit Paid	500.00
Less Change Given	()
TOTAL:	500.00



Transaction Information

Date Time:	2023-05-26 08:20:47
Payment Account Mask:	XXXXTOKEN6941
Sub Total:	\$500.00
Fee:	\$15.00
Total Amount:	\$515.00
Fee Payment Status:	SUCCESS
Fee Payment Transaction:	146595237246
Fee Payment Authorization:	05733D
Balance Payment Status:	SUCCESS
Balance Payment Transaction:	146429737247
Balance Payment Authorization:	03521D
Web ID(s):	A004 (000323) 500.00



June 8, 2023

Patrick Jones
635 West Cloverhurst Ave.
Atlanta, GA 30606

Re: Request to Appeal Civil Citation No. 000323

Dear Mr. Jones:

The Town of Lake Lure Marine Commission has scheduled a hearing at their next regular meeting on June 13, 2023, at 4:00 p.m., or shortly thereafter, in the council meeting room of the Lake Lure Municipal Center, located at 2948 Memorial Highway, to hear your appeal regarding Civil Citation No. 000323.

You may contact me at 828-625-9983 ext. 104 should you need further information regarding the hearing.

Sincerely,

Olivia Stewman,
Town Clerk

Copy: Lake Lure Marine Commission Members
Hank Perkins, Town Manager
Dean Givens, Parks, Recreation, and Lake Director
Dana Bradley, Parks, Recreation, and Trails Coordinator

LAKE LURE MARINE COMMISSION
AGENDA ITEM REQUEST FORM
Meeting Date: June 13, 2023

SUBJECT: Request to Appeal Civil Citation No. 001226

AGENDA INFORMATION:

Agenda Location: Hearing

Item Number: E

Department: Lake Operations

Contact: Dean Givens, Lake Operations Director

Presenter: Dean Givens, Lake Operations Director

BRIEF SUMMARY:

Ms. Jocelle Allen has requested to appeal Civil Citation No. 001226 issued by Reserve Officer Terry Frank on May 13th for operation of a boat without a valid permit. (See attached information)

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve or deny the request to appeal Civil Citation No. 001226.

ATTACHMENTS:

Letter from LLPD to Ms. Allen; Copy of Civil Citation No. 001226; Appeal Hearing Confirmation Letter

RECEIVED
MAY 16 2023



Lake Lure Police Department

Chief Sean Humphries

Post Office Box 195 Lake Lure, North Carolina 28746

828-625-4685 F. 828-625-8839

townoflakelure.com

May 15, 2023

Jocelle Allen
201 Allen Drive
Lake Lure, NC 28746

Jocelle Allen

You recently were cited for a lake violation on **5/13/2023** in the Town of Lake Lure, (please see copy of Citation attached).

Your Citation cost is \$ and is due within 30 days from the date of your Citation.

Please call Parks, Recreation and Lake Office at (828) 625-9983 ext. 502 for the total amount of your fine, which must be paid within 30 days from the day of your Citation.

Even if you wish to appeal, your fine(s) must be paid within 30 days from the date of your Citation.

Please call should you have any questions.

Kat Canant

Kat Canant
Administrative Assistant
Lake Lure Police Department

cc: LLPD File
PR&L



Town of Lake Lure Civil Citation

6232 EH

Permit # 0188 ⁽²¹⁾ St. Reg. NC

Vacation Rental Non-Vacation Rental

Issued to: JOCELLE ALLEN

Address: ~~701~~ 201 ALLEN DR.
LAKE LURE, NC

Telephone # 864-706-3006

Location: NEAR RUMBLING DAM

Date/Time: 05/13/2023 3:15 PM

Issued By: FERRY FRANK

Warning Citation/fine FOR TOWN TO DETERMINE

Operation of boat without valid permit (1.51)C

Wake Violation (within 75 ft of shoreline or unauthorized areas, during no wake hours, within 100 ft of emergency vessel displaying lights) (1.53)C

Child under 13 w/out PFD (1.55)C

Towing more than two persons at a time (1.54)C

Reckless endangerment (1.54)C

to wit: _____

Swimming violation (under the influence, unaccompanied, unauthorized area) (1.15/1.17)C

Trespassing (1.05)B

Littering (1.54)B

Uncertified Operator (1.57)A

Boat tied to public dock more than 2.5 hours (1.53)A

Other

No. 001226



June 8, 2023

Jocelle Allen
3 Hoke Smith Blvd. Apt. A-108
Greenville, SC 29615

Re: Request to Appeal Civil Citation No. 001226

Dear Ms. Allen:

The Town of Lake Lure Marine Commission has scheduled a hearing at their next regular meeting on June 13, 2023, at 4:00 p.m., or shortly thereafter, in the council meeting room of the Lake Lure Municipal Center, located at 2948 Memorial Highway, to hear your appeal regarding Civil Citation No. 001226.

You may contact me at 828-625-9983 ext. 104 should you need further information regarding the hearing.

Sincerely,

Olivia Stewman,
Town Clerk

Copy: Lake Lure Marine Commission Members
Hank Perkins, Town Manager
Dean Givens, Parks, Recreation, and Lake Director
Dana Bradley, Parks, Recreation, and Trails Coordinator

LAKE LURE MARINE COMMISSION
AGENDA ITEM REQUEST FORM
Meeting Date: June 13, 2023

SUBJECT: Request to Appeal Civil Citation No. 001251

AGENDA INFORMATION:

Agenda Location: Hearing

Item Number: F

Department: Lake Operations

Contact: Dean Givens, Lake Operations Director

Presenter: Dean Givens, Lake Operations Director

BRIEF SUMMARY:

Mr. Andy Knowles has requested to appeal Civil Citation No. 001251 issued by Corporal Aaron Collins on May 9th for operation of a boat without a valid permit. (See attached information)

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve or deny the request to appeal Civil Citation No. 001251.

ATTACHMENTS:

Letter from LLPD to Mr. Knowles; Copy of Civil Citation No. 001251; Appeal Hearing Confirmation Letter



Lake Lure Police Department

Chief Sean Humphries

Post Office Box 195 Lake Lure, North Carolina 28746

828-625-4685 F. 828-625-8839

townoflakelure.com

May 10, 2023

Butler Robert Knowles
1512 Delmont Dr
Raleigh, NC 27606

May 9, 2023 you were cited by Lake Lure Police Department for boating on the waters of Lake Lure without a valid permit. The fine for this infraction is \$250.00 and due to be paid within 30 days from May 10, 2023.

You may either visit the Town of Lake Lure Municipal Center to pay this fine or you may send payment to:

Town of Lake Lure
Attn: Civil Citation Remediation
P.O. Box 255
Lake Lure, NC 28746

Please let me know if you've any questions.

Kat Canant
Administrative Assistant
Lake Lure Police Department

COPY

kc/file



Town of Lake Lure Civil Citation

Permit # 1177 St. Reg. NC 3898 DY

Vacation Rental Non-Vacation Rental

Issued to: Better Robert Knowles

Address: 1512 Delmont Dr

Ralph's + NC 270606

Telephone # 519-561-0556

Location: _____

Date/Time: 05-05-21

Issued By: A. Collins

Warning Citation/fine \$250

Operation of boat without valid permit (1.51)C

Wake Violation (within 75 ft of shoreline or unauthorized areas, during no wake hours, within 100 ft of emergency vessel displaying lights) (1.53)C

Child under 13 w/out PFD (1.55)C

Towing more than two persons at a time (1.54)C

Reckless endangerment (1.54)C

to wit: _____

Swimming violation (under the influence, unaccompanied, unauthorized area) (1.15/1.17)C

Trespassing (1.05)B

Littering (1.54)B

Uncertified Operator (1.57)A

Boat tied to public dock more than 2.5 hours (1.53)A

Other

No. 001251

April 19, 2023

Andy Knowles
112 Neighborly Dr.
Lake Lure, NC 28746

Re: Request to Appeal Civil Citation No. 001251

Dear Mr. Knowles:

The Town of Lake Lure Marine Commission has scheduled a hearing at their next regular meeting on June 13, 2023, at 4:00 p.m., or shortly thereafter, in the council meeting room of the Lake Lure Municipal Center, located at 2948 Memorial Highway, to hear your appeal regarding Civil Citation No. 001251.

You may contact me at 828-625-9983 ext. 104 should you need further information regarding the hearing.

Sincerely,



Olivia Stewman,
Town Clerk

Copy: Lake Lure Marine Commission Members
Hank Perkins, Town Manager
Dean Givens, Parks, Recreation, and Lake Director
Dana Bradley, Parks, Recreation, and Trails Coordinator

LAKE LURE MARINE COMMISSION
AGENDA ITEM REQUEST FORM
Meeting Date: June 13, 2023

SUBJECT: Request to Appeal Civil Citation No. 000250

AGENDA INFORMATION:

Agenda Location: Hearing
Item Number: G
Department: Lake Operations
Contact: Dean Givens, Lake Operations Director
Presenter: Dean Givens, Lake Operations Director

BRIEF SUMMARY:

Mr. Greg Turner has requested to appeal Civil Citation No. 000250 issued by Dana Bradley on June 8th for manipulation of permitting process. (See attached information)

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve or deny the request to appeal Civil Citation No. 000250.

ATTACHMENTS:

Appeal Request from Greg Turner; Copy of Civil Citation No. 000250; NC Wildlife Vessel Summary Submitted by Mr. Turner; Appeal Hearing Confirmation Letter

Olivia Stewman

From: Greg Turner
Sent: Monday, June 12, 2023 1:43 PM
To: Olivia Stewman
Subject: Request to appeal civil citation 000250
Attachments: 20230612_132842.jpg; 20230612_132933.jpg

Olivia,

I would like to respectfully request appeal of the above captioned civil citation at the 6/13/23 Marine Commission meeting. I am a life-long Rutherford County resident and have many decades of Lake Lure experience and have always abided by and respected the rules in place at this lake. I had procured my 2023 Lake Lure permit for my boat that was on Lake Lure last year with the understanding between myself and Parks and Recreation that I would later transfer that permit to a new boat that had a purchase pending. The old boat was to be sold, and once the new boat purchase was finalized, I would transfer the permit to the new boat.

As part of finalizing the purchase on the new boat I needed to do a lake test to make sure a leak was fixed. I intended to place the boat in the water for an hour or so to make sure there were no leaks and then take the boat back out. I was stopped by an officer at the ramp who advised that if I stayed in the water without affixing the stickers to the boat, I would be cited. I hastily made the mistake of putting the registration stickers on the boat to avoid the ticket knowing I would be pulling the boat back out and going back to Parks and Recreation to finalize the transfer.

I lost the entire month of May due to family illness, business travel and family vacation and neglected to get the transfer handled in a timely manner. There was never any intention of manipulation of the permitting process or deceit of any kind. I feel a fine amount that is the same for reckless or negligent operation of a boat resulting in death is excessive where it was simply a delay in processing the transfer. I do not deny that I was responsible for processing that transfer, I only ask not to be fined at the highest level of civil infraction for this delay. I have attached the citation and registration information for the new boat I was seeking to transfer to, but was denied due to the pending citation.

Thank you for your consideration.

Sent from [Mail](#) for Windows

=

Lake Lure Police Department Civil Citation

Permit # AM 0459 St. Reg. 6121EM

Issued to: Gregory Turner

Address: 746 Chimney Rock Rd.

Rutherfordton, NC 28139

Telephone # 828-429-6769

Location: _____

Date / Time: 6/8/2023 12:26 pm

Issued By: D. Bradley

Warning Citation

Operation of boat without valid permit (4.01)C

Wake Violation (within 75 ft of shoreline or unauthorized areas, during no wake hours, within 100 ft of emergency vessel displaying lights) (4.04)C

Child under 13 w/out PFD (4.06)C

Towing more than two persons at a time (4.06)A

Reckless endangerment (4.05)C

to wit: _____

Trespassing (5.01)B

Boat tied to public dock more than 2.5 hours (4.04)A

Operation of a motorized water vessel without a Lake Lure Boat Operator License (4.05)C

Engaging in water sports within a designated observer or a rear-view mirror (4.06)B

Parking within lines where provided (TO 30.61)

Prohibited overnight parking (TO 30-57(a))

Leash ordinance (22-11-08B SEC. 4-2)

Other

Manipulation of permitting process

NO. 000250



North Carolina Wildlife Resources Commission

Cameron Ingram, Executive Director
www.ncwildlife.org

Hello Gregory Turner,

The information in the printout below is taken directly from our files maintained by the North Carolina Wildlife Resources Commission. Your vessel type has been updated to pontoon. If you have any questions, please call us at (800) 628-3773.

Vessel Summary:

Hull ID #: REC24920G819		Vessel Status: Active		Status Date: 7/19/2019	
Year:	2019	Hull:	Fiberglass		
Model:	238PF	Primary Use:	Pleasure		
Manufacturer:	RAZOR	Fuel:	Gasoline		
Length:	23ft. 3in.	Propulsion:	Outboard		
		Type:	Pontoon		

Thank you,

Monica Milton
 Transaction Management

NC Wildlife Resources Commission
 Customer Service Section-Vessel Registration & Titling
 Mailing Address: 1709 Mail Service Center
 Raleigh, North Carolina 27699-1709
 Office: 919-707-0333 // Fax: 919-707-0293
 Toll free: 800-628-3773

VII

NEW BUSINESS

A. Boy Scouts Troop 605 Annual Report

B. Lodge on Lake Lure

**LAKE LURE MARINE COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: June 13, 2023**

SUBJECT: Boy Scouts Troop 605 Annual Report

AGENDA INFORMATION:

Agenda Location: New Business

Item Number: A

Department: Parks Rec and Lake

Contact: Don Henderson, Boys Scouts Troop 605 Representative

Presenter: Boy Scouts Troop 605

BRIEF SUMMARY:

During June 14, 2022 Marine Commission meeting, it was determined that Marine Commission will 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 two complimentary motorized boat permits and two complimentary non-motorized boat permits. Boy Scouts Troop 605 will present their 2022 annual report and detail community services performed in the Town of Lake Lure throughout the year.

**LAKE LURE MARINE COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: June 13, 2023**

SUBJECT: Lodge on Lake Lure

AGENDA INFORMATION:

Agenda Location: New Business

Item Number: B

Department: Parks, Recreation, and Lake

Contact: Dean Givens, Parks, Recreation, and Lake Director

Presenter: Dean Givens, Parks, Recreation, and Lake Director

BRIEF SUMMARY:

The Lodge on Lake Lure is requesting to have a Commercial Tour Boat Permit for their business. Currently the commercial model is full and no space for another tour boat. There is the possibility to move hours from the vacation rental category and make room for a tour boat. Approving a tour boat for the Lodge on Lake Lure, would require a concession agreement with the town.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve/deny the Lodge on Lake Lure's request for a tour boat permit, and adjusting of hours in the vacation rental category to make room for one tour boat.

ATTACHMENTS:

Lodge on Lake Lure Business Plan

STAFF'S COMMENTS AND RECOMMENDATIONS:

To approve/deny a tour boat permit.

The Lodge On Lake Lure

Business Plan For Boating

Summary:

The Lodge On Lake Lure is requesting approval for a commercial tour boat to offer a limited number of tours for our lodging guests. We are currently at the final stages of the construction of a new boat house - otherwise this request would have been submitted in the Fall of 2022 prior to the permit application deadline.

To our knowledge, previous owners of the Lodge offered this service and we would, after 2+ years of the Lodge being shut down, like to bring it back as an amenity to our guests.

Company Description:

- The boat type would be a pontoon - preferably in the 24-26 foot range. Specifically, we are looking at a Sylvan L3 DLZ or something similar. Frankly, we want the boat to be nice as it represents the Lodge to our guests.
- The tours would vary in the length of time - but most of them would be between 30 minutes and one hour.
- With only 17 guest rooms we, at the most, would have 34 guests staying at any given time. We would expect to offer two tours in the late afternoon to our hotel guests only . While we know two tours would not cover 34 guests, we simply do not expect every guest to take part in the excursion.
- To go further on the point above, we would look to limit our tours to our hotel guests only. We are not marketing to other patrons of Lake Lure and we are not looking to compete with any other tour group located in Lake Lure.
- By offering this service to our hotel guests, this allows us to hire 2-3 more employees to service the boat and the guests. Specifically, we would like to hire employees (2 would work together during busy times) that would be tasked with being on the lower deck during the day. Their tasks would be, but not limited to, overseeing the boathouse and keeping it clean, servicing guests on the lower deck, setting out cushions, boat tours (we would make sure they are licensed), kayak rentals, and handling guest needs if something is required from the main lodge building. By having these boat tours, it offers us the financial flexibility to hire these employees.
- These tours would, in no way, be considered any type of "booze cruise". As our lodge guests, they would be expected to adhere to proper decorum as we understand they would represent, to any neighbors on the lake, our business. We take our reputation in this community very seriously and plan on, as a business and neighbor, being looked upon favorably by the community for years to come.

Review:

In summary, we want to offer our guests one more amenity that many of them are asking for. Many of our current guests stayed under former ownership and have brought up the fact that this was once offered. It is our hope that the town of Lake Lure will grant us a permit to be able to continue this practice.

VIII
ADJOURNMENT