

Lake Wylie Marine Commission



**August 28, 2006
7:00 p.m.**

**Red Fez Club
16,600 Red Fez Club Road
Charlotte, NC**

Minutes

Commissioners Present: Chairman Joe Stowe (Gaston County), Vice Chairman Ron Montgomery (York County), Commissioner Billy McLean (Gaston County), Secretary/Treasurer Sandy DuPuy (Mecklenburg County),
Commissioners Absent: Commissioner Don Cloninger (York County), Commissioner Bo Ibach (Mecklenburg County), Commissioner Dave Cully (Mecklenburg County)
LWMC Staff Present: Mike McLaurin, Executive Director, Annette Lawing, Clerk, Chris Clark, Legal Counsel

Topic	Discussion Summary	Action
Welcome & Introductions	Chairman Joe Stowe called the meeting to order at 7:04 pm.	
Approve Minutes – July 24, 2006	The minutes from the July 24, 2006 meeting were approved	A motion was made by Secretary/Treasurer DuPuy to approve the July 24, 2006 LWMC meeting minutes. Seconded by Commissioner McLean. The motion was approved.

Topic	Discussion Summary	Action
Consent Agenda	<p>Consent Agenda</p> <ul style="list-style-type: none"> ➤ Approval of Wetlands Protection Plan for Serenity Point – Executive Director Mike McLaurin stated that the proposed Wetlands Protection Plan includes a provision that would allow the establishment of a benchmark before the development begins. This benchmark would allow Wetlands Consultant Craig Wyatt to determine if sediment is entering the wetlands and if so, correction measures can be implemented. Executive Director McLaurin recommended that the Commission approve this consent agenda item. 	<p>A motion was made by Vice Chairman Montgomery to approve the Wetlands Protection Plan for Serenity Point. Seconded by Secretary/Treasurer DuPuy. The motion was approved.</p>
Public Comments	<p>Public Comments</p> <ul style="list-style-type: none"> ➤ Public comments regarding the proposed no wake zone request by Catawba Yacht Club will be heard later in the meeting. There were no other public comments. 	
County Reports	<p>Charlotte-Mecklenburg Police Dept and SPLASH Report – Officer Everhart reported</p> <ul style="list-style-type: none"> ➤ Three (3) replacement buoys are needed south of Buster Boyd Bridge and one (1) replacement buoy north of the bridge. Short two (2) replacement markers at the Hwy 27 Bridge and need to move an existing marker down stream. ➤ July 2006 Activity Summary: (89) Calls for Service, (81) Boats Inspected, (4) Boats Assisted, (9) Citations Issued, (74) Warnings ➤ SPLASH report – As requested by the Commission, Officer Everhart researched prices for a trailer to store and haul SPLASH. 4’ x 6’ covered trailer - \$1298.00, 5’ x 8’ covered trailer – ranges from \$1879 to \$2098. Officer Everhart suggests that the 5’ x 8’ would be the better purchase due to the size of SPLASH and the equipment that will need to be stored in trailer. ➤ Emergency Response Plan – CMPD works as in a supporting role with SCDNR for those events at the Catawba Nuclear Plant. CMPD is in the process of getting additional radio equipment installed in the Lake Patrol Units. <p>Gaston County Police Department – Sgt. McCants reported that Lake Patrol Unit is off the lake except weekends when needed.</p> <p>York County Sheriff’s Office – Brent Mabry reported</p> <ul style="list-style-type: none"> ➤ One (1) boat out of service. Are down to one (1) boat until next spring. ➤ Missing buoys at Torrence Creek ➤ The Sheriff’s Office received a report of a pile driver that cam loose and created a 	

Topic	Discussion Summary	Action
<p>County Reports (Continued)</p>	<p>hazard as it floated down the Lake. The equipment did not have any contact information that would have assisted the deputies in locating the owners. .</p> <p><i>N.C. Wildlife Resources</i> – No report</p> <p><i>Tega Cay Police Department</i> – No report</p> <p><i>S.C. Dept of Natural Resources</i> – Sergeant Todd Campbell reported</p> <ul style="list-style-type: none"> ➤ One (1) drowning at Buster Boyd Bridge. Two (2) boating accidents with injuries. ➤ Had two (2) boats on the water at the Bass Masters Tournament the weekend of July 29th. ➤ Be Safe Detail on August 19th. ➤ Traffic on the lake seems to be lessening. ➤ SCDNR have made three (3) requests for replacement buoys and have had no success. Sgt Campbell suggests that the Commission draft a letter to Columbia requesting action be taken on replacing these buoys. The problem at hand is that there is only one (1) individual that is in charge of replacing buoys for the entire state of South Carolina. Chairman Stowe agreed to write this letter. <p><i>Mecklenburg County Land Use Environmental Service</i> – David Buetow reported</p> <ul style="list-style-type: none"> ➤ Distributed the Lake Wylie Water Quality Conditions report for July 2006. He said that the readings were typical readings for this time of the year. This report shows a slight increase in algae at Crowder’s Creek. Even with this increase, Crowder’s Creek is still below the standard. ➤ Mr. Buetow also distributed the Lake Wylie Bacteriological Results for July 2006. These readings report very good results. Every location tested below 100ml. <p><i>Duke Energy of the Carolinas</i> – Kermitt Taylor reported</p> <ul style="list-style-type: none"> ➤ Dock Applications Approved (20) ➤ Stabilization Applications Approved (12) ➤ Lake level is at 97.3 <p><i>Lake Wylie Covekeepers</i> – Mike Peters reported</p> <ul style="list-style-type: none"> ➤ Riversweep is scheduled for Saturday, October 7th. ➤ Reported a No Wake buoy that had been cut loose at the first inlet near Buster Boyd Bridge. 	

Topic	Discussion Summary	Action
County Reports (continued)	<i>Mecklenburg County Parks and Recreation</i> – No report	
Request for No Wake Zone	<p><i>Request for No Wake Zone</i> – Jack Young of the Catawba Yacht Club reported.</p> <p>Jack Young, Board of Directors of the Catawba Yacht Club along with 13+ petitioners have requested that the cove on the east side of Lake Wylie, just south of Youngblood Road West be made No Wake due to the following reasons:</p> <ul style="list-style-type: none"> ➤ Heightened danger from excessive boat wakes to the safety of swimmers, adult, youth and especially small children; ➤ Drastically increased erosion along the shoreline; ➤ Increasing damage to docks, boats and shoreline structures, resulting in continuing expensive repairs/replacements; ➤ Reduction in the right to quiet enjoyment due to increased motor noise levels; <p>Chairman Stowe asked Mr. Young if he wanted to comment on the existing buoys that are at the mouth of this cove?</p> <p>Mr. Young stated that two of the buoys have been vandalized and have sunk. This is an ongoing problem with the residents of the cove.</p> <p>Charlotte Mecklenburg Police Department, Lake Enforcement Unit Officer Terry Everhart reported that the Marine Commission will ask for a law enforcement recommendation when No Wake requests are received by the Commission. As part of his investigation, he monitored the cove on July 29th, 30th, August 5th, 6th, 12th, 13th, 19th, and 20th. During these observation periods, there were only two (2) boats observed in this area. One of these boats was a run-about that was idling around and the other was a pontoon boat that came by the first two walkway (empty) docks and then slowed down to idle as they got near the sail boat docks. This particular pontoon was about 150' to 175' out from the dock.</p> <p>The petition has strong support of the residents around the cove. The Lake Enforcement Unit reviewed a couple of other options to this proposal but none would give the petitioners the relief that they were seeking. Based on these observations, it was Officer Everhart's recommendation for disapproval of this request. Officer Everhart concluded in</p>	

Topic	Discussion Summary	Action
Request for No Wake Zone (continued)	<p>saying that when these same reasons are compared to other coves that are in similar size (Brown’s, Paw Creek, Wither’s, Boyd’s, etc), there was just not enough boat traffic to justify a No Wake zone.</p> <p>Chairman Stowe addressed Mr. Young by reassuring him, along with the other residents, that the Commission is aware of the problem in the cove and will continue to do more research. Chairman Stowe pointed out that many coves on the lake experiences these same problems with wakes. The Commission will try to come up with other options that may address these problems.</p>	<p>A motion was made by Secretary/Treasurer DuPuy to put the request for a No Wake zone at the cove located south of Youngblood Rd West on the agenda for the LWMC September 25th meeting. Seconded by Vice Chairman Montgomery. The motion was approved.</p>
Request for Comments	<p>Riverwood on Lake Wylie – Vice Chairman Montgomery reported</p> <ul style="list-style-type: none"> ➤ Applicant has redrawn their application and will resubmit to the Commission at a later date. 	
Update on Plans Review Guidelines	<p>Update on Plans Review Guidelines - Vice-Chairman Ron Montgomery reported</p> <ul style="list-style-type: none"> ➤ The guideline will be developed be a tool that would improve communications between the Marine Commission and developer. These guidelines still need work done to them before the Commission can implement this process. ➤ Commissioner(s) need to be assigned to take on the task of reviewing the plans that are proposed to the Commission. An idea is to possibly hire a firm who knows how to read such plans. ➤ Commissioner McLean asked if LWMC could go to DEHC for reviews? Vice Chairman Montgomery responded that DEHC would be involved “after the fact”. If a developer is in violation, then DEHC gets involved. Executive Director Mike McLaurin added that DEHC typically enforces only the minimum requirements. The Commission should consider recommendations stronger than the state requirements. 	<p>The matter will be placed on the September 25th agenda for discussion and possible action.</p>

Topic	Discussion Summary	Action
Update on the Interbasin Transfer Application by Concord and Kannapolis	<p><i>Update on IBT</i> – Chairman Stowe reported</p> <ul style="list-style-type: none"> ➤ At the Bi-State Advisory Commission meeting on August 18th, it was reported that there will be another public meeting in Valdese, NC on September 7th from 5pm – 8pm. There will be three (3) EMC representatives at this meeting that will be taking comments regarding the proposed IBT. These representatives will then make a recommendation to the EMC in October. The EMC will vote on this transfer request in November 2006. ➤ The Chairman is encouraging everyone to contact the EMC and voice their oppositions regarding the IBT application from Concord/Kannapolis. 	
Update on the Law Enforcement Facility Contract	<p><i>Update on the Law Enforcement Facility Contract</i> – Chairman Stowe updated the commission stating that Duke Energy is meeting to officially vote on and sign the contract. Hopefully, by the first of September the Commission will get this signed contract agreement.</p>	
Review of the Marine Commission Goals Worksheet	<p><i>Review of the Marine Commission Goals Worksheet</i> –</p> <ul style="list-style-type: none"> ➤ Public Information, Information Sharing – Secretary/Treasurer Sandy DuPuy – emailed the Stakeholder Survey to environmental and law enforcement agencies that report to the LWMC. This survey will serve as a tool to retrieve the opinions of its stakeholders as it considers ways to be a more effective advocate for the issues facing Lake Wylie. ➤ Public Information, LWMC Calendar – Commissioner McLean updated the Commission stating that due to timing and distribution/sponsor issues, producing a LWMC for the 2007 year can not be completed. ➤ Public Information, LKW Tags/Decals – Pricing for oval plastic tags (1000) is \$2.50/each. Wholesaling \$4.00, retailing them for possibly \$7.00. Oval plastic decals (1000) is \$.45/ea. Wholesaling at \$2.00, retailing them for possibly \$4.00. ➤ Public Information, Lake Wylie Maps – Commissioner McLean talked with Keton Goode of Kingfisher Maps and received quotes for a 24” x 36” map. These maps can be customized and are waterproof. Ordering 5,000 maps would costs \$9,780. If ordering 10,000 maps the costs would be \$13,605. In addition to selling these maps, the Commission could also provide these maps as inserts in the Lake Wylie Living Magazine. Commissioner McLean has also talked with photographer, Steve Somloi to provide photos for the map. Executive Director Mike McLaurin said that the LWMC had contracted with Kingfisher for a number of years to produce Commission maps. Each of those contracts contained a provision in which Kingfisher would pay the Commission a royalty on the maps sold. 	

Topic	Discussion Summary	Action
Finance	<p><i>Finance and Activity Report</i> – Executive Director Mike McLaurin reported</p> <ul style="list-style-type: none"> ➤ Mecklenburg County contract has come in and Chairman Stowe will need to sign ➤ Election of LWMC officers will be held at the September 25th business meeting ➤ LWMC received a thank you card from Herb regarding the LWMC donation to Fish Rodeo. 	
Other Business	<i>Chairman’s Report</i> – No Report	
Public Comments	<i>Public Comments</i> - None	
Adjournment	The meeting was adjourned at 8:07 pm	The meeting was adjourned on motions by Vice Chairman Montgomery and Secretary/Treasurer DuPuy
Next Business Meeting Date and Location	The next LWMC business meeting will be held on September 25, 2006 at 7:00 at Belmont City Hall, 115 North Main Street, Belmont, NC	

Annette Lawing, Marine Commission Clerk

Date