

# Lake Wylie Marine Commission



January 22, 2007  
7:00 p.m.

River Hills Community Association  
102 Hamilton Ferry Road  
Lake Wylie, SC

## Minutes

**Commissioners Present:** Chairman Joe Stowe (Gaston County), Secretary/Treasurer Sandy DuPuy (Mecklenburg County), Commissioner Don Cloninger (York County), Commissioner Bo Ibach (Mecklenburg County), Vice-Chairman Billy McLean (Gaston County), Commissioner Dan Ballou (York County)

**Commissioners Absent:** Commissioner Troy Blackmon (York County)

**LWMC Staff Present:** Mike McLaurin, Executive Director, Annette Lawing, Clerk,

**LWMC Staff Absent:** Chris Clark, Legal Counsel

Topic	Discussion Summary	Action
<b>Welcome &amp; Introductions</b>	Chairman Joe Stowe called the meeting to order at 7:00 pm.	
<b>Approve Minutes – November 27, 2006</b>	The minutes from the November 27, 2006 meeting were approved	A motion was made by Secretary/Treasurer DuPuy to approve the November 27, 2006 LWMC meeting minutes. Seconded by Commissioner Ibach. The motion was approved.

Topic	Discussion Summary	Action
<b>Consent Agenda</b>	<b>Consent Agenda</b> - None	
<b>Public Comments</b>	<b>Public Comments</b> – None	
<b>County Reports</b>	<p><b>Charlotte Mecklenburg Police Department and SPLASH Report</b> – Officer Terry Everhart reported</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> SPLASH Trailer – In the shop getting graphics applied.</li> <li><input type="checkbox"/> Radio towers have been installed in order for CMPD to stay in contact with other law enforcement agencies.</li> <li><input type="checkbox"/> International Boating and Water Safety Summit will be in San Antonio, Texas on March 4 – March 7, 2007.</li> <li><input type="checkbox"/> Preparing for the upcoming Boat Show.</li> </ul> <p>Officer Stanley Joye updated the commission on the progress of dock numbers.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Dock numbers are temporarily on hold with the Computer Technology Services but should be revisited very soon.</li> <li><input type="checkbox"/> Secretary/Treasurer DuPuy asked Officer Stanley to clarify this project and how will the Law Enforcement agencies benefit from them? Officer Stanley stated that Duke Energy supplies dock owners a dock number in which this number can be linked back to the property address. CMPD would like to see these numbers downloaded into their database so when a call is dispatch, this would help officers locate the property from the land and water more efficiently.</li> </ul> <p><b>Gaston County Police Department</b> – No report</p> <p><b>York County Sheriff’s Office</b> – Deputy Ware reported</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Activity has been slow since the recent holidays</li> <li><input type="checkbox"/> Gearing up for the Boat Show</li> <li><input type="checkbox"/> Only has one operating boat at this time</li> </ul> <p><b>N.C. Wildlife Resources</b> – No report</p> <p><b>S.C. Dept of Natural Resources</b> – Sgt. Todd Campbell reported</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Patrolling lake on an “as needed” basis. Will be back on the lake full time in about a month or so.</li> </ul>	

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<p><b>County Reports (continued)</b></p>	<ul style="list-style-type: none"> <li>□ Two (2) boating accidents in December (property damage only)</li> </ul> <p><b>Mecklenburg County Land Use and Environmental Service Agency (LUESA) – David Buetow reported</b></p> <ul style="list-style-type: none"> <li>□ Lake Wylie Water Quality Conditions report – Index values for the month of November 2006 averaged between Fair/Good – Good/Excellent. Lowest reading was at Browns Cove due to Water Sediment issues.</li> <li>□ Lake Wylie Bacteriological Results – All areas tested resulted in good readings.</li> <li>□ David Buetow distributed copies of the Waterborne Disease Outbreak Prevention Policy to the Commission. This information details the process of surface water monitoring performed by the Mecklenburg County Water Quality Program.</li> <li>□ Executive Director, Mike McLaurin wanted to state an observation that from the last ten years the January Water Quality results have increased approximately 10%.</li> </ul> <p><b>Duke Energy of the Carolinas – Ronnie Lawson reported</b></p> <ul style="list-style-type: none"> <li>□ Pier Applications Approved (21) (Dec 06 – Jan 07)</li> <li>□ Stabilization Applications Approved (7) (Dec 06- Jan 07)</li> <li>□ Lake level is at 97.7</li> </ul> <p><b>Lake Wylie Lakekeeper – No Report</b></p> <p><b>Mecklenburg County Parks and Recreation – No report</b></p> <p><b>Tega Cay Fire Department – No report</b></p>	

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<p><b>Request for Comments</b></p>	<p><b>Town of Cramerton</b> – Town Manager, Michael Peoples presented a proposed Recreational site on the South Fork River. This 49 acres site will include a canoe and kayak landing, observation pier, picnic shelter and several greenway trails. Planning on this project has been ongoing for three (3) years. Construction was close to completion when the Town was notified that they needed to get approval from Duke Energy and receive FERC approval before continuing the construction. As part of the FERC process, an approval letter from the Lake Wylie Marine Commission is needed.</p> <p>After visiting the site and reviewing this proposed project, Vice Chairman Billy McLean feels like this is the best use of this land. Construction that has taken place thus far has been good quality work as well as planned very well for standard flooding.</p> <p>Executive Director, Mike McLaurin observed from the drawings that were provided by the Town that the new launch goes out 3 feet beyond the high water mark. McLaurin concurred with Vice Chairman McLean that this is a very good project but wanted Michael Simac, P.E. of the project, to explain how stormwater issues are being handled regarding the parking lot area. Mr. Simac explained that the railway embankment is above the property; therefore there is approximately fifty (50) acres of land draining onto this area. When there are periods of heavy rains, this area tends to flood. With assistance from North Carolina Erosion Control, they set a plan to time the project to wait for the river was at normal pool for a period of sixty (60) days before they started the project. At any area in which land was disturbed, they had to dig the trail and put in the aggregate base core before the end of the day. That meant if there were any rain over the night, no run-off into the river would be created. Silt fence was installed in areas that had a lot of grading work done. The whole project was designed to endure flooding since this area has always and will continue to flood.</p> <p>Commissioner Dan Ballou asked for clarity on what role the LWMC has on this approval. Executive Director Mike McLaurin stated that any project that crosses the high watermark, which requires a FERC permit, must get approval from 15+ agencies. Lake Wylie Marine Commission’s extent of their review is by seeing how the project impacts the lake. The typical procedure on a project such as this is having the applicant attend a LWMC business meeting and submit their project to the commission with a 5-10 minute presentation. After their presentation, the Chairman of the LWMC will assign a Commissioner (s) to take the lead in researching the project. Once this research is completed, a recommendation will be given to the Commission.</p>	<p>A motion was made by Vice Chairman McLean to approve the Town of Cramerton’s South Fork River project as submitted. Seconded by Secretary/Treasurer DuPuy. The motion was approved.</p>

<b>Topic</b>	<b>Discussion Summary</b>	<b>Action</b>
<b>Request for Comments (continued)</b>	<p><b>Riverside Marina</b> – Ann Duncan, with Permits for You, presented the Commission with the proposed true public marina project on River Road. This project includes 42 floating boat slips, dry stack storage building that will storage 90 medium to large boats and renovating the existing boat ramp. This marina will provide gas, refreshments, pump off facility and other marina amenities. Letters have been sent to all of the necessary agencies and most have approved this facility.</p> <p>Randy Clawson, general contractor for this project, added that approximately 2000 cubic yards would be dredged. Stabilizing will occur around each boat dock and will stay within approximately 500 feet of the shoreline.</p> <p>Secretary Treasurer Sandy DuPuy encouraged the owners of this proposed Marina, who were in attendance, to participate in the Clean Marina program. The Clean Marina program is designed to show that marina operators can help safeguard the environment by using management and operation techniques that go above and beyond regulatory requirements.</p> <p>Executive Director, Mike McLaurin suggested that when the commission gives their recommendation for this project that they include a stipulation to that the proposed marina participate in the Clean Marina program. Mike also requested that Ann Duncan send the commission a revised letter that includes the stabilization changes. Ms. Duncan agreed to do so.</p> <p>Chairman Stowe and Secretary Treasurer Sandy DuPuy volunteered to head the research on this project and report back to the commission their findings within 30 days.</p>	
<b>Update on SPLASH Trailer and Graphics</b>	<b>Update on SPLASH Trailer and Graphics</b> – See County Reports (CMPD) for update	
<b>Update on the Interbasin Transfer Application by</b>	<p><b>Update on IBT</b> – Chairman Joe Stowe updated the commission on the IBT.</p> <p>Chairman Stowe attended the Catawba Wateree River Basin Advisory Commission meeting on January 5, 2007 in Rock Hill. One of the guest speakers at this meeting was</p>	

<b>Topic</b>	<b>Discussion Summary</b>	<b>Action</b>
<b>Concord and Kannapolis</b>	<p>Mr. John Morris with the North Carolina Water Use Works. Mr. Morris had a presentation that reflected back to a problem that originated in 1967 in which wells were beginning to dry up due to strip-mining. The Water Use Act has since been implemented to help prevent any further damage. Another guest speaker was Dr. David Moreau, Chairman of the Environmental Management Commission. Even though discussion of the IBT was not on the agenda, many people there expressed their opposition to Dr. Moreau. One opposition came from the Assistant Attorney General of South Carolina who stated that they are poised to file suit if the IBT proposal is approved and encouraged the Catawba Wateree River Basin Advisory Commission to take some sort of action. After discussion of this issue, the Commission voted unanimously to recommend to the EMC to postpone making the final decision of the IBT for 30 days or even up to 6 months. Even though this recommendation was submitted, the final approval for the Concord/Kannapolis IBT was approved by the EMC on January 10, 2007. It is projected that several lawsuits will be filed since this approval. There was a consensus from the Marine Commission that if anyone wanted to get involved or obtain information regarding these projected lawsuits, the Catawba Riverkeeper Foundation is a great source.</p>	
<b>Update on the Law Enforcement Facility Contract</b>	<p><b>Update on Law Enforcement Facility</b> – Chairman Joe Stowe reported</p> <p>Sergeant Todd Campbell informed the Commission that the owner of a vacant office building in York County has donated the building to the Marine Commission for their use at the new Law Enforcement Facility. Vice Chairman Billy McLean volunteered to get an estimate on moving the building either to the property in which the Law Enforcement facility will be built or possibly to another temporary location.</p> <p>The signed lease agreement has been received from Duke Energy. The next step is to getting the York County and SCDNR to sign a sublease agreement. Once the sublease agreements are signed, the permitting process will begin.</p>	<p>A motion was made by Secretary Treasurer DuPuy to accept the gift of the office building estimated at \$5,000 and to authorize Chairman Stowe to enter into contract to move the building to agreed location. Seconded by Commission Ibach. The motion was approved.</p>

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<b>Review of the Marine Commission Goals Worksheet</b>	<p><b>Review of the Marine Commission Goals Worksheet –</b></p> <ul style="list-style-type: none"> <li>❑ <b>Public Information, Website Update</b> – Secretary/Treasurer Sandy DuPuy – all the links are now up on the website. Some links are still being worked on should be completed soon. “Lake Wylie Facts” will be one particular link that be on the website that will give the viewer great information concerning Lake Wylie and it’s history.</li> <li>❑ <b>Public Information, Law Enforcement Billboard</b> – Vice Chairman Billy McLean – McLean distributed a Billboard Proposal to each of the Commissioners for their review. This handout list design and layout costs, production cost and rate for displaying the vinyl photo. The Chairman agreed to accept this handout as information and would like to revisit this issue at the February LWMC business meeting.</li> <li>❑ <b>Public Information, LKW Decals/License Plates</b> – will be a \$35 one time fee for the screening of LKW. License Plates will cost \$2.50 each (1,000 minimum order) and .45 for 6” x 4” oval decal (1,000 minimum order). A couple of area businesses/organizations are selling the decals for \$10.00/each or simply giving them away at no charge. The idea was to sell these decals and license plates wholesale to local businesses.</li> <li>❑ <b>Public Information, Notification of Sewage Spills</b> – Commissioner Ballou will follow up with Counsel Chris Clark and will report on this issue at the February LWMC business meeting.</li> <li>❑ <b>Public Information, Hydrilla</b> – a recent article by Commissioner Ibach was published in the Lake Wylie Pilot in hopes to encourage outside participation in the battle of getting rid of Hydrilla on our lakes. Commissioner Ibach is scheduled to attend a March 7<sup>th</sup> Aquatic Weed Committee meeting in Raleigh, NC with Duke Energy’s Ken Manual.</li> </ul>	
<b>Finance and Activity Report</b>	<p><b>Finance and Activity Report</b> – Executive Director Mike McLaurin reported</p> <ul style="list-style-type: none"> <li>❑ Revenues are running ahead of expenses</li> <li>❑ All funding Counties are caught up with their payments</li> </ul>	
<b>Other Business</b>	<p><b>Chairman’s Report</b> – No report</p> <p><b>Executive Directors Report</b> – No report</p> <p><b>Commissioner’s Comments</b> – Not present</p>	

<b>Topic</b>	<b>Discussion Summary</b>	<b>Action</b>
<b>Public Comments</b>	<p><b>Public Comments</b> – Former Lake Wylie Marine Commissioner Ron Montgomery had several comments for the Commission</p> <ul style="list-style-type: none"> <li>❑ The proposed Riverside Marina dredging – 99% of this is illegal backfill that was put in by the Mill over the years.</li> <li>❑ Law Enforcement Facility – Montgomery owns some property in which the Commission is welcomed to move the donated office building on to until the Law Enforcement Facility is completed. He also knows someone that can possibly move the building at no charge to the Commission. Lastly, suggests that the issue of approval of the building going on the proposed property needs to be addressed to Counsel the same time as the lease approval. This may save the Commission some time.</li> <li>❑ LKW Decals and License Plates – suggests that the Commission invest in these decals and sale them at the upcoming Boat Show. This would be a good tool to promote LWMC and Lake Wylie.</li> </ul>	A motion was made by Commissioner Ballou for the LWMC to purchase 1,000 oval LKW decals and distribute to dealers at a wholesale price of \$2 each. Seconded by Commissioner Ibach. The motion was approved.
<b>Adjournment</b>	The meeting was adjourned at 8:36 pm	The meeting was adjourned on motions by Commissioner Ibach and Vice Chairman McLean.
<b>Next Business Meeting Date and Location</b>	The next LWMC business meeting will be held on February 26, 2007 at 7:00 at Red Fez Club, 16,600 Red Fez Club Rd., Charlotte, NC	

Annette Lawing, Marine Commission Clerk

Date