

Lake Wylie Marine Commission



October 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), Vice Chairman Bo Ibach (Mecklenburg County), Secretary/Treasurer Sandy DuPuy (Mecklenburg County), Commissioner Dan Ballou (York County), Commissioner Smitty Hanks (Gaston County), Commissioner David Cloninger (Gaston County)

Commissioners Absent: Commissioner Troy Blackmon (York County)

LWMC Staff Present: Chris Clark, Legal Counsel, Annette Lawing, Interim Executive Director

Topic	Discussion Summary	Action
Welcome & Introductions	Chairman Joe Stowe called the meeting to order at 6:58 pm.	
Approve Minutes – September 24, 2007	The minutes from the September 24, 2007 LWMC business meeting were approved.	A motion was made by Secretary Treasurer DuPuy to approve the September 24, 2007 LWMC meeting minutes. Seconded by Vice Chairman Ibach. The motion was approved.

Topic	Discussion Summary	Action
Consent Agenda	Consent Agenda - None	
Recognition of Two New Marine Commissioners	<p>Recognition of New Commissioners – Chairman Stowe introduced the two new Gaston County appointed commissioners, Smitty Hanks and David Cloninger. Both commissioners took the opportunity to give a brief background of their interests in Lake Wylie.</p> <ul style="list-style-type: none"> □ David Cloninger and his family live south of Belmont. He is looking forward to working with the other commissioners in reaching their goals of protecting wildlife and monitoring growth on Lake Wylie. □ Smitty Hanks and his family are residents of Lake Wylie and the two most important issues that he feels are facing Lake Wylie are safety and the preservation of the lake. 	
Public Comments	Public Comments - None	
County Reports	<p>Charlotte Mecklenburg Police Department and SPLASH Report – Officer Terry Everhart reported</p> <ul style="list-style-type: none"> □ (24) Boats Inspected □ (23) Warnings □ (1) Citations Issued □ (2) Boaters Assisted □ Fire Station 38 (near Withers Bridge) is currently under construction and plans to have a 3-slip boat house as well as a fire boat and a rescue boat. □ September 23rd – SPLASH attended the 4th annual Justyn Michaels Child Cancer Benefit. <p>Chairman Stowe informed Officer Everhart that the Light Factory has requested that SPLASH be at their grand opening of the RIVERDOC, a documentation project inspired by the Catawba River. This grand opening will be on November 15, 2007.</p> <p>Gaston County Police Department – Officer Jason May reported</p> <ul style="list-style-type: none"> □ Jets skis were turned in back in September. Boats are available for emergencies only. 	

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<p>County Reports (continued)</p>	<p>York County Sheriff's Office – Sgt Mabry reported</p> <ul style="list-style-type: none"> □ Due to low lake levels, York County moved their boat to the River Hills Marina. □ Responding only on an as needed basis. <p>Chairman Stowe informed the law enforcement agencies that he was contacted by York County Councilman Tom Smith regarding a homeowner's concern of a barge dumping large logs into the lake. Who should the homeowner call to file a complaint? Ronnie Lawson with Duke Energy replied that they could call Duke's Lake Services department and they would then decide if DNR or other agencies needed to be contacted.</p> <p>Officer Terry Everhart added that Duke Energy should be the first point of contact in a matter such this one. Duke would be the one to make the decision on what action to take and will then involve law enforcement, if needed.</p> <p>N.C. Wildlife Resources – No one was present to report.</p> <p>Tega Cay Police Department – No one was present to report.</p> <p>S.C. Dept of Natural Resources – Officer Mark Ferrell reported</p> <ul style="list-style-type: none"> □ On the lake for emergencies only. <p>Mecklenburg County Land Use and Environmental Service Agency (LUESA) – No one was present to report</p> <p>Duke Energy of the Carolinas – Ronnie Lawson reported</p> <ul style="list-style-type: none"> □ Lake Level – 93' (7' below full pond / 4' below target level) Low Inflow Protocol (LIP) Info – Storage Index – 41.43%, compared to a month ago (Sept 7th), the Storage Index was at 50.26% (system wide). □ Drought on record for 2001 – 2002 – Rainfall from May – Sept = 15" □ Drought on record for 2007 – Rainfall from May – Sept = 8.71" □ Lake James has no intakes, therefore, if the current drought continues, water will be taken from this lake to keep the lakes with intakes pumping. To date, Lake James is approximately 10' below full pond (90.4'). Their target level is 96.6'. □ Ronnie passed around examples of the water use notifications that are currently being distributed to violators of the mandatory water restrictions. 	

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<p>County Reports (continued)</p>	<p>Commissioner Cloninger asked if the IBT's would have any effect on the lake levels or are they too on water restrictions. Ronnie responded that they are under the same restrictions as the utilities. Could the lakes get to a point where the hydro plants would need to be shut down, asked Commissioner Cloninger. Ronnie responded that if the lakes continue to drop and the reserve is used, then it is very possible that the hydro plants would have to be shut down or come up with other systems to keep them running.</p> <p>Lake Wylie Lakekeeper – Lakekeeper Ellen Goff reported</p> <ul style="list-style-type: none"> □ Sixth Annual Lake Wylie Riversweep was held on Saturday, October 6th from 9am – 12 noon. More than 200 volunteers combed the banks and shoreline of the lake and collected more than 17,000 tons of trash and junk. □ In recognition of World Water Monitoring Day, Covekeeper Steve Johnson did a write-up on some monitoring that he did throughout the summer in the South Fork River and Crowder's Creek. <p>Mecklenburg County Parks and Recreation – No one was present to report</p>	
<p>Request for Comments</p>	<p>Request for Review – Residential Marina for the Lakepoint Subdivision – Mallory Liles, consultant for Pearson Properties reported the following information to the commission at their September 2007 business meeting. The Lakepoint subdivision will have 51 total lots, 20 water front and 31 water view. Pearson Properties, the developer, will set aside 942 feet (20/4%) of the shoreline, as preserved according to Duke's residential marina requirement. The marina application is for 10 residential boat slips, one courtesy dock, a boat launch and 10 parking spaces to serve the off water residents of Lakepoint.</p> <p>As part of the review process, Chairman Stowe, Vice Chairman Ibach, and Commissioner Hanks visited the site and discussed their findings with Mallory Liles and Pearson Properties. One concern is with the possible congestion and safety issues from the proposed community boat ramp which is located near Lower Armstrong Bridge. The nearest ramp to this community is approximately 3 miles away which would still be convenient for the homeowners to unload their boats. Chairman Stowe requested that this ramp be reconsidered by Pearson Properties. Given this request for modification, Mallory agreed to reconfigure the plans and present them to the commission at the November 26, 2007 meeting.</p>	

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<p>Request for Comments (continued)</p>	<p>Request for Approval – Riverfront Marina Construction Staging Site – Larry Harrelson of Rowboat Dock & Dredge reported the below information to the commission at the September 2007 business meeting. Construction of the Riverfront Residential Marina is scheduled to begin very soon and Rowboat Dock & Dredge intends to utilize the upland commercial property adjoining the Riverfront Marina as a temporary staging site for its Lake Wylie construction activities. This site is estimated to be in use for 2 years.</p> <p>As part of the review process, Chairman Stowe and Secretary Treasurer DuPuy visited the site and found no reason for denial of this request. The commission was asked to send their recommendations via email due to time restraints however; Legal Counsel Chris Clark requested that the commission ratify this approval with a motion and a second to approve.</p>	<p>A motion was made by Commissioner Ballou to approve the request for the construction staging site for Riverfront Marina as presented to the commission. Seconded by Vice Chairman Ibach. The motion was approved.</p>
<p>Review of the Marine Commission Goals Worksheet</p>	<p>Review of the Marine Commission Goals Worksheet</p> <ul style="list-style-type: none"> ❑ Project E-1, Concord / Kannapolis IBT (Stowe/DuPuy) – Continuing to go through litigations. Commissioner Ballou asked that if the IBT is finalized and if the lake levels ever decreased like they are now, is there anyway that we can discriminate against IBT’s to cut their water supply off first during water restrictions enforcement. Chairman Stowe replied that IBT’s will be treated the same and the restrictions will be the same as the other utility providers. ❑ Project E-2, Hydrilla (Ibach) – No report ❑ Project E-3, Wastewater Treatment Plant Stakeholders Group (DuPuy / Ibach) – Next meeting will be Thursday, October 25th. Previously, the meetings have covered the process and role of the stakeholders group. The next meeting will cover the pros and cons of the proposed sites. ❑ Project E-4, Creating “Clean Marina” program for LWMC (DuPuy/Ballou) – Ballou pulled together existing standards for Clean Marinas and discovered that there is a lot of involvement in approving such a marina. LWMC does not have to use these same standards but can create their own. Ballou would like to see public education as a component. This program needs to be an incentive based program, not a punishment. Will continue to do more research and report to commission in January. ❑ Project S-01, Law Enforcement Facility (Stowe) – Site plans have been submitted and approved by York County. York County Commissioner Tom Smith has been assisting the LWMC in getting the required permits and surveys 	<p>A motion was made by Commissioner Ballou to</p>

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<p>Review of the Marine Commission Goals Worksheet (continued)</p>	<p>completed. The engineering firm of Baird Engineering was hired to complete the Tree Survey. This invoice is in the amount of \$1,205.00. The commission's motion to pay this invoice was approved. The next step will be to request a rezoning from the York County Board of Appeals.</p> <ul style="list-style-type: none"> □ Project S-02, No Wake Buffers at Bridges (Ibach/Stowe) – Ibach requested that the commission apply with NC Wildlife to incorporate No Wake Buffers at all bridges on Lake Wylie. Legal Counsel Chris Clark informed the commission of their options: <ol style="list-style-type: none"> 1. LWMC can pass a No Wake Zone regulation for these areas. With the LWMC passing this rule, does not make it go automatically into the NC Administrative Code. 2. LWMC pass the regulation then requesting NC Wildlife to adopt it as one of their regulations. 3. In lieu of the commission passing the rule, just ask NC Wildlife to pass the regulation. <p>Commissioner Ballou asked Chris what the advantages are if the commission passed the regulation. The advantage is that the commission could place markers and accomplish what they wanted to and most boaters would comply after seeing buoys in these areas, stated Chris. However, having NC Wildlife adopt this regulation would help in the enforcement aspect.</p> <p>Motion was approved requesting that NC Wildlife pass a No Wake Zone regulation at all NC bridges (specify which bridges) on Lake Wylie. Legal Counsel Chris Clark to work on the verbiage and to forward it to the commission for their review.</p> <ul style="list-style-type: none"> □ Project PI-01, Notification of Sewage Spills (Ballou/Blackmon) – No report □ Project PI-02 LWMC Website (DuPuy) – DuPuy requested that the other commissioners and reporting agencies at the meeting to send her any photos of Lake Wylie so they can be posted on the website. □ Project PI-03 Law Enforcement Posters / LKW Stickers – Will revisit this project in the spring. 	<p>appropriate \$1,205.00 for Invoice #070911 to Baird Engineering to cover Tree Survey at the Law Enforcement Facility. Seconded by Vice Chairman Ibach. The motion was approved.</p> <p>A motion was made by Vice Chairman Ibach to request that the North Carolina Resource Commission pass a No Wake Zone regulation at all NC bridges (specify which bridges) on Lake Wylie. Seconded by Commissioner Ballou. The motion was approved.</p>

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Finance and Activity Report	<p>Finance and Activity Report – Interim Executive Director Annette Lawing distributed the Finance and Activity Report for September 2007.</p> <ul style="list-style-type: none"> □ The second quarter payment requests have been mailed to all three funding counties. □ 2007 – 2008 Budget Revision – Lawing presented the proposed budget revision to the commission. This revision decreased the contractual amount from \$29,993 to \$21,600. 	A motion was made by Commission Ballou to approve the 2007 – 2008 Budget Revision as presented. Seconded by Secretary Treasurer DuPuy. The motion was approved.
Other Business	<p>Chairman’s Report – No new information to report</p> <p>Executive Director’s Report – No new information to report</p>	
Public Comments	Public Comments – None	
Adjournment	The meeting was adjourned at 8:20 pm	The meeting was adjourned on motions by Commissioner Ibach and Secretary Treasurer DuPuy.
Next Business Meeting Date and Location	The next LWMC business meeting will be held on November 26, 2007 at 7:00 p.m. at Red Fez Club, 16,600 Red Fez Club Road, Lake Wylie, SC.	

Annette Lawing, Interim Executive Director