

Lake Wylie Marine Commission



October 23, 2006
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), Commissioner Troy Blackmon (York County)

Commissioners Absent: Vice-Chairman Billy McLean (Gaston County), Commissioner Dan Ballou (York 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 7:02 pm.	
Approve Minutes – September 25, 2006	The minutes from the September 25, 2006 meeting were approved	A motion was made by Commissioner Ibach to approve the September 25, 2006 LWMC meeting minutes. Seconded by Commissioner Cloninger. The motion was approved.

Topic	Discussion Summary	Action
Consent Agenda	Consent Agenda – Purchase of five (5) buoys and associated equipment with an approximated cost of \$980.00.	A motion was made by Commissioner Ibach that the LWMC purchase five (5) replacement buoys and associated equipment (approximate cost of \$980.00). Seconded by Commissioner Blackmon. The motion was approved.
Recognition of New Marine Commissioners	Recognition of New Marine Commissioners <ul style="list-style-type: none"> ❑ Troy Blackmon (York County) – Troy is the Vice President of Bank of York and is in charge of Real Estate Lending. He and his wife, Stephanie, have lived on Lake Wylie for four (4) years and have great concern and interest in what is happening on and around Lake Wylie. Troy and Stephanie are very blessed to be in the process of adopting a baby from South America. ❑ Dan Ballou (York County) – Not able to attend meeting 	
Public Comments	Public Comments – None	
County Reports	Lake Wylie Lakekeeper Report – Steve Johnson reported <ul style="list-style-type: none"> ❑ Riversweep 2006 – 216 volunteers helped out for this year’s Riversweep. 289 bags of trash, 276 pieces of lumber, 43 auto tires, 17 metal 55gal barrels, 1 refrigerator are just a few of the items that were collected. ❑ Sedimentation/Erosion Issues – Catawba Crest – Denton Construction, at 5908 Johnson Road, has fencing down and sediment is running directly into cove. Much of the fencing near the mouth of the cove has been buried by mud. Pictures and report has been sent to York County Storm Water. Sussex Road – a complaint of runoff from grading at Sussex Road was researched and a report was sent to Jeff Smith at York County. Tega Cay – Covekeeper, Steve Johnson, found extensive 	

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<p>(continued)</p> <p>County Reports</p>	<p>mud flows over the wetlands at Niven’s Creek in early September. This was due to failed sediment traps on the Stonecrest Village clearing, due to the extensive storm at the end of August. The sediment traps were repaired during the subsequent week.</p> <ul style="list-style-type: none"> □ Buffer Zones – A complaint was received about buffer zone violations at Joslin Point. Covekeepers visited this site and most of the buffer zone had been cleared, including some large trees. No fine was levied and the 25-foot penalty initially imposed was canceled and permits were granted for building two houses on the property. Covekeeper Steve Johnson is trying to get a firmer grasp of the ordinances and enforcement procedures regarding buffer zones so that situations in the future can be remedied. □ Sewage Spill Reporting – At the August River Commission meeting, Covekeeper Steve Johnson raised a concern that sewage spills are not reported to the adjacent homeowners. DEHC does not require this. Mr. Johnson has written DEHC twice to inquire about the matter and to see if it can be rectified. He has received no response. Mr. Johnson will continue to pursue this matter. <ul style="list-style-type: none"> ▪ Executive Director Mike McLaurin added that in North Carolina municipalities are required by law to post a public notice in the paper if there is a sewage spill. Public education is key to resolving this matter. ▪ Chairman Stowe would like to have one of the Lake Wylie Marine Commissioners to research the laws and requirements to reporting sewage spills. <p>Charlotte-Mecklenburg Police Dept and SPLASH Report – Officer Everhart reported</p> <ul style="list-style-type: none"> □ On October 20th, CMPD attended the Justin Michaels Child Cancer Benefit. SPLASH was also on hand to help raise money for this very important event. □ Officers worked informational booth at the Southern Women’s Show in Charlotte on October 20th. □ September 2006 Activity Summary: (61) Calls for Service, (36) Boats Inspected, (4) Boats Assisted, (5) Citations Issued, (32) Warnings □ Dock Numbers – Lake Enforcement officers are working on posting numbers on docks to help its officer residents when assistance is needed. Duke Energy does issue dock numbers when property owners receive their dock permit but at the present time, there are no means of cross-referencing these numbers to the law enforcement agencies. CMPD is researching to possibly use the existing Duke 	

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(continued)	<p>Energy dock number but adding a prefix. (i.e. LW25) LW will indicate that the resident is located on Lake Wylie. Officer Everhart report back to the commission when more information becomes available.</p> <ul style="list-style-type: none"> ❑ The trailer for SPLASH has been purchased by the LWMC and Officer Everhart is working with the commission to finalize the graphics that will be displayed on the trailer. <p>Gaston County Police Department – Officer Osborne reported</p> <ul style="list-style-type: none"> ❑ Gaston County Police Department Lake Enforcement boat has been repaired. <p>York County Sheriff’s Office – Sgt. Ware reported</p> <ul style="list-style-type: none"> ❑ Not on water at this time. Been patrolling high crime areas. ❑ Pulled a 1999 Buick out of the water near Big Allison. ❑ Had a bass boat to sink and fortunately, no injuries were reported. <p>N.C. Wildlife Resources – No report</p> <p>Tega Cay Police Department – No report</p> <p>S.C. Dept of Natural Resources – No report</p> <p>Mecklenburg County Land Use and Environmental Service Agency (LUESA) – No report</p> <p>Duke Energy of the Carolinas – Kermitt Taylor reported</p> <ul style="list-style-type: none"> ❑ Pier Applications Approved (11) ❑ Stabilization Applications Approved (3) ❑ Lake level is at 97.4 <p>Mecklenburg County Parks and Recreation – No report</p>	
Request for Comments	Big Allison Creek Bridge – Roy Highberg with Capital Mgt. Engineering reported to the Commission requesting an approval letter to the proposed SC274 expansion project over Lake Wylie.	

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	<p>This project was part of the Pennies for Progress that voters approved in 1997. Pennies for Progress are the name of the York County Capital Projects Sales and Use Tax Programs. This program was initiated by York County to provide the citizens with a safer and more efficient roadway system.</p> <p>Due to funding shortfalls, the project was put on hold. Matching monies have now been received and the project is now back on the table. The plan is to widen the 2-lane bridge over Lake Wylie in York County (SC274) to a 4-lane bridge. Once the County has completed this expansion, it will be turned over to SCDOT.</p> <p>Mr. Highberg added that all of the needed approvals from agencies such as FHWA, SCDOT and DHEC have been received. In order to complete the FERC application, an approval letter is needed from the Lake Wylie Marine Commission. Chairman Stowe stated that a Commissioner would be assigned to go to the proposed site and report back to the commission. After receiving this report, the commission will generate a letter by the end of November. Commissioners Don Cloninger and Troy Blackmon volunteered to work on this project.</p> <p>Executive Director Mike McLaurin asked Mr. Highberg if there was a deadline on FONZI's (Finding of No Significant Impact) once they are issued. Mr. Highberg replied that the FONZI has a three (3) year reevaluation if project is dormant. McLaurin also asked if there were any plans to benchmark sediment. Mr. Highberg would like suggestions from the commission on how to benchmark sediment since it varies throughout the year. When reviewing the DEHC Permit for Construction in Navigable Waters, McLaurin noticed that the construction deadline is August 25, 2007. He asked Mr. Highberg what would happen if the deadline were not met. Mr. Highberg replied that he has never experienced a project that did not meet the deadline, so he is not sure what would occur.</p> <p>Chairman Stowe asked when the project is scheduled to begin and to be completed. After the FERC application is approved and the bid process has been completed, the project is projected to begin in March 2007, stated Mr. Highberg. One condition that DEHC put in their permit is no "in water" construction can be done during spawning months therefore, that part of the construction would not begin until July.</p>	

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Update on Plans Review Guidelines	<p>Update on Plans Review Guidelines – Executive Director Mike McLaurin reported</p> <ul style="list-style-type: none"> □ Copies of the proposed guidelines were given to each of the commissioners prior to the meeting for their review. □ These guidelines are the first step for the commission to look at plans in a more professional, business-like manner. 	<p>A motion was made by Commissioner Cloninger to approve Plan Review Guidelines. Seconded by Commissioner Blackmon. The motion was approved.</p>
Update on the Interbasin Transfer Application by Concord and Kannapolis	<p>Update on IBT – Chairman Stowe reported</p> <ul style="list-style-type: none"> □ Public comment period has been extended to October 30th. □ Final vote is scheduled for January 2007. 	
Update on the Law Enforcement Facility Contract	<p>Update on Law Enforcement Facility – Chairman Joe Stowe reported</p> <ul style="list-style-type: none"> □ Legal Counsel Chris Clark has been in contact with Paul League, Attorney for SCDNR. Attorney League has submitted a copy of the lease contract to the South Carolina State Budget Control Board and two comments were relayed back. <ol style="list-style-type: none"> 1. They had concerns of being co-tenants along with York County. Attorney League is to get clarification on their concern and report back to Legal Counsel Chris Clark. 2. Request to view the lease between Duke Energy and the LWMC. With no objections from the Commission, Chris Clark will provide a copy of this lease to them. 	

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<p>Review of the Marine Commission Goals Worksheet</p>	<p>Review of the Marine Commission Goals Worksheet –</p> <ul style="list-style-type: none"> □ Public Information, Information Sharing – Secretary/Treasurer Sandy DuPuy – distributed the results of the Stakeholder Survey. From this survey, several people expressed their concerns about the marinas on the lake. After researching this topic, Sec/Treas. DuPuy found a national initiative called “ Clean Marina” in which marinas are evaluated for helping safeguard the environment by using management and operation techniques that go above and beyond regulatory requirements. This would be a great initiative for the LWMC to encourage area marinas to become a “Clean Marina”. Another idea that stemmed from this survey was to hold an “Educational Day” for area builders to educate them on sediment control. □ Public Information, Website Update – Secretary/Treasurer Sandy DuPuy – have contacted the Marine Commission’s web developer and are waiting on a quote for adding additional links to the Marine Commission website. Such links include, SPLASH, emergency numbers, and home page news alert. 	
<p>Finance</p>	<p>Finance and Activity Report – Executive Director Mike McLaurin reported Budget adjustment information was given to each commissioner prior to meeting. As stated in the LWMC FY05-06 audit, funds in the reserve needed to be allocated. The current budget adjustment identifies these funds to be allocated to insurance for SPLASH, updating the Marine Commission website, purchase of SPLASH trailer and graphics, and purchase of additional safety markers.</p> <p>The following budget adjustments were recommended by McLaurin.</p> <p><u>LWMC Administrative and Public Relations</u> Adjust Insurance from \$ 1,100 to \$ 3,000 Technology from \$ 1,500 to \$ 3,500</p> <p><u>LMWC Public Safety</u> Adjust Water Safety and Boater Education from \$ 500 to \$ 5,000 Adjust Safety Markers, Buoys and Signage from \$ 1,934 to \$ 6,000</p>	<p>A motion was made by Commissioner Cloninger to approve current budget adjustment to allocate funds to insurance, updating website, purchase of SPLASH trailer & graphics, and safety markers. Seconded by Commissioner Ibach. The motion was approved.</p>

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<p data-bbox="178 212 443 381">Other Business</p> <p data-bbox="178 397 443 1489">Other Business (Continued)</p>	<p data-bbox="443 212 1629 381">Chairman's Report – Chairman Stowe reported</p> <ul data-bbox="514 251 1629 324" style="list-style-type: none"> <li data-bbox="514 251 1629 324">□ At November LWMC business meeting, the commission needs to discuss creating a Hydrilla Committee. <p data-bbox="443 397 1629 1015">Executive Directors Report – Mike McLaurin reported</p> <ul data-bbox="514 438 1629 982" style="list-style-type: none"> <li data-bbox="514 438 1629 544">□ LUESA has offered to do a presentation on post construction regulations, which is part of Phase II Stormwater. This presentation can be scheduled during the November or January LWMC business meeting. <li data-bbox="514 544 1629 617">□ During the November 27th LWMC business meeting at the Red Fez Club, Tega Cay has requested to bring their new Fire Boat and give a demonstration. <li data-bbox="514 617 1629 755">□ The official No Wake Zones that have been approved by the State of North Carolina have been posted under the Regulations link on the Lake Wylie Marine Commission website. South Carolina No Wake Zones will be added in the near future. <li data-bbox="514 755 1629 828">□ FERC – suggest that the LWMC sign on as an Intervener. This will allow the Commission to be notified if there are any action or hearings taking place. <li data-bbox="514 828 1629 868">□ Joint Marine Commission Meeting – possibly to schedule for the first of 2007. <li data-bbox="514 868 1629 982">□ Hydrilla Trip – Ken Manual of Duke Energy offered to schedule another Hydrilla trip for the Commissioners that were unable to attend the October 20th trip. The dates he has available are: October 31 or 31, November 10, 16, or 17th. <p data-bbox="443 1015 1629 1489">Commissioner's Comments</p> <ul data-bbox="514 1055 1629 1489" style="list-style-type: none"> <li data-bbox="514 1055 1629 1489">□ Commissioner Bo Ibach reported on the October 20th Hydrilla Trip to Lake Howell. The purpose of this trip was to observe and learn of the infestation of this weed. Lake Howell is a manmade reservoir that encompasses approximately 1300 acres. Three years ago, the bed of this lake was completely devoid of aquatic plant life. Today, there are approximately 200 acres covered with Hydrilla. The best line of defense to rid the lake of this plant is the introduction of the sterile Asian Grass Carp. So far, there are approximately 1800 carp in the water. However, this is not enough. Ken Manuel of Duke Power who hosted this trip informed the group that the State of North Carolina mandates no more than 20 fish per infested acre. Unfortunately, this plant has a tuber that can lie dormant for up to 10 years. And even though the green plant is gone, there is potential for it to regenerate. Several years ago, Lake Norman took a strong stand in getting rid of some 400 	

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Other Business (Continued)	<p>acres of Hydrilla growth by investing in a sizable population of carp and today; there is no visible evidence of the plant. Mr. Manuel suggested that the Lake Wylie Marine Commission take charge and lead the fight to get much attention drawn to this problem.</p> <ul style="list-style-type: none"> □ Secretary/Treasurer Sandy DuPuy asked the Commission if any articles have been printed in the Lake Wylie Pilot regarding the Hydrilla problem. Executive Director Mike McLaurin suggested having Ken Manual contact John Marks with the Lake Wylie Pilot to discuss a possible article. 	
Public Comments	Public Comments – None	
Adjournment	The meeting was adjourned at 8:17 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 27, 2006 at 7:00 at Red Fez Club, 16,600 Red Fez Club Road, Charlotte, NC	

Annette Lawing, Marine Commission Clerk

Date