

Lake Wylie Marine Commission



**November 26, 2007
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 Bo Ibach (Mecklenburg County), Secretary/Treasurer Sandy DuPuy (Mecklenburg County), Commissioner Smitty Hanks (Gaston County), Commissioner David Cloninger (Gaston County), Commissioner Troy Blackmon (York County)

Commissioners Absent: Commissioner Dan Ballou (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 7:01 pm.	
Approve Minutes – October 22, 2007	The minutes from the October 22, 2007 LWMC business meeting were approved.	A motion was made by Vice Chairman Ibach to approve the October 22, 2007 LWMC meeting minutes. Seconded by Secretary Treasurer DuPuy. The motion was approved.

Topic	Discussion Summary	Action
Consent Agenda	Consent Agenda - None	
Public Comments	Public Comments - None	
Presentation of the FY 2006-2007 Audit	<p>Presentation of the FY 2006-2007 Audit Report</p> <p>Eric Smith with Dixon Hughes, PLLC reported the audit results to the Commission. The Lake Wylie Marine Commissioners were given copies of the FY06-07 audit for their review. Eric highlighted items such as budget line item changes and fund balances and stated that the audit process went very smoothly this year. The commission thanked Dixon Hughes for all of their hard work.</p>	
County Reports	<p>Charlotte Mecklenburg Police Department and SPLASH Report – Officer Terry Everhart reported</p> <ul style="list-style-type: none"> ❑ (3) Boats Inspected ❑ (3) Warnings ❑ (0) Citations Issued ❑ (1) Boaters Assisted ❑ Terry met with representatives of Alpha Motorsports to discuss the Yamaha Law Loaner Program for the 2008 season. ❑ Continuing to research how to get dock numbers incorporated into the area law enforcement systems. ❑ October 23rd – SPLASH attended a fall festival at the Central Church of God. ❑ November 15th – SPLASH had a booth at the grand opening of the Light Factory’s RIVERDOC. <p>Gaston County Police Department – Officer Jason May reported</p> <ul style="list-style-type: none"> ❑ No activity on the lake. <p>York County Sheriff’s Office – Sgt Mabry reported</p> <ul style="list-style-type: none"> ❑ Responding only on an as needed basis. ❑ Dive Team retrieved a shotgun out of the lake <p>N.C. Wildlife Resources – No one was present to give report.</p>	

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<p>County Reports (continued)</p>	<p>Tega Cay Police Department – No one was present to give report.</p> <p>S.C. Dept of Natural Resources – Sgt Todd Campbell reported</p> <ul style="list-style-type: none"> ❑ On the lake for emergencies only. ❑ Will have new officer starting in April bringing the total number of officers in York County to 4 and 3 in Chester County. <p>Mecklenburg County Land Use and Environmental Service Agency (LUESA) – David Buetow reported</p> <p>David distributed the August 2007 Water Quality Conditions and the Bacteriological Results to the commission:</p> <ul style="list-style-type: none"> ❑ Water Quality Conditions: Most testing site results ranged from Fair/Good to Good. ❑ Bacteriological Results: One site, Browns Cove had 450 fecal coliform colonies/100ml. <p>David distributed the September 2007 Water Quality Conditions and the Bacteriological Results to the commission:</p> <ul style="list-style-type: none"> ❑ Water Quality Conditions: Results from testing sites ranged from Good to Good/Excellent. ❑ Bacteriological Results: Good results from all testing sites. <p>LUESA is in the process of purchasing a new boat since the engine was stolen from their previous boat.</p> <p>Duke Energy of the Carolinas – Ronnie Lawson reported</p> <ul style="list-style-type: none"> ❑ Lake Level – 93.3 Low Inflow Protocol (LIP) Info – Storage Index – 36.77%, target is 66% ❑ Lake James is currently 12’ below full pond. ❑ (37) Pier Applications approved ❑ (18) Stabilization Applications approved <p>Chairman Stowe asked Ronnie Lawson how low the lake could get before there is trouble with the in-takes. Ronnie responded that if the lake level would drop to 92.6, the in-takes</p>	

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<p>County Reports (continued)</p>	<p>would begin to be exposed. That is when Duke would have to address the problem.</p> <p>Lake Wylie Lakekeeper – Lakekeeper Ellen Goff reported</p> <ul style="list-style-type: none"> □ Ms. Goff stated to the commission that the Lake Wylie Covekeepers and the Catawba Riverkeeper Foundation are opposed to the construction of the proposed Charlotte-Mecklenburg Utilities Regional Wastewater Treatment facility and any new sewage plant discharges emptying into Lake Wylie. In order to halt the project on this site, there needs to be more support from area stakeholders, such as the LWMC, and would like to request that the LWMC document its opposition to this project by writing to the Charlotte-Mecklenburg Utilities. Chairman Stowe replied that the Lake Wylie Marine Commission is indeed a stakeholder in this process but has not learned enough about the project to send a letter of opposition. The commission will revisit this at its January 28, 2008 meeting. <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 would be 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 presented these revisions to the commission at its November 26, 2007 meeting.</p>	<p>A motion was made by Vice Chairman Ibach to approve the revised proposal for the residential marina for the Lakepoint subdivision as presented to the commission. Seconded by Commissioner Hanks. Commissioner Cloninger obtained from the vote. The motion was approved.</p>

Topic	Discussion Summary	Action
<p>Request for Comments (continued)</p>	<p>Vice Chairman Ibach asked if the marina would be gated. Mr. Liles responded that there will be a security gate located at the end of the entrance road into the marina. There will also be private property no entry signs posted at the highway entrance.</p> <p>Request for Comments – River Lake Phase III – Jason Sesler of Stantec presented the plans to the commission.</p> <p>The River Lake Phase III residential subdivision will consist of 34 proposed lots with none having direct access to Lake Wylie. Phase I and II consists of 16 existing home along the lake front. Stantec is engineering the construction of an additional cul-de-sac off the main drive River Lake Court directly across the street from an existing cul-de-sac, McHanna Point; and the development of lots off that new cul-de-sac and remaining lots off the three existing roads.</p> <p>The three existing roads have a storm drain system previously installed, which will handle the additional run-off due to development of the additional lots along those streets. An additional storm drain will be constructed for the new cul-de-sac which will discharge directly into an existing channel and be discharged directly into Lake Wylie.</p>	<p>A motion was made by Secretary Treasurer DuPuy to approve the River Lake Phase III project 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-2, Hydrilla (Ibach) – Waiting on approval from state. Need to order fish soon in order to release them into lake in spring 2008. Cost estimate (for LWMC) is \$1,250 for 1,000 grass carp. □ Project E-3, Wastewater Treatment Plant Stakeholders Group (DuPuy / Ibach) – At the October 25th meeting, the stakeholders group reviewed six (6) potential sites for the treatment plant. The water quality impact information will not be available until the February meeting, which is the last meeting of the stakeholders group. The environmental impact information will be available at the January meeting. The next meeting is scheduled for November 27th. □ Project S-01, Law Enforcement Facility (Stowe) – The request for rezoning will be heard by the York County Board of Appeals at their December meeting. □ Project S-02, No Wake Buffers at Bridges (Ibach/Stowe) – Ibach sent Legal Counsel Chris Clark a draft regulation for him to review. Chris will get in touch with Joan Troy of NC Wildlife to discuss who she wants to assign this request to and the marine commission will work with that individual to draft the necessary 	

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Review of the Marine Commission Goals Worksheet (continued)	<p>language for the regulation. Once the language is finalized, a public hearing will have to be scheduled.</p> <ul style="list-style-type: none"> □ Project PI-02 LWMC Website (DuPuy) – DuPuy will be updating links at the first of December. □ Project PI-03 Law Enforcement Posters / LKW Stickers – Will revisit this project in the spring. 	
Finance and Activity Report	Finance and Activity Report – Interim Executive Director Annette Lawing distributed the Finance and Activity Report for October 2007.	
Other Business	<p>Chairman’s Report</p> <ul style="list-style-type: none"> □ Endorsement of the Carolina Thread Trail Initiative – Ann Danzi of the Mountain Island Lake Marine Commission and the Mount Holly Community Development Association requested, by letter, that the Lake Wylie Marine Commission endorse the Carolina Thread Trail Initiative. The Carolina Thread Trail plans to design and build a regional network of trails and greenways that will eventually connect fifteen counties and millions of citizens. □ Appointing new LWMC representative for FERC Relicensing – Commissioner Troy Blackmon will replace former LWMC Commissioner Ron Montgomery to represent the LWMC for the FERC Relicensing Stakeholders Group. □ Low Inflow Protocol Letter – Follow up – The three LWMC officers and the Interim Executive Director will meet on December 4th with representatives of the Duke Management Advisory Group to discuss the contents of the Low Inflow Protocol letter that was sent by the LWMC in October to Duke, FERC and the NC and SC Governors. This meeting was requested by DMAG due to some concerns and questions that they have regarding this letter and to give suggestions of how the commission can better communicate their concerns in the future. <p>Executive Director’s Report</p> <ul style="list-style-type: none"> □ Proposed 2008 Meeting Schedule – The Lake Wylie Marine Commission will continue rotating their monthly meetings at the River Hills Community Association (York County), Red Fez Club (Mecklenburg County), and Belmont City Hall (Gaston County). 	<p>A motion was made by Secretary Treasurer DuPuy for the LWMC to endorse the Carolina Thread Trail Initiative. Seconded by Commissioner Blackmon. The motion was approved.</p> <p>A motion was made by Commissioner Cloninger to approve the proposed 2008 meeting schedule. Seconded by Commissioner Blackmon. The motion was approved.</p>

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Public Comments	<p>Public Comments</p> <ul style="list-style-type: none"> □ Scott Spivey with the Lighthouse Marine Services requested the LWMC endorse the efforts to pass a statewide boating education law in North Carolina. Chairman Stowe proposed that more information be provided to the commission before a decision is made to endorse it. Vice Chairman Ibach stated that the next meeting to discuss this concept is scheduled for January 2008; therefore additional information will be provided to the commission as it becomes available. 	
Adjournment	The meeting was adjourned at 7:53 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 January 28, 2008 at 7:00 p.m. at River Hills Community Association, 102 Hamilton Ferry Road, Lake Wylie, SC.	

Annette Lawing, Interim Executive Director