

FOREST LAKE NEWS

Forest Lake Homeowners Association - P.O. Box 12284 - Florence, SC 29504

Website: www.forestlakesc.com

SUMMER 2013



ILLEGAL FISHING AT FOREST LAKE

To All Residents:

The summer seemed to have brought us many uninvited folks fishing on our lake. With the advice and assistance of the Florence County Sheriff's Office, trespassers seen on the causeway can now be legally prosecuted. So far, the signs we have recently added have proved effective and we have not had to call for further enforcement.

This letter will detail the history of problems we have encountered with illegal fishing, and what we are prepared to do going forward.

Our primary issue was the lack of proper signage (stating this is private property) and, secondarily the confusion as to

legal jurisdiction between DHEC, DNR, DOT and Florence County.

The Knollwood Causeway, where most of the fishing occurs, is a South Carolina State road. The State has jurisdiction 33 feet from the center of the road.

Many calls were made to the Sheriff's Office with no success since they believe anyone has a right to be there. They were not willing to ticket anyone, causing some residents to be angry or frustrated. The Sheriff consulted with officials at DNR and believed only they can cite someone for illegal fishing.

THE BEGINNING

Earlier this summer a call was made to the Sheriff's Office by a resident, and the person fishing was asked to leave by the police. When they refused and became combative, they were tazed and then arrested –not for trespassing, but for assaulting a police officer.

The police investigated this incident and determined that the Deputy involved over-reacted. They then informed their Deputies not to confront people in the future. This was based on their belief that only DNR had jurisdiction. This is why no action was taken when we called to complain.

As you know, we are the owners of the lake bottom which covers anything over the water as well. This was established in the early 1980's when several people were taken to Court for illegal fishing. This means that a person extending a fishing pole over the water is effectively trespassing on private property (even though they are standing on a public/ State road).

Despite our attempts to have the police cite people (for trespassing), they would not, telling us the only thing they could do would be to tell them to move their car if it was on the causeway.

This has now changed and trespassers will be ticketed!

THE SOLUTION



Several meetings with the Florence County Sheriff's Office have resulted in a solution. Our association was asked to do the following:

1. Post proper signage
2. Submit ownership documents
3. Agree to appear in Court

They also encouraged us to consider the possibility of issuing homeowner association membership cards. We have now decided to do this. See the section below for more details.

All signage is now in place and we have agreed to appear in Court if someone is prosecuted for trespassing. The Sheriff has agreed to brief all County Deputies and instruct them to ticket violators. The charge will be "**Trespassing After Notice**" and it will carry a \$265 fine.

WHAT RESIDENTS CAN DO

We have been told to call the Police non-emergency number

669-3911

We encourage all residents to call if you suspect people are fishing illegally. If a resident feels comfortable, he/she can politely ask if they are a member of our association. What to ask is covered in the separate attachment titled “**SAMPLE CALL TO POLICE**”.

We have been directed not to aggressively confront anyone fishing. We suggest people use good judgment and simply remind them they are fishing in a private lake. We are attaching a “Notice” to hand them which gives appropriate details and asks them to leave. Unless they show a membership card, we can inform them that they will be ticketed.



BOAT RAMPS INCLUDED

Boat ramps are clearly private Forest Lake property. We have now posted signs at all our boat ramps i.e., at

1. Lakeshore/Knollwood
2. Lakeshore (near West)
3. Forest Lake Drive
4. Forest Lake Pointe
5. Waterford

These areas do not have addresses and can be identified by the green and white signs.

MEMBERSHIP CARDS

The Sheriff recommends that we issue Membership cards to all association members. This will be done in the near future and will become a routine part of annual membership documentation. If, for any reason, you feel the need to fish from the causeway or boat ramps, we ask that you have this card with you.



WANT TO JOIN ?

Membership application forms are available from our website. We also refer you to our letter on the website explaining the value of joining a homeowner's association.

MOVED-IN or MOVED-OUT?

Our best source of knowledge as to who has moved into the neighborhood or moved out is **you!**

If you have new neighbors, or just lost one, we would appreciate your telling us.

We can then update our records and be sure to keep them informed.

Please contact a board member below.

THANK YOU,

CURRENT BOARD MEMBERS

James Stepp	President	229-3068
Bernard Williams	Vice President	667-1801
Brian Vesco	Secretary	661-7246
Jon Bergrin	Treasurer	615-1560
Chris Morris	Lake Advocate	292-0778
Frank McIntyre	Membership	629-9955
Mark Buxton		662-9592
Kathy Maddy		413-1166
Bob Ullerich		407-7228
Eddie Putnam		621-5368

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