

**Lake Wylie Marine Commission
June 24, 2013
Good Samaritan United Methodist Church
Meeting Minutes**



Commissioners Present: Chairman Terry Everhart (Mecklenburg County)
Vice Chairman Brad Thomas (Gaston County)
Secretary Treasurer Ron Wanless (York County)
Commissioner Robert Biggerstaff (Gaston County)
Commissioner Smitty Hanks (Gaston County)
Commissioner Ed Hull (York County)
Commissioner George Medler (York County)
Commissioner Lynn Smith (Mecklenburg County)
Commissioner Howard Virkler (Mecklenburg County)

LWMC Staff Present: Joe Stowe, Executive Director; Chris Clark, Legal Counsel;
Emily Parker, Clerk

Meeting Minutes

Item 1 – Welcome and Introductions

Chairman Everhart called the meeting to order at 7:00 pm.

Item 2 – Approval of Minutes

A motion was made by Commissioner Smith to approve the amended May 20, 2013 minutes. The motion was seconded by Commissioner Hull and it was approved unanimously.

Item 3 – Approval of the Agenda

Chairman Everhart asked if any additions or changes needed to be made to the June agenda. A motion was made by Commissioner Hanks to approve the agenda. The motion was seconded by Commissioner Smith and it was approved unanimously.

Item 4 – Consent Agenda

No items were submitted on the consent agenda.

Item 5 – Public Comment

- Ms. Patrice German with the Catawba Riverkeeper Foundation stated that she is helping to head up a kayaking program for disadvantaged youth. She is concerned about the narrow area between Saddler Island and Tailrace Marina. She commented that that space is filled by speed boats leaving significant wake that can be dangerous. She also commented on erosion issues. Ms. German requested that the LWMC put buoys at either end of the area between Saddler Island and Tailrace Marina.

- Mr. Ken Cotte with Tailrace Marina acknowledged that there is an issue between boaters and kayakers and paddle boarders in the area between and around Saddler Island and Tailrace Marina, and that he sees both sides of the issue. He commented that education is needed, plus a 5 MPH zone. The solution to this problem must be multi-faceted.

Item 6 – Stakeholder Reports

Charlotte Mecklenburg Police Department and SPLASH Report – Chairman Everhart reported.

- CMPD has been busy on the water lately.
- It was noted that a CMPD patrol boat was seen traveling at high speed inside the no wake zone, 15 feet off of the Tailrace Marina docks. Chairman Everhart will figure out who was driving that boat and address the situation.
- CMPD is going to step up enforcement the week of and on the July 4th holiday. CMPD was out on the water this past weekend and made a couple of stops. The US Coast Guard was also out on the water this past week.
- Chairman Everhart commented on the Saddler Island/Tailrace Marina/USNWC situation. He thinks a multi-tiered, multi-faceted approach is necessary.
- SPLASH has been quiet this past month.

Gaston County Police Department – Officer Ron Robinson reported.

- GCPD has conducted 75 boat inspections and has issued 45 warnings. GCPD officers made a couple of saves this past weekend.
- Residents of condominiums near one of the train bridges near Belmont have registered complaints about people boating too fast and jet skiers riding after dark. It is possible that there are adults operating boats without having completed a boater safety class.
- Officer Robinson also brought up the issue between boaters and paddle boats/kayakers between Saddler Island/Tailrace Marina/USNWC. Officer Robinson noted that folks should not sun bathe in the middle of the channel, between Saddler Island and Tailrace Marina.

York County Sheriff's Office – Sgt. J.E. Ware reported.

- It was been fairly quiet lately, but busy, with a couple of concerns registered.
- YCSO has full staff on the water now, 7 days a week.

NC Wildlife Resources Commission – Sgt. Barry Rowell reported.

- Sgt. Barry Rowell commented on NCWRC's plans for the busiest part of the year. NCWRC has been trying to put patrol boats up on the Saddler Island/Tailrace Marina/USNWC area. They are going to have patrol boats out on Lake Wylie in the weeks ahead.
- The NCWRC has been issuing citations for boaters out at night without their boat lights on. The boating public needs to be educated on this issue.
- Commissioner Hanks asked Sgt. Rowell if he had any ideas on Saddler Island/Tailrace Marina/USNWC issue. He commented that it is an officer's judgment whether or not a boater or paddle boarder/kayaker is acting careless or reckless, and thus, whether or not to issue a warning or citation.

SC Department of Natural Resources – No one was present to report.

US Coast Guard Auxiliary – Mr. Tony Esposito, Vice Flotilla Commander from the US Guard Auxiliary 26-02, spoke to the LWMC about their new Marina and Yacht Club Educational Program. This program will complement the LWMC Clean Marinas program. Their focus is on increasing marine domain awareness (situational and environmental awareness) and safety for the boating public. This is a pilot program and education and safety are the main goals. Mr. Esposito commented on the USCGA boater safety classes being held at River Hills Marina on the 3rd Saturday of the month until December. Marine domain awareness has to do with environmental issues – such as litter mitigation and correct fueling practices. Mr. Esposito described the three levels of involvement in the Marina and Yacht Club Educational Program: bronze, silver, and gold levels. The USCGA wants to partner with the LWMC and the Clean Marinas program to increase education and safety on Lake Wylie.

Mecklenburg County Land Use and Environmental Services Agency – David Buetow reported. Mr. Buetow shared results from lake sampling completed in May. He reported that overall, LUSI scores looked good. All LUSI scores were in the blue levels, meaning there were no violations of water quality standards. On the bacteriological results map, there were two elevated readings at top of lake. Mr. Buetow will send Ms. Parker a revised copy of the bacteriological map that shows the two spots that are in the orange (impaired) range. The two elevated areas are between Dutchman’s Creek and Long Creek. Executive Director Stowe asked if Mr. Buetow had comments about how the recent storms and increased runoff impacts bacteriological results. Mr. Buetow would expect more turbidity and higher levels of bacterial present in the water, due to recent rain events.

Duke Energy – Ronnie Lawson reported.

- Lake level: 97.3; target level 97
- Drought Management Group last met on June 3.
- Storage index is at 85.2%; target storage index is at 75%.
- All stream flow indicators are above 100%.
- All ground water levels are in the normal range.
- No dredging has occurred, and will not until after July.

Lake Wylie Lakekeeper Report – C.D. Collins reported.

The Lakekeepers have been combing Lake Wylie looking for trash. There was an incident in Catawba Creek Cove. A couple of inebriated boaters were tampering with a home owner’s property. Chairman Everhart brought up the runoff situation at The Palisades in Boyd’s Cove. Ms. Parker noted that two gentleman that Chairman Everhart had spoken with earlier in the day came by before the meeting started and provide photographs of the sediment situation at The Palisades and in Boyd’s Cove. Ms. Parker will provide those photographs to the LWMC and Mr. Collins.

Mecklenburg County Park and Recreation – No one was present to report.

Item 7 – McGill Associates Presentation on Proposed FERC Permit Dave Richmond, PE for Amenities in Cramerton, North Carolina

Mr. Dave Richmond, P.E. with McGill Associates presented to the group on a FERC permit matter related to the Town of Cramerton in Gaston County. Cramerton Town Manager Michael Peoples and other staff were present. Mr. Richmond explained project background. McGill Associates is looking to re-file the FERC permit and needs approval from the LWMC. The main matter at hand is a pedestrian bridge, which among other things serves as a link for the Carolina Thread Trail. The Town wants amenities, such as a new canoe and kayak landing added in various locations. The pedestrian bridge is the focal point of

the project and it will be bid out in the fall. This bridge will link downtown Cramerton to the Catawba River. McGill Associates is seeking approval from LWMC to do this project for the Town. Vice Chairman Thomas asked if McGill is talking only about a pedestrian bridge. Mr. Richmond said yes; the pedestrian bridge will have similar construction to a vehicle bridge, but smaller. It would possibly support a golf cart. Commissioner Hanks asked about the bridge's clearance above high water. Mr. Richmond said the bridge would be 12 feet above high water. Secretary Treasurer Wanless asked about bridge supports. Mr. Richmond answered that they will use concrete supports and drive piles. Above ground, concrete will be poured around the piles. Secretary Treasurer Wanless asked if any group in Cramerton has complained about this project. Mr. Richmond replied that to his knowledge, no one has complained. Per usual procedure, a couple of marine commissioners will look at the project in more detail, then report back to the group at a later meeting. Mr. Richmond will send a reminder letter out. He would prefer an approval letter from the group in July. Vice Chairman Thomas and Commissioner Hanks will go look at the site and Mr. Richmond will meet them there to provide a tour.

Item 8 – US Coast Guard presentation – This presentation was made earlier in the meeting.

Item 9 – Riversweep Update. Commissioner Hanks commented that the Riversweep planning committee lost the committee member who was going to organize boat captains. If anyone would like to volunteer to organize boat captains or to be a boat captain, please let him know. Commissioner Hanks brought a map that showed the 14 collection sites for Riversweep. It has been determined that no meals will be served that day. The planning committee is trying to work it out so boat captains do not put trash on boats. The LWMC will provide a 1,000 t-shirts. The event itself is on Saturday, October 5 from 8:00 am – 1:00 pm.

Item 10 – Treasurer's Report

Secretary Treasurer Wanless reported that as of end of May, the LWMC has received all government contributions. LWMC expenses are under control. The LWMC will finish this year in good fiscal shape.

Item 11 – FY 2013-2014 Considerations

- Budget Discussion and Adoption. Legal Counsel Chris Clark advised the group on public hearing rules. Vice Chairman Thomas made a motion to open the public hearing. The motion was seconded by Commissioner Smith and approved unanimously. Chairman Everhart asked if there are any public comments. There were none. A motion was made by Commissioner Hanks to close the public hearing. Commissioner Virkler seconded the motion and it was approved unanimously. A motion was made by Commissioner Hanks to approve the proposed FY 2013-2014 budget. The motion was seconded by Commissioner Smith and approved unanimously.
- Centralina COG Contract. Commissioner Hanks made a motion to approve the proposed FY 2013-2014 Centralina COG contract. The motion was seconded by Commissioner Virkler. Discussion: Ms. Parker distributed the proposed FY 2013-2014 Centralina COG contract. Commissioner Hanks provided a bit of background. The contract had been revised to show hourly rate and services provided. Commissioner Hanks said that Centralina COG offered a fair contract to the LWMC. The motion was voted on and approved unanimously.

Item 12 – Executive Director's Report

Executive Director Joe Stowe reported.

- Law Center Boat Ramp Update: The boat ramp is working. There was a small malfunction, but it has been worked out. There are no more water leaks, the grass is being cut, and things are good.

- Buoys – Dock Masters have replaced buoys on the upper end of the lake. Executive Director Stowe mentioned buoy at the Seven Oaks Bridge. Once that buoy is back in place, the marine commission will be set with buoys. It was noted that several buoys from Mountain Island Lake are under the 27 bridge.

Item 12 – Chairman’s Report – Chairman Everhart reported.

- Ready, Set, Wear It! Update – Chairman Everhart reported that boating safety enthusiasts set a new world record for life jacket wear during the 4th annual "Ready, Set, Wear It!" Life Jacket World Record Day on May 18, 2013. At nearly 200 events around the globe, 5,774 people inflated their inflatable life jacket or wore an inherently buoyant life jacket, breaking the world record for life jacket wear.
- Lake Wylie Music Fest – This fest will be the only one of its kind this year. It was very successful, and very crowded near Boyd’s Cove. There were all kinds of people and all kinds of boats back there, and everyone got along well.
- Saddler Island/Tailrace Marina/US National Whitewater Center Discussion – Chairman Everhart provided a summary of the situation at Saddler Island/Tailrace Marina/USNWC:
 - It started out as a venture that would not have any impact on the Catawba River (Lake Wylie) whatsoever. It was billed as being totally contained on its own property. The enterprise expanded and started with a few rental kayaks and a small dock that has already been expanded on at least twice. SUPs (stand up paddleboards) have been added to the rental list. The total number of available rentals has increased.
 - Tailrace Marina also rents paddle craft and that business is located on the Gaston County side of the Catawba River.
 - Saddler Island is directly between the two businesses – the Tailrace Marina and the USNWC. This strip of land is owned by Duke Energy and acts as a divider in the river. It also constricts the river down to two narrower channels and obstructs vision.
 - Power boating in the area has increased marginally over the past few years. However, paddle craft usage has increased tremendously, mainly due to the two commercial facilities at the location.
 - We are almost to the point of implementing a multi-faceted plan that should reduce hazards in the area for the lake visitors.
 - The first part was to receive input from the users (partners) to determine the issues at hand. The second part is to meet – one more time – with representatives from each group to determine the best ways to implement the actions. Right after that meeting (hopefully in the beginning of July), the plan will be put into action and evaluated. The plan will be designed to be flexible and adaptable to the situation. Emphasis will be placed on education through instruction and enforcement, when applicable.

Chairman Everhart commented that we want to encourage water use – but importantly, we want to encourage *safe* use. He said that consistent instructions are not given at all outlets that rent out boats and paddle craft. More thorough education is needed. Chairman Everhart discussed who he has met with, including other law enforcement personnel. It was acknowledged that many actions have been made and it is important to keep momentum and, that this is more of a law enforcement issue than a marine commission issue.

Chairman Everhart asked for suggestions on possible solutions. He said he will ask for more of a police presence at that location. Commissioner Hanks asked what else will be done differently. Between education and ticket writing, it was noted that education and getting buy in from

community partners are key pieces of the plan. Secretary Treasurer Wanless stated that physical presence and calmly pointing out the error of a boater's ways – power boaters and paddlers – is the way to go. Officer Robinson (GCPD) commented that this is an education issue and that we must tell kayakers where they can and cannot go. Discussion continued around the nature of the problem – from both the kayakers/paddle boarders' perspective and from the speed boaters' perspective, and related topics.

Commissioner Medler brought up two points: First, he ran into a few couples who had no idea about what to do or where to go on the River. He suggested they go past Tailrace Marina, where there is more space. Would it be feasible to make a "kayak path" in front of Tailrace Marina so kayaks and paddle boards can safely get to wider water? Second, when law enforcement stops someone, can the officer say, "I'm not going to write you a ticket...but at some point I will start..." This is a chance for education and to raise awareness about the issue.

The member of the public suggested posting speed limits in the congested area. Signs could be put up that read "Hazardous Area. Slow Down. Speed limit: XYZ." He stated that having a no wake zone for a ¼ mile is not reasonable. Executive Director Stowe concurred with his comment and noted that raising awareness is key. He suggested putting up a big sign that says something like, "Extremely Congested Area Ahead. Please Use Caution" – on either side of Saddler Island. In addition, it would be good to have signs with maps where people rent paddle craft. Of course, it would be Duke Energy's decision as to whether or not signs are posted. A motion was made by Commissioner Hanks for signs to be designed for either end of Saddler Island, as well as educational signs for places that rent paddle craft, that instruct boaters and paddlers to proceed with caution. Commissioner Virkler seconded the motion. Discussion: Mr. Cotte agrees with the sign concept. He noted that Tailrace Marina does provide some measure of education and a life jacket when people rent paddle craft. He would be willing to work with the LWMC to develop the signs. Commissioner Virkler offered to talk with Jeff Wise of the USNWC, if needed. The vote was taken and the motion passed unanimously. Secretary Treasurer Wanless made a motion that the LWMC authorize up to \$1,000.00 to spend on signs. The motion was seconded by Commissioner Hanks and approved unanimously.

Item 13 – Clerk's Report – Emily Parker reported.

Ms. Parker noted that a Monthly Report of Administrative Services is included in the agenda package, and if there are any questions, to please let her know. The Mecklenburg County meeting location has been moved to Pleasant Hill Presbyterian Church (15000 York Road, Charlotte). The LWMC will meet there for the first time on Monday, July 22.

Item 14 – Old/New Business and Commission Project Reports

- Water Quality
 - Clean Marina/Clean Boating – Commissioner Biggerstaff reported that several Clean Marinas have been re-certified: Commodore Yacht Club, Lake Club Marina and Tailrace Marina. It was noted that Commodore needs a new Clean Marinas flag. Tega Cay Marina just received a new flag. River Hills Marina also needs a new flag. Executive Director Stowe may order more Clean Marina flags. Commissioner Biggerstaff noted that only River Hills and Commodore need new flags. Executive Director Stowe will check into pricing, and whether or not it would be cost effective to order more than two new flags.
 - Invasive Species – Commissioner Virkler noted that everything is fine with the hydrilla and there was not much else to report at the present time.

- Buoys – Commissioner Hanks commented on the ordering of six (6) pencil buoys. All buoys are in place, but one is sinking at Hwy 74. The marine commission has plenty of hardware and anchors, and has made the transition from can buoys to pencil buoys. Commissioner Biggerstaff noted that he had heard complaints on Harbortowne’s buoys being moved so far out. Sgt. Rowell has already spoken with the appropriate NCWRC Section about the Harbortowne buoy situation. He will contact him again.
- Safety – Chairman Everhart said that he appreciates everyone’s input Saddler Island/Tailrace Marina/US National Whitewater Center issue.
- Recreation – Vice Chairman Thomas had nothing to report at the present time.
- Public Information – Commissioner Hull had nothing to report at the present time.

Chairman Everhart asked if the US Coast Guard Auxiliary would like to have a point person on the LWMC. Mr. Esposito answered yes. Vice Chairman Thomas agreed to be their point of contact. Commissioner Hanks suggested that the US Coast Guard Auxiliary look into the [North Carolina Clean Boater Program](#), if they are interested in conducting boat inspections. Mr. Esposito and the other USCGA representatives present expressed interest in learning more about this program.

- New Business: Secretary Treasurer Wanless requested that Chairman Everhart appoint a committee to begin the search for the location for the Northern Law Center for Lake Wylie, in Gaston County. Secretary Treasurer Wanless, Chairman Everhart, Vice Chairman Thomas, Commissioner Hanks and Executive Director Stowe volunteered to serve on this committee. Anyone else that wants to join is encouraged to do so.

Item 15 – Public Comments (limited to 3 minutes)

No one was present for public comment.

Item 16 – Adjournment

The meeting was adjourned at 8:45 pm.

NEW LOCATION

The next LWMC meeting is scheduled for 7:00 pm on Monday, July 22, 2013 at Pleasant Hill Presbyterian Church (15000 York Road, Charlotte).