

Lake Wylie Marine Commission
March 25, 2013
Good Samaritan United Methodist Church
Meeting Minutes



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

Commissioners Absent: Chairman Terry Everhart (Mecklenburg County)

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

Meeting Minutes

Item 1 – Welcome and Introductions

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

Item 2 – Approval of Minutes

Commissioner Smith commented about a correction that should be made in the February 2013 minutes. On page 3 of the February minutes, in the continued bullet point about the Boat Show Update, the line reads "...advanced AV options – *should* as a professionally..." Commissioner Smith suggested that it should say "*such*" instead of "*should*." A motion was made by Commissioner Hanks to approve the amended February 25, 2013 minutes. The motion was seconded by Commissioner Biggerstaff and it was approved unanimously.

Item 3 – Approval of the Agenda

Vice Chairman Thomas asked if any additions or changes needed to be made to the agenda. Executive Director Joe Stowe noted that for Item 7, Ken Cotte would speak on behalf of Skip Jack Marine Development. Commissioner Hanks added an item about bridge markings that could be covered during the Old/New Business portion of the agenda. A motion was made by Commissioner Smith to approve the agenda. The motion was seconded by Commissioner Hull and it was approved unanimously.

Item 4 – Consent Agenda

No items were submitted on the consent agenda.

Item 5 – Public Comment

No one was present for public comment.

Item 6 – Stakeholder Reports

Charlotte Mecklenburg Police Department and SPLASH Report – No one was present to report.

Gaston County Police Department – Officer Hamrick reported.

- On the topic of the Gaston County Police Department's new boat: the Gaston County Commissioners meeting was moved to Thursday night (3/28). Officer Hamrick spoke with some of the Commissioners and did not foresee an issue with obtaining the boat. If boat is ordered in early April, the GCPD should take delivery of the boat at the end of October 2013.
- Training will occur on the lake next week. A question was asked about the date when GCPD will start patrolling on the lake for spring and summer seasons. Officer Hamrick said that GCPD was hoping to start the weekend before Memorial Day weekend. However, there is a mandatory in-service training that will occur during the first week of June, so it may be around June 10 when GCPD starts patrolling the lake 12 hours per day.

York County Sheriff's Office – Sgt. Mabry reported.

- The concrete for the boat ramp has been poured.
- YCSO has received several calls from the lake from stranded boaters.
- YCSO holds their dive team training in an exclusionary zone near their boat house. The dive team is interested in having an, at most, 10' x 10' concrete platform installed underwater, near the bottom of the lake. Commissioner Biggerstaff commented that YCSO will need to get in touch with Duke Energy about installing this platform. Sgt. Mabry said that they plan to talk with Duke Energy, and that he is interested in comments or suggestions from the LWMC. Vice Chairman Thomas asked if it would need to be elevated off of the bottom of the lake so it does not get covered in silt. Sgt. Mabry commented that it may be about 6" high or at most, one cinder block high. Commissioner Virkler asked how deep it will be, and Sgt. Mabry responded that it would be around 20' deep and that it will not be a hazard. Secretary Treasurer Wanless commented that the area should be marked as a dive area to prevent possible accidents.

NC Wildlife Resources – No one was present to report.

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

US Coast Guard – Dick Helwig from the Lake Wylie Flotilla 26-02 reported.

- They are starting to schedule public education classes and free vessel safety checks at various marinas for the public to make sure vessels are properly equipped.

Mecklenburg County Land Use and Environmental Services Agency – No one was present to report.

Duke Energy – Ronnie Lawson reported.

- Lake level: 98.1 (~over foot above target level)
- From the Drought Management Group: Low Inflow Protocol (LIP) is at Stage 0
- Target storage index in Catawba-Wateree Basin of 61% we are at 78.3%, supporting normal conditions
- Overall, Lake Wylie is in good shape as far as storage of water in Catawba-Wateree Basin goes.
- Duke Energy has not permitted any dredging lately and will not for next four months until after July, during fish spawning season.
- Commissioner Hanks asks about the status of the bathrooms at Buster Boyd and other places. Mr. Lawson replied that the plans are in place, but the license has not been approved or received. At the time of the meeting, Mr. Lawson was not sure of the schedule moving forward for the bathrooms at Buster Boyd. Secretary Treasurer Wanless asked about the status of license

application and why it is taking so long to be approved. Mr. Lawson responded that one of the impediments is the 401 water certification needed from South Carolina. The other is from the National Marine Fisheries (NMF) because of the short nosed sturgeon (an endangered species) below Lake Wateree. The NMF is conducting a study on the short nosed sturgeon. This biological opinion is supposed to be finished in July 2013. The biological opinion has to be completed before the license is granted from FERC. These two items are impeding the FERC license. Secretary Treasurer Wanless asked when the last time a short nosed sturgeon was seen in the Catawba River north of the Wateree dam. Mr. Lawson responded that last year, two short nosed sturgeons did swim up towards the dam, but stopped short of it and turned around.

Lake Wylie Lakekeeper Report – CD Collins reported.

- The first Riversweep meeting of the year was held and Executive Director Stowe, Chairman Everhart, Commissioner Smith, and Commissioner Hanks attended. Mr. Collins reported that the group is on track earlier this year and they are going to try to do things slightly different in 2013. They are hoping to gain another collection location at Catawba Yacht Club off of Youngblood.
- Mr. Collins asked someone to inspect a new school construction site on Highway 49. It is a large site and he is concerned about possible erosion issues. The inspector reported that everything on site appears to be in order. There is one large settling pond that runoff is flowing into. This pond borders the Palisades property.
- Commissioner Hanks brought up the construction and tree removal at South Fork at the Highway 74 bridge, across from the Pharr plant. It was noted that the site is for a 350 condo + retail mixed use development. Commissioner Hanks noted that no holding ponds can be seen on the site. Mr. Collins said that either he would check it out or ask someone to inspect the site in his stead and report back at the April LWMC meeting.
- On the topic of food for Riversweep: Vice Chairman Thomas relayed from Chairman Everhart that several attempts have been made to contact Wanda Davis with Food Lion. Messages were left but have not been returned as of this time. Chairman Everhart will continue trying to establish contact with Ms. Davis, but will also explore other sources to fill the food gap. Mr. Collins noted that a big concern this year is how food for Riversweep will be provided.
- Executive Director Stowe provided background information about the relationship with Food Lion. Mr. Stowe noted that Ms. Davis is no longer with Food Lion corporate, but has moved to a Food Lion store in Clover, SC. Ms. Davis provided Mr. Stowe with the name of someone in Food Lion who may be able to help, if that person is still with the company. Mr. Stowe stated that we are in trouble regarding Food Lion providing food for Riversweep this year. Harris Teeter likely does not have enough stores near Lake Wylie to support the event. We may need to approach Bi-Lo or Subway. Mr. Stowe noted that any suggestions or ideas are welcome, because right now there is no source for food. It has been discussed whether the LWMC could cook food for Riversweep at different sites if another entity provides the food. This option is not out of the question, but it could be a challenge.
- Commissioner Hanks invited anyone on the LWMC to get involved in organizing Riversweep. If interested, let Commissioner Hanks or Executive Director Stowe know.
- Commissioner Medler went to Tega Cay Marina to invite them to get involved in Riversweep this year. He will hear in the next week from his Tega Cay Marina contact about a name of someone who can help get several boaters to participate.
- Vice Chairman Thomas put in a request for a quote from the insurance company in case the LWMC prepared food during Riversweep.

Item 7 – Presentation from Skip Jack Marine Development on proposed FERC permit amendments

Mr. Ken Cotte from Tailrace Marina presented on behalf of Skip Jack Marine Development. Tailrace Marina is in the process of applying to get FERC guidelines amended and wanted the LWMC to hear about the proposed amendments. The proposed amendments are as follows:

1. Add fuel and water service to the public offerings at the marina.
2. Reallocate the number of boat slips to provide additional slips for the public side of the marina.
3. Permit the use of the northern headrace for non-motorized vessel access (e.g., kayaks).
4. Permit a pedestrian access bridge from the marina to Jackson Island (owned by the marina).
5. Reconfigure the "G-Dock" (southernmost dock on public side of marina) to accommodate larger vessels. Go from 20 slips to 14, plus adding a few PWC slips.
6. Add 12 PWC berths to the public side of the marina.
7. Permit a commercial staging area (former mill bulkhead) on the southern end of the marina.
8. Add shoreline stabilization (1,220 feet) to the FERC permit.
9. Add a boat launch ramp to the marina facility.

Executive Director Stowe asked how the LWMC can be of assistance. Mr. Cotte answered that LWMC is one of 14 local agencies that Tailrace/Skip Jack must submit to for comment and approval. Vice Chairman Thomas added that with a request of this nature, typically a commissioner or two will come out, walk the site, and then present findings/recommendations at the next LWMC meeting. All three marine commissioners from Gaston County (Thomas, Biggerstaff, and Hanks) volunteered to come walk through the proposed changes with Mr. Cotte. Vice Chairman Thomas asked Commissioner Hanks to get possible dates from Mr. Cotte.

Item 8 – Presentation from Permits-4-U on possible construction of new boat slips on a community access lot at Riverwood

Ms. Ann Duncan with Permits-4-U representing Hopper Development presented. This Riverwood project started in 2007 and for whatever reason did not go through. The developer is trying again and going ahead with the project. Ms. Duncan noted that the LWMC approved this years ago in 2008. The developer would like an updated letter and to receive approval again. There are the same number of slips (7) for the community access lot and the same amount of shoreline is being preserved. The only part that has changed with the project is increasing to 82 lots (vs. 61 lots previously). Ms. Duncan had a copy of the 2008 approval letter and she gave it to Emily Parker, LWMC Clerk.

Secretary Treasurer Wanless had a question about zoning, due to the increased number of lots and increased density. Ms. Duncan made it clear that she is just dealing with the waterfront and could not answer zoning-related questions. Executive Director Stowe asked Chris Clark, LWMC Legal Counsel about the zoning/density question and whether or not the LWMC has any regulatory authority in zoning matters adjacent to the lake. While the LWMC has no influence in this matter, the group can submit comments related to the issue at hand. Duke Energy requires that the LWMC comment on the plans. Commissioner Smith asked how soon Ms. Duncan would need the letter. All three marine commissioners from Mecklenburg County (Smith, Virkler and Everhart) may travel to the Riverwood site for a walk through and then present findings/recommendations at the next LWMC meeting. Ms. Parker will send Ms. Duncan's contact information to the Mecklenburg County marine commissioners.

Item 9 – Treasurer's Report – Secretary Treasurer Wanless reported.

- Secretary Treasurer Wanless reviewed the financial statements and declared that the LWMC is in excellent financial condition. A motion was made by Secretary Treasurer Wanless to transfer \$13,000 from the reserves to pay for the installation of the boat ramp at the York County Law Enforcement Center on Lake Wylie. The motion was seconded by Commissioner Biggerstaff and it was approved unanimously.
- On the topic of bridge signage: Secretary Treasurer Wanless spoke with Victor Edwards (SC Traffic Engineer) and Perry Crocker (SC Highway Maintenance), who is in charge of bridges and bridge markings. Mr. Crocker has agreed to send a spreadsheet listing all bridges that go over waterways connected to Lake Wylie in York County. He has also agreed to help negotiate the naming of

currently unnamed bridges with the York County Transportation Commission (YCTC). The YCTC will also provide specs for bridge signage and may help with sites and installation. Commissioner Hanks spoke with a NCDOT representative, and it is largely the same report as South Carolina.

Item 10 – Executive Director’s Report – Executive Director Joe Stowe reported.

- Boat Ramp Update – The boat ramp is 12’ wide, 6” on each side, 8” deep and 66’ long. It would be good to have a celebration once the ramp is ready to put in the water (in about a month – late April). This project is on budget.
- Updating the 2010 LWMC Report – The 2010 Annual Report needs to be updated. After it is updated, the report will be a useful resource to have when speaking to Gaston, Mecklenburg, and York County Commissioners and other entities, and to have available at the Boat Show. Executive Director Stowe asked for a commissioner to spearhead the task of updating the report. Commissioner Smith has already gone through and started making changes and has ideas of items to add to it. Commissioner Smith asked about a time limit. There is not necessarily a time limit, but Commissioner Smith will keep working on it and periodically the group will review progress made until a solid version is ready for release.
- Riversweep Update – At the first Riversweep meeting of the year, Ellen Goff said that she was going to relinquish some of her duties and wants to spread around Riversweep-related responsibilities. Thus, Commissioner Hanks was elected as new Riversweep Chairman. The next Riversweep meeting will be held on Wednesday, April 3. The LWMC needs to be more active this year in Riversweep.
- NC Lake Management Society Membership Renewal – For the last 2-3 years, the LWMC has been a member of the NCLMS. A motion was made to renew membership in NCLMS for \$135 for another year of membership. The motion was seconded by Secretary Treasurer Wanless and it was approved unanimously.

Item 11 – Chairman’s Report – Vice-Chairman Brad Thomas reported in Chairman Everhart’s absence.

- NC Wildlife Resource Commission (NCWRC)
 - a. Next meeting: April 11th and 12th have been set as dates for a meeting with North Carolina Wildlife Resource Commission. The meeting will consist of surveying the area in question (e.g., Tailrace, Saddler Island, US National White Water Center) by boat in order to get a better feel for the specific needs and/or hazards. Sgt. Rowell, with District 6 NCWRC will be the initial contact at this meeting. Others will be included as the process progresses. Hopefully, the community meeting involving the residents can be held in April as well. The goal is to have a workable plan on the table by the end of May.
 - b. The NCWRC will attend the LWMC meetings during the summer months (April – August) barring any schedule conflict that might occur. Sgt. Rowell is the one designated to attend the meetings.
- Food for Riversweep – This issue was addressed earlier in the meeting. The “Ready, Set, Wear It” event will be held on Saturday, May 18. The time is TBD, but it will be held at the Buster Boyd boat ramp again. Executive Director Stowe stated that the LWMC needs to make an effort to support that initiative. Vice Chairman Thomas asked Commissioner Hull to add a piece on “Ready, Set, Wear It” to the LWMC website. Commissioner Hanks asked if “Ready, Set, Wear It” is a national initiative. If not, it may make sense to have this event during Riversweep. However, even if it is a national initiative, could possibly do “Ready, Set, Wear It” again later in the year as a promotion for Riversweep.

Item 12 – 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.

Item 13 – Old/New Business and Commission Project Reports

- Water Quality
 - Clean Marina/Clean Boating – Commissioner Biggerstaff reported that Harbortowne Marina was presented with a Clean Marina certificate and flag. He noted that an article covering the presentation contained a few errors. Commissioners Medler and Biggerstaff want to add a new page to the Clean Marina program, particularly on safety (e.g., fire).
 - Invasive Species – Commissioner Virkler noted that he talked with Ken Manuel two weeks ago. Carp stocking may be done some time in May. Commissioner Virkler asked if the same quantity will be stocked and Mr. Manuel said probably less. A study is being conducted to determine what is needed. Commissioner Virkler estimated that perhaps half – 300 to 350 carp could be added. There is no price yet and more information is forthcoming. Secretary Treasurer Wanless thinks there should be a press release or some sort of PR about the success experienced in *hydrilla* reduction due to the introduction of carp. That particular page in the Annual Report can be updated. Commissioner Smith can send page to Commissioner Virkler to update.

- Safety – “Ready, Set, Wear It” was addressed earlier in the meeting.

- Recreation – Vice Chairman Thomas reported that there are no updates at this time.

- Public Information – Commissioner Hull reminded everyone to let him know about any changes that are needed on the website. Commissioner Smith noted that the Clean Marinas webpage needs to be updated (only 4 Clean Marinas are listed). Once the report is updated, it too can be added to the website.

Item 14 – Public Comments (limited to 3 minutes)

No one was present for public comment.

Item 15 – Adjournment

The meeting was adjourned at 8:00.

The next LWMC meeting is scheduled for 7:00 pm on Monday, April 22, 2013 at CMC Steele Creek Healthcare Pavilion (13640 Steelescroft Parkway, Charlotte, North Carolina)