

Lake Wylie Marine Commission



**June 23, 2008
7:00 p.m.**

**Belmont City Hall
115 North Main Street
Belmont, NC**

Minutes

- Commissioners Present:** Chairman Joe Stowe (Gaston County), Vice Chairman Bo Ibach (Mecklenburg County), Secretary/Treasurer Sandy DuPuy (Mecklenburg County), Commissioner David Cloninger (Gaston County), Commissioner Smitty Hanks (Gaston County)
- Commissioners Absent:** Commissioner Dan Ballou (York County), Commissioner Troy Blackmon (York County), Commissioner Smitty Hanks (Gaston County)
- LWMC Staff Present:** Annette Lawing, Interim Executive Director
- LWMC Staff Absent:** Chris Clark, Legal Counsel

Topic	Discussion Summary	Action
Welcome & Introductions	Chairman Joe Stowe called the meeting to order at 7:00 pm.	
Approve Minutes – May 26, 2008	The minutes from the May 26, 2008 meeting were approved.	A motion was made by Vice Chairman Ibach to approve the May 26, 2008 meeting minutes. Seconded by Commissioner Cloninger. The motion was approved.

Topic	Discussion Summary	Action
Consent Agenda	Consent Agenda - None	
Public Comments	Public Comments - None	
County Reports	<p>Charlotte-Mecklenburg Police Dept and SPLASH Report – Officer Everhart reported</p> <ul style="list-style-type: none"> • The Regional Water Safety Forum, sponsored by the CMPD Steele Creek Division, Lake Enforcement Unit, was held on June 17-18. Twenty eight (28) various organizations attended this forum and was a great success. Lake Wylie’s very own safety robot, SPLASH, was one of the guest speakers. Other speakers included Gaston County Police Department, U.S. Army Corps of Engineers, Homeland Security, York County Sheriff’s Office and many more. Officer Terry Everhart did a fantastic job organizing this event...thanks!! • Monthly Activity Summary (April 2008) • (50) Calls for Service • (16) Boats Inspected • (2) Boaters Assisted • (16) Boaters Warned • Monthly Activity Summary (May 2008) • (100) Calls for Service • (24) Boats Inspected • (3) Boaters Assisted • (22) Boaters Warned <p>Gaston County Police Department – Officer Danny Osborne reported</p> <ul style="list-style-type: none"> ➤ Gaston Lake Unit began working full time on the water on June 14th. <p>York County Sheriff’s Office – Sgt Brent Mabry reported</p> <ul style="list-style-type: none"> ➤ Lake Patrol Unit is now on the water full time. ➤ Sgt Mabry informed the commission that there is a problem with swimmers at area boat landings. Additional signage needs to go up at Allison Creek. Charlotte Mecklenburg Police Officer Everhart added that there is also a problem with swimmers at McDowell Creek. <p>N.C. Wildlife Resources – No one was present to give a report</p>	

Topic	Discussion Summary	Action
<p>County Reports (continued)</p>	<p>Tega Cay Police Department – No one was present to give a report</p> <p>S.C. Dept of Natural Resources – Sgt Todd Campbell reported</p> <ul style="list-style-type: none"> ○ Sgt Campbell commented on the problem with swimmers at area boat landings. SCDNR could enforce no swimming at boat access areas only if the area is marked with buoys. ○ Traffic down tremendously due to gas prices ○ (1) boating accident with no injuries <p>Mecklenburg County Land Use and Environmental Service Agency (LUESA) – David Beutow reported</p> <ul style="list-style-type: none"> □ Distributed the May 2008 Water Quality report. Two testing sites reported in the Fair range for water quality. These two sites were Paw Creek Cove and Withers Cove. These results are due to elevated Chlorophyll A. □ Bacteriological results at all the testing sites were excellent. □ Fish Kill on May 29th – approximately 2,000 fish were found dead in a narrow 2 ½ mile section of Lake Wylie. While investigating the cause of this fish kill, a brown liquid was discovered near a storm drain in Gaston County. This brown liquid was later identified as a chemical spill from chemical maker Clariant. Clariant realized that a spill at their Gaston County plant took place about the same time as the fish kill. It is still uncertain if this was indeed the cause. <p>Duke Energy of the Carolinas – Ronnie Lawson reported</p> <ul style="list-style-type: none"> ○ Lake level is 96.7 ○ 11 lake reservoirs are below 75% of total usable storage. High temperatures are to blame. ○ Continue to be in Stage 3 of the LIP ○ Ground water storage continues to decline <p>Lake Wylie Lakekeeper – Ellen Goff reported</p> <ul style="list-style-type: none"> ➤ Buffer violation in Mill Creek. ➤ Continue to monitor grading project near 49 (Lowe's and WalMart) ➤ Brown algae discovered in Withers Cove. ➤ The new Riverkeeper, David Merriman, was introduced to the commission. 	

Topic	Discussion Summary	Action
County Reports (continued)	Mecklenburg County Parks and Recreation – No one was present to give a report	
Request for Comments	<p>Request for Comments/Approval</p> <p>Request for Support of an Inland South Carolina Naval Militia (SCNM) – Scott Spivey with the Lighthouse Marine Service reported</p> <ul style="list-style-type: none"> • The Lighthouse Marine Service is a non-profit organization that promotes boating safety through safe boating classes, on water boating training, community services and special events. • The LMS is proposing a pilot program on Lake Wylie in order to develop an inland South Carolina Naval Militia. The purpose of this program is to assist with surge activities when needed, authorized by appropriate authority and in accordance with all pertinent laws and regulations. • Mr. Spivey informed the commission of the LMS Proposal: <ul style="list-style-type: none"> ○ Start a Flotilla on Lake Wylie as a pilot program ○ Recruit <ul style="list-style-type: none"> ➢ Professional ➢ X-Military ➢ Law Enforcement Personnel ➢ Emergency Response Personnel ○ Train the Members <ul style="list-style-type: none"> ➢ Basic ➢ Boat Crew ➢ Boat Captain ○ Create a Division Four within the SCNM to be the Inland SCNM • Mr. Spivey is requesting that the Lake Wylie Marine Commission endorse a letter stating that the SCNM would be welcomed on Lake Wylie. Chairman Joe Stowe asked Mr. Spivey if he could meet with him to learn more about the project before the commission endorses the concept. Mr. Spivey agreed to meet with Chairman Stowe within the next 30 days. <p>Request for Approval of a No Wake Zone in Forest Cove (Follow Up)– Jeff Slye, Forest Cove HOA</p>	<p>A motion was made by Commissioner Cloninger to</p>

Topic	Discussion Summary	Action
<p>Request for Comments (continued)</p>	<ul style="list-style-type: none"> • The HOA requests a no wake buoy to be placed at the mouth of their narrow cove to protect their community dock. The community has turned over, there is more activity and traffic, there are larger homes, more traffic and numerous teens and small children using the dock. There has been no previous application for a buoy there. • Following LWMC procedure, Commissioner Hanks and Commissioner Cloninger met to inspect the site and recommended that a buoy be placed at the end of the main cove, 50' from the corner and install another one at the other end of the cove. Commissioner Cloninger and Commissioner Hanks believe that some of the residents in the cove may be causing some of the problems. They suggested that Mr. Slye inform the residents not to swim around these docks for safety reasons. <p>Request for Approval of a No Wake Zone in Misty Waters Cove – Michele Carotenuto, Misty Waters HOA</p> <ul style="list-style-type: none"> • This cove is approximately 2,500 feet long and at its narrowest, 100 ft wide. The concern of Mr. Carotenuto is the wakes from speeding boats entering and exiting the cove, are damaging Marina docks and causing eroding wave action on the shores. • The request is that Misty Waters Cove be designated as a No Wake Zone and a buoy be installed half way into the cove. CMPD Officer Terry Everhart suggested that a No Wake sign be posted at the boat access ramp in lieu of a buoy mid way in the cove. • Mr. Carotenuto will send additional information to the commission for them to review prior to their July 28th business meeting. <p>Request for Information Sharing – Captain Brian with Sea Tow reported</p> <ul style="list-style-type: none"> • Sea Tow is a franchise-based international marine assistance organization headquartered in Southold, N.Y. Sea Tow was established in 1983. They offer non-emergency assistance, insurance and many more services. • Captain Brian stated that if the commission ever needed anything, please call. Sea Tow prides itself for being stewards of the lake. • You can get more information on Sea Tow at www.seatow.com. 	<p>approve installation of two no wake buoys in Forest Cove. Seconded by Secretary Treasurer DuPuy. The motion was approved.</p>

Topic	Discussion Summary	Action
<p>Public Safety</p>	<p>Public Hearing</p> <p>Consideration of a resolution to request that the North Carolina Wildlife Resource Commission impose No-Wake Zone Buffers for the area around all North Carolina bridges located on Lake Wylie.</p> <p>Interim Executive Director Annette Lawing read the proposed resolution to the commission and the public. This resolution states that the Commission request that Wildlife pass a regulation creating no wake zones within 50 feet of any and all bridges in North Carolina that cross the waters of the lake, including, without limitation, the bridges at Catawba Creek, Lower Armstrong, Upper Armstrong, Highway 74, railway bridge at night, and no wake buoys. Ms. Lawing opened the floor for any public comments:</p> <ul style="list-style-type: none"> • Rusty White asked the commission how many accidents have happened on Lake Wylie where the boats have hit the area bridges. Chairman Stowe replied that this regulation is not to prevent boats from hitting the bridges but for boaters not to collide with other boaters. <p>The resolution was approved by the commission. The next step in this process is to send this resolution to NC Wildlife. Legal Counsel Chris Clark will follow up with the commission at its July 28, 2008 meeting.</p>	<p>A motion was made by Secretary Treasurer DuPuy to open the public hearing. Seconded by Vice Chairman Ibach. The motion was approved.</p> <p>A motion was made by Vice Chairman Ibach to close the public hearing. Seconded by Secretary Treasurer DuPuy. The motion was approved.</p> <p>A motion was made by Vice Chairman Ibach to approve the proposed resolution requesting that Wildlife pass a regulation creating no wake zones at all area NC bridges on Lake Wylie. Seconded by Chairman Stowe. The motion was approved.</p>
<p>Goals Worksheet</p>	<p>Review of the Marine Commission Goals Worksheet</p> <ul style="list-style-type: none"> ➤ Project E-1, Concord/Kannapolis IBT (Stowe/DuPuy) – No new information to report 	

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Goals Worksheet (continued)	<ul style="list-style-type: none"> ➤ Project E-2, Hydrilla (Ibach) – Commissioner Ibach reported that 500 Grass Carp were released into Lake Wylie on May 21 near the 74/29 bridge where there has been serious hydrilla growth. Out of these 500 Grass Carp, only 40 or so did not survive the release. ➤ Project E-3, Wastewater Treatment Plant Stakeholders Group (DuPuy/Ibach) There is nothing new to report. ➤ Project E-4, Creating a “Clean Marina” program for LWMC (DuPuy) LWMC to create a standard for a Clean Marina. Will follow up in the next couple of months. ➤ Project S-01, Law Enforcement Facility (Stowe) – Chairman Stowe reported that York County has appropriated \$200,000 towards the construction of the boat house. York County will bid this part of the project out. ➤ Project S-02, No Wake Buffers at all Bridges on Lake Wylie (Ibach/Stowe) – Resolution was approved by the commission at its June 23rd meeting. Chris Clark to send this document to NC Wildlife. ➤ Project PI-01, Notification of Sewage Spills. (Ballou) – No new information to report. ➤ Project PI-02, Website – (DuPuy) Commissioner Ibach stated that the boater safety regulations need to be updated and posted on the website. ➤ Project PI-03, Law Enforcement Posters – (Hanks) Distribution of the posters continues. 	
Finance	<p>Finance and Activity Report – Interim Executive Director Annette Lawing reported</p> <ul style="list-style-type: none"> ❑ Finance report – Lawing distributed the Finance report to all of the commissioners for their review. ❑ Public Hearing for Consideration of the 2008-2009 Budget Ordinance – A public hearing was held for public comment on the 2008-2009 Budget Ordinance. There were no public comments. The commission voted to adopt the 2008-2009 Budget Ordinance consisting of expenditures of \$75,724. (LWMC Admin and Public Relations \$29,103, Public Safety \$33,012.50, Environmental \$13,608.50) ❑ Consideration of Contracting with Centralina COG for Administrative Services for FY08-09 – The commission voted to contract with Centralina COG for Administrative Services for the FY08-09. Interim Executive Director Annette Lawing thanked the commission for allowing COG to service them another year. 	<p>A motion was made by Vice Chairman to open the public hearing. Seconded by Chairman Stowe. The motion was approved.</p> <p>A motion was made by Vice Chairman Ibach to close the public hearing. Seconded by Secretary Treasurer</p>

Topic	Discussion Summary	Action
Finance (continued)		<p>DuPuy. The motion was approved.</p> <p>A motion was made by Secretary Treasurer to approve the 2008-2009 Budget Ordinance. Seconded by Commissioner Cloninger. The motion was approved.</p> <p>A motion was made by Chairman Stowe to approve contracting with Centralina COG for Administrative Services for the FY08-09. Seconded by Vice Chairman Ibach. The motion was approved.</p>
Other Business	<p>Chairman's Report – No report Executive Directors Report – No report Legal Counsel Report – No report</p>	
Public Comments	<p>Public Comments</p> <ul style="list-style-type: none"> ➤ SCDNR Sgt Todd Campbell stated that the LWMC approved funds for the purchase of new Chem-Sticks at its business meeting 3-years ago. The department never ordered the Chem-Sticks and would like to request that the commission help in the effort of ordering new ones. 	<p>A motion was made by Vice Chairman Ibach to appropriate up to \$400 to purchase new</p>

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Public Comments (continued)		Chem-Sticks for the SCDNR. Seconded by Commissioner Cloninger. The motion was approved.
Adjournment	There was no further business and the meeting was adjourned at 8:10 pm	The meeting was adjourned by consensus.
Next Business Meeting Date and Location	The next LWMC business meeting will be held on July 28, 2008 at 7:00 at the Red Fez Club, 16,600 Red Fez Club Road, Charlotte, NC.	

Annette Lawing, Interim Executive Director