

Lake Wylie Marine Commission



**June 28, 2010
7:00 p.m.**

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

Minutes

Commissioners Present: Vice Chair Terry Everhart (Mecklenburg County), Commissioner Ron Wanless (York County), Commissioner Phil Land (York County), Secretary Treasurer Vernon Peers (York County), Chair Smitty Hanks (Gaston County), Commissioner Howard Virkler (Mecklenburg County), Commissioner Bill Campbell (Gaston County)

LWMC Staff Present: Joe Stowe, Executive Director, Chris Clark, Legal Counsel, Annette Demeny, Commission Clerk

Topic	Discussion Summary	Action
Welcome & Introductions	Chairman Hanks called the meeting to order at 7:00 pm.	
Approve Minutes – May 24, 2010	The minutes from May 24, 2010 were approved with revisions: <ul style="list-style-type: none"> • Page 4, Request for Approval, should read <i>Nivens Creek Cove</i> in lieu of Nivens Creek. 	Commissioner Campbell made a motion to approve the revised May 24, 2010 meeting minutes. Seconded by Commissioner Wanless. The motion was approved.

Topic	Discussion Summary	Action
Approval of the June 28, 2010 Meeting Agenda	<p>The June 28, 2010 meeting agenda with the following revision:</p> <ul style="list-style-type: none"> • Move Public Hearing for Consideration of the FY10-11 Budget from Executive Director’s Report to a separate line item. 	<p>A motion was made by Commissioner Land to approve the June 28, 2010 Agenda. Seconded by Commissioner Wanless. The motion was approved.</p>
Consent Agenda	Consent Agenda – None	
Public Comments	<p>Public Comments</p> <ul style="list-style-type: none"> • Rodney Epps – reported to the Commission that Dutchman’s Creek was unusually muddy this past weekend. Chairman Hanks commented that this creek has been muddy for 40+ years. Catawba Riverkeeper David Merryman added that the majority of the problem comes from agricultural use runoff from Lincoln County. 	
Stakeholder Reports	<p>Charlotte-Mecklenburg Police Dept and SPLASH Report – Vice Chairman Everhart reported</p> <ul style="list-style-type: none"> • (May Report) • (67) Calls for Service • (24) Boats Inspected • (2) Boaters Assisted • (24) Boaters Warned • (1) Navigational Hazards Removed • Training - Charlotte Fire Department has a new 30’ fire boat <p>Commissioner Virkler asked if waterfront homeowners could possibly receive a discount on their homeowner’s insurance since the fire department has access to this fire boat. Everhart replied that most likely they would not.</p> <p>Officer Everhart requested support from the Commission to purchase an alcohol breathalyzer for NC Wildlife District 6 Division. The request was approved.</p>	<p>A motion was made by Commissioner Everhart to approve the request for funding to purchase an alcohol breathalyzer in the amount of \$545. Seconded by Commissioner Land. The motion was approved.</p>

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Stakeholder Reports (cont.)	<p>Gaston County Police Department – Officer May reported</p> <ul style="list-style-type: none"> • Will be on the lake full time the first week of July <p>York County Sheriff’s Office – Sgt Brent Mabry reported Investigator Brian Shetler with the York County Sheriff’s Alcohol Enforcement Team addressed the problem with underage drinking on Lake Wylie. This team has conducted six (6) operations under new grant monies to help control this problem. From these six (6) operations, 50 citations were alcohol related and half of these 50 were underage drinking. Another problem on Lake Wylie is the Allison Creek boat landing and the continual enforcement problem in this area. Officer Shetler stated that this area is the hardest to enforce for partying, use of rope swings and littering. A suggestion was made to Duke Energy to increase signage at this access. Ronnie Lawson with Duke Energy to talk with Joe Carriker and report back to the Commission. Sgt Mabry added that he is afraid that a fatality is destined to happen in this area if something is not done. Commissioner Land volunteered to contact the County Manager and the Homeowner’s Association for this area. Ellen Goff with the Catawba Riverkeeper Foundation also offered assistance, if needed.</p> <p>N.C. Wildlife Resources – No one was present to give report</p> <p>Tega Cay Police Department – No one was present to give report</p> <p>S.C. Dept of Natural Resources – No one was present to give report</p> <p>Mecklenburg County Land Use and Environmental Service Agency (LUESA) – David Buetow reported</p> <ul style="list-style-type: none"> • Lake Use Support Index (LUSI) Report (May 2010) – Southfort and Upper Brown’s Cove results were in the Partially Supporting for water quality. • Bacteriological Results (May 2010) – Results in all sites were good. 	

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Stakeholders Reports (continued)	<p>Duke Energy of the Carolinas – Ronnie Lawson reported</p> <ul style="list-style-type: none"> • Lake level – 97 (target is 97') <p>Lake Wylie Lakekeeper – David Merryman was present to give report</p> <ul style="list-style-type: none"> • Catawba Riverkeeper Foundation collected water, sediment and fish tissue samples from Mtn. Island Lake on April 29, 2010. Analysis from an independent lab has found several heavy metal and PCB contaminants in those samples. A sampling near the Duke Energy coal ash ponds has shown the water, bottom sediment and fish adjacent to the discharge are contaminated with heavy metals and PCBs. Using grant funds, Catawba Riverkeeper Foundation hired Pace Labs of Huntersville, NC to test three surface water samples, one sediment sample and a composite fish tissue sample from MIL largemouth bass. These five samples were analyzed for the presence of eight heavy metals and total polychlorinated biphenyls (PCBs). According to Merryman, the results show Duke Energy's coal ash ponds at Riverbend Steam Station are a direct source of heavy metal contamination of the Catawba River and its sediments at Mountain Island Lake. "The water and sediments near this coal ash pond outfall indicate a direct input of heavy metals into our source of drinking water," stated Merryman. "Duke Energy's 80-year old facility continues to legally discharge these poisons into our drinking water supply." • Youth Kayak is now on Lake Wylie at Tailrace Marina – Every Tuesday from 10am and 1pm. <p>Mecklenburg County Parks and Recreation – No one was present to give a report</p>	
Request for Approval	<p>Request for Approval</p> <p>Nivens Creek No Wake Zone (follow up) – Commissioner Land reported</p> <p>At the Nivens Creek boat access, there is currently a No Wake Zone in place. At the May 24th meeting, Michael Goodnight requested that the existing No Wake Zone be extended due to increase in boat traffic. Weekends are especially bad because of the increase of boaters using the access. The problem comes from boaters disregarding the No Wake buoys located at the ramps. Boaters pulling skiers, wakeboarders, tubing, and bass</p>	

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	<p>fishermen speed through this area at all times. An actual sea plane land in this cove. The wakes left by these boats cause additional damage and maintenance to docks and swim floats. Placing additional buoys on both sides of the landing and increased presence of law enforcement is suggested by Mr. Goodnight. SCDNR Officer Ferrell stated that a citation cannot be issued unless the cove is a full No Wake Zone. At this point, SCDNR can only enforce from buoy at boat landing.</p> <p>Commissioner Land visited the cove and concurs with Mr. Goodnight concerns of safety and damage property at the end of the cove. Mr. Land contacted SCDNR about the problem. The Commission submitted a request to SCDNR for their review and recommendation.</p>	
<p>Request for Funding</p>	<p>Request for Funding – Support of the July 4th Fireworks Show</p> <ul style="list-style-type: none"> • The Lake Wylie Chamber of Commerce organized a July 4th Fireworks Show at the Buster Boyd Bridge on Lake Wylie. For many years, the Lake Wylie Marine Commission has made a \$1,000 donation for the support of this event. The Chamber is requesting that the Commission consider a donation for the 2010 event. <p>The request was approved with a 5 / 2 vote. Commissioners Wanless and Land opposed.</p> <ul style="list-style-type: none"> • The Commission approved the issue of a letter of support for this project however; the letter is not intended to endorse lake access of any kind at this time. 	<p>A motion was made by Chairman Hanks to approve a donation of \$1,000 for the Lake Wylie 4th of July Fireworks Show at Buster Boyd Bridge. Seconded by Commissioner Virkler. The motion was approved with two oppositions.</p> <p>Note: this is not a letter of endorsement for lake access of any kind.</p>
<p>Treasurer's Report</p>	<p>Treasurer's Report – Secretary Treasurer Peers reported</p> <ul style="list-style-type: none"> • Finance Report - The monthly finance report was distributed to Commissioners prior to the meeting. There were no questions. 	

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<p>Executive Director's Report</p>	<p>Executive Director's Report – Executive Director Joe Stowe reported</p> <ul style="list-style-type: none"> • Law Enforcement Facility Update – The ramp at the boathouse is reported to be too steep. Mr. Stowe met with several engineers to get a quote for re-designing the ramp. The estimated cost is \$30,000 - \$40,000. • Riversweep – The Catawba Riverkeeper Foundation has stated that they are expecting up to 1,000+ volunteers to participate at the 2010 Riversweep event. The LWMC is proposing to have a booth at the event to hand out brochures. The Commission will also help organize cleanup efforts from the South Fork to Tail Race Marina. To volunteer to be boat captains or use of your boat, please contact Joe Stowe. • Collared Shirts for Commissioners – Joe to bring samples of shirts to the July business meeting. • The reported missing buoy at HWY 273 has been located and will be re-installed. • Consideration of Contracting with Centralina Council of Governments for Administrative Services for FY 10-11. The board reviewed the proposed contract and voted to continue to use Centralina for their Administrative Services. There were neither changes nor increase in costs for this contract for FY10-11. <p>Chairman's Report – Chairman Smitty Hanks reported</p> <ul style="list-style-type: none"> • Chairman Hanks highlighted the new meeting locations for the remainder of 2010 and for 2011. <p>** The new <i>York County</i> meeting location: Good Samaritan United Methodist Church, 5420 Crowder's Cove Lane, Lake Wylie, SC. ** The new <i>Mecklenburg County</i> meeting location (beginning in November 2010): CMC Steele Creek Healthcare Pavilion, 13640 Steelecroft Parkway, Charlotte, NC. ** The <i>Gaston County</i> meeting location will remain the same.</p>	<p>A motion was made by Commissioner Wanless to approve the proposed contract for Administrative Services provided by Centralina COG for FY10-11. Seconded by Commissioner Land. The motion was approved.</p>
<p>Public Hearing</p>	<p>Public Hearing for Consideration of the FY10-11 Budget and Budget Ordinance –</p> <p>The Commissioners were provided a copy of the proposed FY10-11 Budget for consideration and discussion. The follow changes were requested:</p> <ul style="list-style-type: none"> • Add an additional \$1,500 for Training and Conferences under Administrative and 	<p>A motion was made by Vice Chairman Everhart to open the public hearing for consideration of the FY10-11 Budget. Seconded by</p>

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	Public Relations.	<p>Commissioner Campbell. The motion was approved.</p> <p>A motion was made by Commissioner Wanless to close the public hearing for the consideration of the FY10-11 Budget. The motion was approved.</p> <p>A motion was made by Commissioner Land to add \$2,000 to Training and Conferences. Seconded by Commissioner Wanless. The motion was withdrawn by Commissioner Land and amended as follows: to approve the proposed FY 10-11 Budget with the following revision: add an additional line item under Administrative for \$1500 for Training and Conferences. Funds to be taken out of fund balance. Seconded by Commissioner Virkler. The motion was approved with a 6</p>

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		/ 1 vote. Commissioner Peers opposed motion.
Commission Projects	Commission Projects <ul style="list-style-type: none"> • Clean Marina Program – Met with Owner of Tailrace Marina to discuss requirements. Continuing to work with Pier 49 on meeting requirements to become certified. • Buoys – Vice Chairman Everhart requested that Duke replace buoy at mouth of Southfork. • Hydrilla – Commissioner Virkler reported that the Grass Carp is working well in Lake Wylie in keeping the Hydrilla problem under control. 	
Comments	Comments – None	
Adjournment	There was no further business and the meeting was adjourned at 9:05pm.	A motion was made by Secretary Treasurer Peers to adjourn the June 28, 2010 business meeting. Seconded by Vice Chairman Everhart. The motion was approved.
Next Business Meeting Date and Location	The next LWMC business meeting will be held on July 26, 2010 at 7:00 at the Good Samaritan United Methodist Church, 5420 Crowder’s Cove Lane, Lake Wylie, SC.	

Annette Demeny, Commission Clerk