

Lake Wylie Marine Commission



**November 23, 2009
7:00 p.m.**

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

Minutes

Commissioners Present: Chair Smitty Hanks (Gaston County), Vice Chair Terry Everhart (Mecklenburg County), Commissioner Ron Wanless (York County), Commissioner Bill Campbell (Gaston County), Commissioner Phil Land (York County)

Commissioners Absent: Secretary Treasurer Vernon Peers (York County), Commissioner Howard Virkler (Mecklenburg County)

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

Topic	Discussion Summary	Action
Welcome & Introductions	Chair Hanks called the meeting to order at 7:05 pm.	
Approve Minutes – October 26, 2009	The minutes from October 26, 2009 were approved.	Vice Chairman Everhart made a motion to approve the October 26, 2009 meeting minutes. Seconded by Commissioner Wanless. The motion was approved.

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Approval of the November 23, 2009 Meeting Agenda	The November 23, 2009 meeting agenda was approved.	A motion was made by Vice Chairman Everhart to approve the November 23, 2009 Agenda. Seconded by Commissioner Campbell. The motion was approved.
Consent Agenda	Consent Agenda – None	
Public Comments	Public Comments – None	
Stakeholder Reports	<p>Charlotte-Mecklenburg Police Dept and SPLASH Report – Officer Everhart reported</p> <ul style="list-style-type: none"> • Attended Continuing Education courses • Routine patrol checks • Continuing to work on repairs for two boat houses <p>Gaston County Sheriff’s Office - Officer Jason May reported.</p> <ul style="list-style-type: none"> • Very limited activity on lake • Assisted CMPD with homicide <p>York County Sheriff’s Office – Sgt Brent Mabry reported</p> <ul style="list-style-type: none"> • Patrolling weekends on as needed basis <p>N.C. Wildlife Resources – Sgt Barry Rowell</p> <ul style="list-style-type: none"> • Follow up on buoys located at Riverfront Community (Gaston County) – Owners have been contacted to remove illegal buoys or to go through the proper channels to get them approved. Mr. Carey Ayres with Skipjack asked the Commission to comment on these buoys. Mr. Ayres stated that the existing buoys were placed at the direction of FERC in 1998 during the approval process of this project. Executive Director Joe Stowe replied that the Marine Commission would have also had to approve the installation of the buoys. The existing buoys are not official 	

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Stakeholder Reports (cont.)	<p>buoys and are not enforceable by law enforcement. Another concern is the position of the buoys. Vice Chairman Everhart suggested that the Commission make a site visit and continue their discussion at the January 25, 2010 meeting.</p> <p>Tega Cay Police Department – No one was present to give report</p> <p>S.C. Dept of Natural Resources – Officer Mark Ferrell emailed his report to the Commission. Executive Director Joe Stowe reported</p> <ul style="list-style-type: none"> • Received call of a boat left in cove at Big Allison by a construction company. Owner moved boat without any incident. <p>Mecklenburg County Land Use and Environmental Service Agency (LUESA) – David Buetow reported</p> <ul style="list-style-type: none"> • Mr. Buetow did not have any new maps to distribute but did report that Lake Wylie was sampled on November 17th as part of their bi-monthly schedule. Preliminary bacteriological results were all below action levels. 	
Stakeholders Reports (continued)	<p>Duke Energy of the Carolinas – Ronnie Lawson reported</p> <ul style="list-style-type: none"> • Lake level – 97.1 (target is 97') • Usable Storage Index – 111% (Target 75%) • LIP is at Stage 0 (watch) <p>Lake Wylie Lakekeeper – Ellen Goff reported</p> <ul style="list-style-type: none"> • Ms. Goff thanked the Commission for their participation at the Annual Riversweep and for their financial support for the volunteer t-shirts. <p>Mecklenburg County Parks and Recreation – No one was present to give a report</p>	

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<p>Request for Approval</p>	<p>Request for Approval – (follow up)</p> <ul style="list-style-type: none"> • Waters Edge Community Docks – Carey Ayres, Skipjack, presented request to the Commission <p>The application is for a twenty-six slip commercial residential community dock located on Lake Wylie just north of the I-85 Bridge in Mount Holly. The purpose of this facility is to provide access to Lake Wylie for the residents of Waters Edge, a residential development. The community docks will be configured in accordance with the Duke and Federal Energy Regulatory Commission guidelines.</p> <p>As part of a follow up request from last month’s presentation, Mr. Ayres conducted several depth measurements. The docks will be from 35 – 45’ off of the tree line. The lake level was at 98’ on the day the measurements were taken. At 60 – 70’ off of the tree line, there was 13 – 16’ feet of water. The channel width appears to be 200’+ wide.</p> <p>As part of the review process, Commissioner Campbell and Chair Hanks conducted a site visit and concluded that the width is adequate and safe in this area. The Commission requests that the proposed dredging be done safely. Chairman Hanks voiced a concern of the dredging in flowing water. Commissioner Wanless asked where the spoil from the dredging be placed. Mr. Ayres replied that the spoil will be placed upland and outside of the buffer area.</p>	<p>A motion was made by Commissioner Campbell to approve the proposed docks for the Waters Edge Community with the conditions that the no wake buoys be at least 50’ from the docks. Seconded by Commissioner Wanless.</p> <p>Commissioner Land amended the motion to remove the conditions of the buoy location from the original motion. Seconded by Vice Chairman Everhart. The motion was approved.</p>
<p>Update on Proposed Supplemental Cooling Water System for Allen Steam Station</p>	<p>Update on Proposed Supplemental Cooling Water System for Allen Steam Station – Mr. Ron Lewis with Duke Energy updated the Commission</p> <p>As a part of drought mitigation options approved by the NCDENR Division of Water Quality, the Federal Energy Regulatory Commission (FERC) and other regulatory/stakeholder agencies, a supplemental pumping system was approved for use between July and September 2008 for additional cooling of the condenser cooling water discharge by Duke Energy. The Lake Wylie Marine Commission discussed and approved the project at their October 27, 2008 business meeting. Duke is currently proposing to pump 60,000 gpm during July, August, and September annually (beginning in 2010) as needed within Lake Wylie from the upper main lake to Allen’s cooling water discharge canal entering the South Fork Arm of Lake Wylie. Warning buoys and signage will be</p>	<p>A motion was made by Commissioner Wanless to approve the proposed Supplemental Cooling Water System for Allen Steam Station. Seconded by Vice Chairman Everhart. The motion was approved.</p>

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	placed in the area near the floating intake lines that will be removed from the lake and stored between October and June.	
Clean Marina Proposal	Clean Marina Proposal – At its October 2009 meeting, the Lake Wylie Marine Commission voted and approved entering into contract with independent contractor, Bill Ambrose, to assist with the certification process for the Clean Marina Program. However, the Commission and Mr. Ambrose could not come to an agreement for charges pertaining to meeting attendance. The Commission voted and approved not to enter into an agreement with Mr. Ambrose and will pursue other avenues for the Clean Marine Program.	A motion was made by Commissioner Wanless to reverse the October 2009 decision to enter into contract with Bill Ambrose to assist with the Clean Marina certification of marinas on Lake Wylie. Seconded by Commissioner Campbell. The motion was approved.
Treasurer's Report	Treasurer's Report – Chairman Hanks reported <ul style="list-style-type: none"> • Finance Report - The monthly finance report was distributed to Commissioners prior to the meeting. There were no questions. 	
Executive Director's Report Chairman's Report	Executive Director's Report – Executive Director Joe Stowe reported <ul style="list-style-type: none"> • Law Enforcement Facility Update – Construction scheduled to begin December 1, 2009. Chairman's Report – Chair Smitty Hanks reported <ul style="list-style-type: none"> • Clean Marina Program - Tega Cay Marina has received the list of criteria. A meeting is scheduled in December to have an onsite review. Joe Stowe to meet with the owner of Pier 49 to review the list of criteria as well. Chairman Hanks asked for volunteers from the Commission to assist Commissioner Peers with the Clean Marina Program. Mr. Stowe distributed three samples of the proposed Clean Marina flag. The Commission voted and approved to work with designer Kim Roush to design this flag. 	A motion was made by Vice Chairman Everhart to approve the Commission to work with designer Kim Roush to design the Clean Marina Flag. Price not to exceed \$600. Seconded by Commissioner Campbell. The motion was approved.

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Chairman's Report (continued)	<ul style="list-style-type: none"> • Buoys – all buoys have been installed. A few will have to be readjusted due to the winds moving them. • LWMC Goals Workshop – Executive Director Al Sharp has agreed to facilitate this year's annual workshop. The Commission would like to schedule this meeting in January 2010. Commission Clerk Annette Demeny will forward the Commission several potential dates. • No Wake Signs on docks and piers – Chairman Hanks followed up with Duke regarding their sign regulations on Lake Wylie. 	
Old Business and Projects Reports	<ul style="list-style-type: none"> • Buoy Update – See Chairman's report • Clean Marina – See Chairman's report 	
Comments	<p>Comments</p> <ul style="list-style-type: none"> • Vice Chairman Everhart requested financial support from the Commission for his attendance at the 2010 Boating Water Safety Summit. This is a very informative and worthwhile event that Commissioner Everhart has attended in years past. • Signs for Docks – 18" x 24" signs to post No Wake Zone regulations on personal docks. Duke Energy does allow such signs as long as the verbal relates to Public Safety. The Commission plans to stock these signs and offer them for purchase to property owners in no wake areas. 	<p>A motion was made by Commissioner Land to support Vice Chairman Everhart by funding the registration fee and lodging totaling \$1,100. Seconded by Commissioner Campbell. The motion was approved.</p> <p>A motion was made by Commissioner Wanless for the Commission to purchase 18" x 24" signs to post No Wake Zone regulations on personal docks. Seconded by Vice Chairman Everhart. The motion was approved.</p>

Topic	Discussion Summary	Action
Adjournment	There was no further business and the meeting was adjourned at 8:27 pm	A motion was made by Vice Chairman Everhart to adjourn the November 23, 2009 business meeting. Seconded by Commissioner Wanless. The motion was approved.
Next Business Meeting Date and Location	The next LWMC business meeting will be held on January 25, 2010 at 7:00 at the Camp Thunderbird, One Thunderbird Lane, Lake Wylie, SC.	

Annette Demeny, Commission Clerk