

# THE LAKE NORMAN MARINE COMMISSION

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## MINUTES July 12, 2004 MOORESVILLE MUNICIPAL BUILDING

### Lake Norman Marine Commissioners Attending

Randy Reece	Iredell County
Terry Davis	Mecklenburg County
Rob Digh	Lincoln County
Mark Lancaster	Iredell County

### Staff Present

Bob Elliott

### Minutes

Commissioner Lancaster made a motion to approve the June 14, 2004 minutes. Commissioner Davis seconded the motion. The motion was passed.

### Reports

#### **Charlotte Mecklenburg Lake Patrol –**

Officer Doug Lambert reported two boating accidents and assisted Iredell County in a drowning.

#### **Cornelius Police Dept.**

It was reported that 16 hours was spent on the lake with 11 calls for service answered. In addition 2 verbal warnings were given, 6 safety inspections and 2 arrests (by land).

#### **Iredell County Sheriff**

Deputy Phil Jones reported 140 man hours patrolling Lake Norman, 43 calls for service, 97 vessels inspected, 8 vessels assisted, 4 citations issued, and 44 warnings issued. There was 1 BWI.

#### **Catawba County Sheriff**

Officer Al Minton reported 307 man hours patrolling on Lake Norman, 147 boats inspected, 18 vessels assisted, 4 citations issued, 57 warnings issued, 95 service calls. A meeting was held with Bulldawg Marketing about the July 31 Raft-up. In addition conducted Special Operations in "Cocktail Cove" with other county lake patrols.

### **Lincoln County**

No report.

### **N.C. Wildlife Resources Commission**

It was reported that 555 hours were spent patrolling the lake, 159 citations issued, 181 warnings written, 13 BWI cases, and 3 accidents investigated.

### **Duke Power**

Ann Duncan reported that the Lake Level was 98.4.

### **Power Squadron**

Clyde Starr reported 290 applications approved over 2 weekends of training. Of 31 exams issued, 31 passed, and 11 PWC students completed also. Next class 9/9-10/7 at Davidson College.

### **Coast Guard Auxiliary**

- a. No report for Division 17.
- b. No report for Flotilla 18-1.

### **Mecklenburg County Parks and Rec**

Isaac Applewhite reported that July 25 & 26 would be the Bass Master's Kid Tournament at Blythe Landing.

### **Mecklenburg County Water Quality**

Dave Caldwell reported that the lake water quality conditions were in the "excellent" range and the water quality chart handed out showed that the Average Water Quality Index (DWI) was 85.

### **Lake Norman Lakekeepers**

No report available.

### **Adopt-an-Island Program**

No report available.

### **Hydrilla Committee**

Bob Elliott reported that the Invoice from the Aquatic Weed Control for \$12,900 had been paid. A meeting of the Hydrilla Committee will be held in the next 2-3 months to develop plans for the next spring release of additional sterile grass carp in accordance with the Hydrilla Long Range Development Plan. In addition a Public Hearing will be announced in the next month or two for comments on a proposed interim Ordinance making it illegal to possess sterile grass carp. This will be similar to the current State Law which is applicable for 4 North Carolina Lakes and with Lake Norman being added next July.

### **Comments from the Public**

Gene Hatcher, General Mgr. of Midtown Sundries, reported that the “Light up the Lake” event featuring a parade of boats was very successful and was held to raise money for the LNMC. He said this was a very “fun” event and was family and kid friendly. The children were used as judges in choosing the best lighted boats. He also emphasized that it was successful due to the participation and help of several local businesses who contributed time and money and that this will become an annual event. He said that Heather Cleevly with lknfun.com was a key person in making this a success. He announced that the event this year raised \$3,000 for the LNMC’s Navigational Aid Program.

### **FERC Applications**

The Town of Mooresville’s FERC Application for an expanded Water Treatment System was presented by Mr. Greg Wells of Willis Engineering. This expansion is needed in order to meet Mooresville’s current and future water demands thru a 12 MGD Water Treatment Facility. Commissioner Terry Davis made a motion to approve this application and it was seconded by Commissioner Mark Lancaster. The motion was approved.

### **Public Hearing**

A motion to hold a Public Hearing on revisions to the “Rafting Safety Ordinance” was made by Commissioner Davis, seconded by Commissioner Lancaster, and passed. After passing out the revised Ordinance, Chairman Randy Reece read the main changes and pointed out that the LNMC was addressing the lake as a whole and trying to make the entire lake better, rather than making changes which would only “move” the hundreds of boats from cove-to-cove. The following speakers were heard:

Jack Bryne, a resident of Shearwater Point located near the Sandbar and a participant in developing the current Ordinance, commented that he viewed the revised Ordinance as very bad. He does not believe that the current Ordinance should be changed as far as the Sandbar is concerned, and believes that the Ordinance should require all Rafting to be at least 300 yards from the shoreline, as the current Ordinance requires for the Sandbar. He cited that at 100 yards the music and noise becomes unbearable.

Jim Morgan, Commodore of the Peninsula Yacht Club (PYC), stated that the current Ordinance should remain in effect with no changes. In visiting Cocktail Cove, he noticed a marked increase in activity from previous years, and fully supports the LNMC efforts to improve the situation but does not want to limit long term boaters’ recreation. He appreciates the effort and consideration put into the current ordinance.

1. PYC Safety—Tom Manley

He believes that pushing the rafting further from the shoreline towards the main channel could lead to safety problems such as anchoring problems in deeper water, wakes, nighttime problems, etc.

2. PYC Enforcement—Alex Booker

He believes that the LNMC should work with the county law enforcement plus hire their own Officer(s) (as in the past) and enforce the current laws that are

in effect and sufficient if enforced. He believes it is unfair to punish those who have done nothing wrong in order to correct problems caused by others.

3. PYC Recommendation—Dave Prior

Recommended that any changes be delayed until specific feedback is obtained from all registered boaters, and, in addition, ensure that any changes will actually improve the situation. Also, small craft such as PWC's, canoes, dinghies and other such craft should be excluded from the "vessel" designation.

Also recommends that "Cocktail Cove" be handled like the "Sandbar" (300 yards) and that the LNMC should hire Police Officers to enforce lake laws in order to prevent these types of problems.

John Nicola, a resident who lives near Marker D-5, believes the LNMC should act now. He said that the current situation at Cocktail Cove caused by disrespectful boaters is an accident waiting to happen. Because of their attitudes and actions, they are denying others their rights. He displayed some charts showing the number of boats possible under a previous draft change which he suggested would allow 155 boats in Cocktail Cove or 500 people. He recommended that the distance between rafting groups be increased.

Linda Uphoff, a resident of Cocktail Cove, said that every weekend was terrible but that over July 4<sup>th</sup> was the worst she had ever seen with over 400 boats. She cited unmentionable behavior and obscenities as well as trespassing. The trespassing included a woman walking on her patio and a man coming up on their sea-wall and exposing himself. She posed the question—would this activity be allowed in parks or on our roads? She mentioned that while everyone has rights, the residents of Cocktail Cove do too. She strongly supports the proposed Ordinance in order to make the lake safe for everyone.

Ada Nicolay, a resident near Marker D-5, thanked the LNMC for their hard work and supports the Ordinance. She said that it was too bad that the actions of some boaters were causing restrictions to be put on all boaters. She offered to assist the LNMC in its work on Boater Education and other safety efforts.

Gene Williams, a resident of Shearwater Point located near the Sandbar, believes that the 300 yard rule should stay in effect for the Sandbar. He said that beyond 300 yards peaceful rafting occurs and is no problem. He said that problems with rafters trespassing on their private docks and noise were common before the current ordinance. He does not want to return to where the rafters can come into 50 or 100 yards from the shoreline which then makes it a "Zoo".

Tom Helms, a member of the Lake Norman Sail & Power Squadron, believes that the current laws are all that is needed. He suggested that the Ordinance should only be effective on week-ends.

Tom Gigh said that when a storm occurs that all of the boats leaving at once caused excessive wave problems and damages docks.

The Public Hearing was closed on motion of Commissioner Davis, second by Commissioner Lancaster, and passed.

### **Rafting Ordinance**

Chairman Reece made some brief comments on issues raised during the Public Hearing. He mentioned that the LNMC many years ago had one lake patrol officer for a year or two. However, at this time there would be no way for the LNMC to afford hiring any officers even if it wanted to and that county law enforcement was responsible for enforcing the laws and regulations on the lake, not the LNMC. Also, after personal review, it was determined that there are very seldom more than 10 boats per group.

Commissioner Digh made a motion to approve the Revisions to the “Rafting Safety Ordinance” and Commissioner Davis seconded, and the Motion passed. The Ordinance will become effective August 1, 2004.

Chairman Reece declared a brief intermission.

### **Committee Reports**

A. Preservation & Safety Committee—Nothing to Report

B. Maintenance Committee

1. R-2 has an incorrect blinking light.
2. There were 3 non-functioning main channel and 3 non-functioning creek markers.
3. The Adopt-a-Navigational Aid Program had a \$100 donation from the Peninsula Yacht Club. Commissioner Rob Digh thanked the PYC and would appreciate others donating as well.
4. Commissioner Lancaster reported that at the upcoming Raft-up on July 31, that Lancaster BBQ would be providing food and the proceeds would be donated to the LNMC for the Adopt-a-NavAid Program.

### **Administrative matters**

There were none.

### **Announcements**

Commissioner Digh made a motion to adjourn, Commissioner Davis seconded and the motion was passed. Meeting was adjourned.

Respectfully submitted,

Bob Elliott