

Lake Wylie Marine Commission



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

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

Minutes

Commissioners Present: Chairman Sandy DuPuy (Mecklenburg County), Commissioner David Cloninger (Gaston County), Commissioner Ron Wanless (York County), Commissioner Terry Everhart (Mecklenburg County), Commissioner Howard Virkler (Mecklenburg County), Vice Chairman Vernon Peers (York County)

Commissioners Absent: Secretary Treasurer Smitty Hanks (Gaston County),

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

Topic	Discussion Summary	Action
Welcome & Introductions	Chairman Sandy DuPuy called the meeting to order at 7:12 pm.	
Approve Minutes – January 26, 2009 and January 30, 2009 Strategic Workshop Minutes	The minutes from the January 26, 2009 meeting and the January 30, 2009 Strategic Workshop were approved.	<p>A motion was made by Vice Chairman Peers to approve the January 26, 2009 meeting minutes. Seconded by Commissioner Virkler. The motion was approved.</p> <p>A motion was made by Commissioner</p>

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Approve Minutes – January 26, 2009 and January 30, 2009 Strategic Workshop Minutes (continued)		Wanless to approve the January 30, 2009 Strategic Workshop meeting minutes. Seconded by Vice Chairman Peers. The motion was approved.
Approval of the February 23, 2009 Meeting Agenda	The February 23, 2009 meeting agenda was approved.	A motion was made by Commissioner Wanless to approve the February 23, 2009 agenda as submitted. Seconded by Commissioner Virkler. The motion was approved.
Consent Agenda	Consent Agenda - None	
Public Comments	Public Comments - None	
Treasurer’s Report	Treasurer’s Report – Commission Clerk Annette Lawing reported <ul style="list-style-type: none"> a. Finance Report - The monthly finance report was distributed to the commissioners prior to the meeting. Ms. Lawing reported that the 2nd Qtr payment from Mecklenburg County was received on February 22nd. b. FY2009-2010 Budget Preparation – Ms. Lawing requested that the Commission review the proposed budget information that was distributed at the January 23rd LWMC meeting and send any revisions to her prior to the March 23, 2009 business meeting. 	
Executive Director’s Report	Executive Director’s Report – Executive Director Joe Stowe reported <ul style="list-style-type: none"> a. Meetings <ul style="list-style-type: none"> ▪ Feb. 4 – Met with York County and Duke Energy to set up bid meeting and review procedures for proposed boathouse at the Law Enforcement Center. The Commission will need to generate a letter to FERC regarding relocation of existing barrier. The LWMC is one of the organizations that 	

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Executive Director's Report (continued)	<p>will be commenting on this project therefore, it was uncertain if the letter needs to be written by the Commission. Mr. Stowe to conduct additional research and report back to the Commission on what the proper steps are.</p> <ul style="list-style-type: none"> ▪ Feb. 11 – Attended meeting of the Catawba River District Committee. Mr. Stowe will contact a committee member to see if they would come speak to the Commission regarding this River District vision. ▪ Feb. 12 – Attended a pre-bid meeting of contractors and York County officials about procedures for receiving bids for the boathouse at the Law Enforcement Center. The goal is to have pre-bids answered by March 17th. ▪ Feb. 13 – Attended Catawba Wateree Bi-State Commission meeting where the control of taking surface water out of the Catawba River was discussed. ▪ Feb. 17 – Met with Tom Smith of the York County Council about scheduling a meeting with Duke Energy regarding the strengthening of the lease at East Liberty Hill Road (Law Enforcement Center). ▪ Feb. 23 – Met with Duke Energy and discussed the lease at East Liberty Hill Rd. Duke is reviewing proposed changes and will report back to the commission. <p>b. Law Enforcement Center Update – Currently, working on getting phone lines to the facility.</p>	
Chairman's Report	<p>Chairman's Report – Chairman Sandy DuPuy reported</p> <ul style="list-style-type: none"> ➤ Strategic Workshop – A successful LWMC strategic workshop was held January 30, 2009. As a follow up to this meeting, Chairman DuPuy requested that the Commission meet an hour early for the March 23rd LWMC meeting in order to prioritize their goals. ➤ Mandatory Boater Education – Chairman DuPuy has invited Pete Deschenes of the Joint Select Committee to speak at a future LWMC meeting. He has organized the NC Safe Boating Alliance. He will keep Chairman DuPuy informed of the bill's progress and when the Commission should contact legislators. ➤ Regional Water Safety Forum is scheduled for May 5-6th. Vice Chairman Vernon Peers will be speaking on behalf of the Lake Wylie Marine Commission about the proposed Clean Marina Program. ➤ Additional Education – Dave Cable, Executive Director, Catawba Lands Conservancy will be a guest speaker at the March 23rd LWMC meeting. 	

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<p>Old Business</p>	<p>Old Business</p> <ul style="list-style-type: none"> ➤ Law Enforcement Cumulative Reports – Commissioner Everhart reported that several of the Law Enforcement agencies have been preparing for the Law Enforcement Information Exchange and Update meeting therefore have not completed their cumulative reports. ➤ Buoys – Commissioner Cloninger questioned if the buoys near the Whitewater Center are illegal. Clerk, Annette Lawing will research to see if these buoys were previously approved by the Commission. Commissioner Virkler added that the Commission should encourage this No Wake area around the Whitewater Center. This should be a safe place for non motorized watercraft, stated Commissioner Virkler. ➤ Lakekeeper, Letter of Support for the SC Fair Share Water Bill – Chairman DuPuy asked for an update on the status of the bill so the Commission could support it when needed. Riverkeeper David Merryman reported that the Rock Hill Herald recently published an editorial on the local support for the SC Fair Share Water Bill. 	<p>Chairman DuPuy and ED Stowe agreed to meet with Commissioner Everhart and Sgt Todd Campbell to agree on target information.</p>
<p>Commission Projects Report</p>	<p>Commission Projects Report</p> <ul style="list-style-type: none"> ➤ Project S-01, Law Enforcement Facility – See Executive Director’s Report for update. ➤ Project E-1, Concord / Kannapolis IBT – Chairman DuPuy reported. US Solicitor General Kneeder does not support the City of Charlotte nor Duke’s request to be interveners in the court case. He stated that neither group has a distinct interest at stake to justify allowing them to interject in the case; however, a final decision has not yet been made regarding their status. ➤ Project E-2, Hydrilla – Commissioner Virkler reported. Commissioner Virkler and ED Stowe will attend the hydrilla meeting in Raleigh on March 4th. ➤ Project E-4, Clean Marina Program – Commissioner Peers reported. Bill Ambrose to help the LWMC pull Clean Marina initiative together. Commissioner Peers drafted a letter to send to each individual marina owner on Lake Wylie explaining our vision. ➤ Project PI-01, Notification of Sewage Spills – Commissioner Wanless learned that SC apparently has no regulations for public notification of sewage spills. Riverkeeper David Merryman agreed that he too could not identify what the regulations are for SC public notification for spills. 	<p>Chairman DuPuy asked Commissioner Wanless to continue to determine the status of the new bill.</p>

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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’) ➤ LIP – Stage 2 ➤ Usable Storage – 63% (target 56.2%) ➤ 6 Month Average – ground water and stream flow (68.2%) <p>Lake Wylie Lakekeeper – David Merryman reported.</p> <ul style="list-style-type: none"> ➤ Water Allocation Bills – NC Sen. Wes Hayes’ bill was submitted and similar bills were introduced in the SC Senate by Sen. Campbell and SC House Rep. Gullick. The Catawba Riverkeeper supports the version of the bill submitted by Sen. Wes Hayes. While all versions of this bill propose permitted withdrawals, Sen. Hayes’ bill supports the protection of seasonal variability in stream flows, an integral approach to protecting the vitality of our river and its inhabitants. ➤ Duke Energy and County / State Buffer Rules - Currently, there are no Memorandums of Understanding between Duke and NC DENR and York County regarding education of buffer zone requirements for home buyers. The Riverkeeper Foundation has sent letters to Duke questioning this but to date have received no responses. ➤ Upcoming Events – March 19th – Rock Out for the River, A benefit concert for the Catawba Riverkeeper Foundation at the Neighborhood Theatre in Charlotte @ 8pm. April 18th – Lake Wylie Migratory Fowl Paddle, Bring your own canoe or kayak and join the Catawba Riverkeeper on Lake Wylie to view migratory fowl as they travel through our region. Launch site – TBD <p>Mecklenburg County Parks and Recreation – Mike Monroe was not present therefore, Annette Lawing gave report</p> <ul style="list-style-type: none"> ➤ Buoy update: <ul style="list-style-type: none"> • Brown’s Cove – Replaced one pencil buoy • Wither’s Cove – Replaced two pencil buoys • McDowell Cove – Replaced one large buoy • Relocated several buoys to match GPS locations 	<p>Commissioner Wanless to contribute \$500 to the 6th Annual SCDNR Fishing Rodeo. Seconded by Vice Chairman Peers. The motion was approved.</p>

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Comments	Comments – Chairman DuPuy stated that she asked Commissioner Virkler to brief the Commission about a new product that he made her aware of that seems to have potential to stop siltation at construction sites. Commissioner Virkler explained that it is a silicon based product that can be sprayed on soil to temporarily seal it and prevent run-off. A trial run of this product was performed at the Marshall Steam Plant. It has been in use I Europe for some time. Commissioner Virkler can ask a representative from the Zydex Corporation to come speak to the Commission about this innovative product at a future meeting if the Commissioners are interested. Commissioner Virkler explained that he planned to invest in the company. Chairman DuPuy explained that since that was the case, if the Commission wished to learn more about the product, that Commission Virkler would not engage in the discussion or participate in any vote because it would be a conflict of interest.	
Adjournment	There was no further business and the meeting was adjourned at 8:40 pm	A motion was made by Vice Chairman Peers to adjourn the February 23, 2009 business meeting. Seconded by Commissioner Everhart. The motion was approved.
Next Business Meeting Date and Location	The next LWMC business meeting will be held on March 23, 2009 at 7:00 at the Belmont City Hall, 115 North Main Street, Belmont, NC.	

Annette Lawing, Commission Clerk