

# Lake Wylie Marine Commission



**August 23, 2010  
7:00 p.m.**

**Red Fez Club  
16600 Red Fez Club Road  
Charlotte, NC**

## Minutes

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

**Commissioners Absent:** Secretary Treasurer Vernon Peers (York County)

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

Topic	Discussion Summary	Action
<b>Welcome &amp; Introductions</b>	Chairman Hanks called the meeting to order at 7:04 pm.	
<b>Approve Minutes – July 26, 2010</b>	The minutes from July 26, 2010 were approved as submitted	Commissioner Wanless made a motion to approve the July 26, 2010 meeting minutes. Seconded by Vice Chair Everhart. The motion was approved.
<b>Approval of the August 23, 2010 Meeting Agenda</b>	The August 23, 2010 meeting agenda was approved as submitted	A motion was made by Vice Chair Everhart to approve

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		the August 23, 2010 Agenda. Seconded by Commissioner Wanless. The motion was approved.
<b>Consent Agenda</b>	<b>Consent Agenda – None</b>	
<b>Public Comments</b>	<b>Public Comments - None</b>	
<b>Stakeholder Reports</b>	<p><b>Charlotte-Mecklenburg Police Dept and SPLASH Report</b> – Vice Chairman Everhart reported</p> <ul style="list-style-type: none"> <li>• Expanded roll on lake with Fire Department. Three of four members are now certified divers.</li> </ul> <p><b>Gaston County Police Department</b> – Officer May reported</p> <ul style="list-style-type: none"> <li>• On the water during weekends only</li> </ul> <p><b>York County Sheriff’s Office</b> – Sgt Brent Mabry reported</p> <ul style="list-style-type: none"> <li>• (2) Officer’s on lake now that school is back in session</li> <li>• Assisted Lancaster County Rescue Squad with a sunken boat</li> </ul> <p><b>N.C. Wildlife Resources</b> – No one was present to give report</p> <p><b>Tega Cay Police Department</b> – No one was present to give report</p> <p><b>South Carolina Department of Natural Resources</b> – No new information to report</p> <p><b>Mecklenburg County Land Use and Environmental Service Agency (LUESA)</b> – David Buetow reported</p> <ul style="list-style-type: none"> <li>• LUSI results – Partially Supporting results near Paw Creek due to high turbidity readings in March.</li> <li>• Metal testing – Elevated iron level at LW6B sites. Nothing to be concerned with at this time. Still in Supporting level.</li> </ul>	

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<b>Stakeholder Reports (cont.)</b>	<ul style="list-style-type: none"> <li>• Bacteriological Results – All sites reported good results.</li> </ul> <p>Joe Stowe received a call inquiring if it was safe to swim in Crowder’s Creek. Who should the public call when needing this type of information? Mr. Buetow replied that DEHEC could assist with this information.</p>	
<b>Stakeholders Reports (continued)</b>	<p><b>Duke Energy of the Carolinas</b> – Ronnie Lawson reported</p> <ul style="list-style-type: none"> <li>• Lake level – 97.2 (target is 97’)</li> <li>• Drought Management Group met on August 2<sup>nd</sup>. Drought indicator is at Stage 0 (watch)</li> </ul> <p><b>Lake Wylie Lakekeeper</b> – Ellen Goff was present to give report</p> <ul style="list-style-type: none"> <li>• Riversweep – Signage and handouts to be available this week</li> <li>• September 14<sup>th</sup> – EPA Public Hearing, 10am, 1pm and 6pm. Must sign up to make public comments. Commissioner Ron Wanless with the LWMC plans to attend this public hearing.</li> </ul> <p><b>Mecklenburg County Parks and Recreation</b> – No one was present to give a report</p>	
<b>Coal Ash Presentation</b>	<p><b>Coal Ash Presentation</b> – Pat McCabe with Duke Energy</p> <p>Coal Combustion Residuals, often referred to as coal ash, are currently considered exempt wastes under an amendment to RCRA, the Resource Conservation and Recovery Act. They are residues from the combustion of coal in power plants and captured by pollution control technologies, like scrubbers. Potential environmental concerns from coal ash pertain to pollution from impoundment and landfills leaching into ground water and structural failures of impoundments, like that which occurred at the Tennessee Valley Authority’s plant in Kingston, Tennessee. EPA is proposing to regulate for the first time coal ash to address the risks from the disposal of the wastes. EPA is considering two possible options for the management of coal ash for public comment. Both options fall under the Resource Conservation and Recovery Act (RCRA). Under the first proposal, EPA would list these residuals as special wastes subject to regulation under subtitle C of RCRA, when destined for disposal in landfills or surface impoundments. Under the</p>	

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<b>Coal Ash Presentation (continued)</b>	second proposal, EPA would regulate coal ash under subtitle D of RCRA, the section for non-hazardous wastes. The Agency considers each proposal to have its advantages and disadvantages, and includes benefits which should be considered in the public comment period. There are also costs involved if sites are required to line ponds that are currently not lined or have to install dry ash handling systems (subtitle D). Key differences between subtitle C & subtitle D: Enforcement: State & Federal (subtitle C), Enforcement through citizen suits (subtitle D): Corrective Action: States & EPA (subtitle C), Self-implementing (subtitle D). For more information or to sign up for public hearing comment period, visit EPA website ( <a href="http://www.epa.gov">www.epa.gov</a> ).	
<b>Fish Attractors / Osprey Nests on Lake Wylie</b>	<p><b>Fish Attractors / Osprey Nests on Lake Wylie</b> – Dr. Bill Jarmen with Gaston County Paws updated the Commission on the types of fish attractors that will be installed in Lake Wylie. There are three (3) new sites for attractors. These sites will be marked with buoys. Fish attractors seem to be successful and Dr. Jarmen would like to see more installed on the South Carolina side of Lake Wylie. These fish attractors have to be installed in no less than 12’ of water. Chair Smitty Hanks asked if any of the attractors that were installed last year have moved. Dr. Jarmen replied that they are still in the same location and have not moved.</p> <p>Have been working with Duke Energy to install five (5) new nests on Lake Wylie. Costs: \$70 for metal and \$300 to install pole. Planning to have an Osprey Day in order to educate the public about osprey. Commissioner Wanless asked Dr. Jarmen if they plan to extend sites toward lower end of Lake Wylie. Dr. Jarmen replied that he would like to check into sites in that area of the lake.</p>	
<b>Treasurer’s Report</b>	<p><b>Treasurer’s Report</b> – Chair Hanks reported</p> <ul style="list-style-type: none"> <li>• <b>Finance Report</b> - The monthly finance report was distributed to Commissioners prior to the meeting. No questions or changes were made to the finance report.</li> </ul>	
<b>Executive Director’s Report</b>	<p><b>Executive Director’s Report</b> – Executive Director Joe Stowe reported</p> <ul style="list-style-type: none"> <li>• <b>Law Enforcement Facility Update</b> – Problem with ants in contacts of well. Have contacted Brown’s to repair. Joe Stowe met with Rowboat Dock &amp; Dredge to look for new site for boat ramp. Estimate: Draw Plans / Permitting = \$5,800. Materials/Work = \$36,000.</li> <li>• <b>Commissioner Orientation</b> – September 21<sup>st</sup> from 6pm – 9pm. Will meet at T-Bones then board houseboat for dinner.</li> </ul>	

<b>Topic</b>	<b>Discussion Summary</b>	<b>Action</b>
<b>Executive Director's Report (continued)</b>	<ul style="list-style-type: none"> <li>• <b>Nominating Committee</b> – Will be taking recommendations for LWMC officers. Please see Joe Stowe or Chair Hanks to submit recommendations. Elections will be held at the September business meeting.</li> </ul> <p><b>Chairman's Report</b> – Chairman Smitty Hanks reported</p> <ul style="list-style-type: none"> <li>• Bi-State meeting – August 27, 2010</li> <li>• Chairman Hanks attended workshop on mobile communication. Would like to see the Commission to research this new technology for their website in order for the public who visit the LWMC website via their cell phones are able to access information while on the lake.</li> <li>• Fourth of July Fireworks – For many years, the Lake Wylie Chamber and Camp Thunderbird have worked very hard raising funds for the Annual Lake Wylie Fourth of July Fireworks. Commissioner Virkler volunteered to help raise the funds for this event. An estimated \$25,000 has to be raised annually. Camp Thunderbird will continue to help support this effort. Commissioner Virkler suggested using Clean Marina as representation and support.</li> </ul>	A motion was made by Commissioner Virkler for the LWMC to assist in raising funds for the Annual Fourth of July Fireworks on Lake Wylie. Seconded by Commissioner Campbell. The motion was approved.
<b>Comments</b>	<b>Comments</b> – None	
<b>Adjournment</b>	There was no further business and the meeting was adjourned at 7:58pm.	A motion was made by Vice Chair Everhart to adjourn the August 23, 2010 business meeting. Seconded by Commissioner Virkler. The motion was approved.
<b>Next Business Meeting Date and Location</b>	The next LWMC business meeting will be held on September 27, 2010 at 7:00 at the Belmont City Hall, 115 North Main Street, Belmont, NC.	

Annette Demeny, Commission Clerk