

# Lake Wylie Marine Commission



**September 27, 2010  
7:00 p.m.**

**Belmont City Hall  
115 North Main Street  
Belmont, 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), 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 7:01 pm.	
<b>Approve Minutes – August 23, 2010</b>	The minutes from August 23, 2010 were approved as submitted	Commissioner Wanless made a motion to approve the August 23, 2010 meeting minutes. Seconded by Vice Chair Everhart. The motion was approved.
<b>Approval of the September 27, 2010 Meeting Agenda</b>	The September 27, 2010 meeting agenda was approved with following revision: <ul style="list-style-type: none"> <li>• Add Dr. Bill Jarman after Stakeholders Reports to discuss Osprey nests and fish attractors in South Carolina side of Lake Wylie.</li> </ul>	A motion was made by Vice Chair Everhart to approve the September 27,

<b>Topic</b>	<b>Discussion Summary</b>	<b>Action</b>
<b>Approval of the September 27, 2010 Meeting Agenda (continued)</b>		2010 Agenda as revised. 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 Hamrick 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>• Participated in International Dive Conference</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> – Joe Stowe reported for Officer Ferrell</p> <ul style="list-style-type: none"> <li>• (1) Boating Accident</li> </ul> <p>Commissioner Everhart suggested that the Commission purchase signs that reflect the number of drowning on Lake Wylie and how many of the victims were wearing a life jacket. The Commission was very receptive of the idea and asked Commissioner Everhart to get quotes on the purchase of these signs.</p>	

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<b>Stakeholder Reports (cont.)</b>	<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 (August &amp; September) – Partially Supporting results near Paw Creek due to high turbidity readings in March.</li> <li>• Bacteriological Results – All sites reported good results.</li> </ul>	
<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 – 96.3 (target is 97')</li> <li>• Drought Management Group to meet in the next week to determine if Drought indicator should be increase to Stage 1 or 2.</li> </ul> <p><b>Lake Wylie Lakekeeper –</b> Ellen Goff was present to give report</p> <ul style="list-style-type: none"> <li>• Riversweep – additional pontoon boats are needed for event.</li> <li>• EPA Coal Ash Hearings – Comment period has been extended to November 19<sup>th</sup>.</li> <li>• Encouraged everyone to be mindful of the lack of rainfall and to conserve water.</li> </ul> <p><b>Mecklenburg County Parks and Recreation –</b> No one was present to give a report</p>	
<b>Fish Attractors / Osprey Nests on Lake Wylie</b>	<p><b>Fish Attractors / Osprey Nests on Lake Wylie –</b> At the August 23<sup>rd</sup> LWMC meeting, Dr. Bill Jarman with Gaston County Paws updated the Commission on the types of fish attractors that will be installed in Lake Wylie (North Carolina side) as well as the (5) new Osprey nests that plan to be installed. The Commission suggested partnering with Dr. Jarman to possibly install nests and fish attractors in the South Carolina portion of the lake. The Commission voted and approved to allot the \$2,000 grant contribution from Duke Energy that was awarded to the Commission last fiscal year and add an additional \$2,000 to help fund additional osprey nests and fish attractors in the South Carolina portion of Lake Wylie. Dr. Jarman to contact SCDNR to discuss locations and approval.</p>	<p>A motion was made by Commissioner Wanless to allot \$2,000 from the LWMC budget in addition to, \$2,000 grant award from Duke Energy to fund additional osprey nests and fish attractors on South Carolina portion of Lake Wylie. Seconded by Commissioner Peers. The motion was approved.</p>

Topic	Discussion Summary	Action
<p><b>Request for Approval</b></p>	<p><b>Request for Approval</b></p> <p><b>Installation of Underground Fiber Cable on the West Side of SC Hwy 274 Bridge (Follow up)</b> – Buddy Mauney with Pike Electric presented request to the Commission</p> <p>At the May 2010 LWMC meeting, Time Warner Cable proposed to install a new underground fiber cable by directional bore method crossing under Lake Wylie in York County, SC. The proposed directional bore depth under the lakebed is to be a minimum of 10 feet. The bore pit locations for the entrance and exit of the bore are to be external to the FERC Project Boundary of Lake Wylie, and also the 50 buffer zone. The installation is to ensure service reliability to new commercial and residential developments in the area adjacent to SC Hwy 274, Hwy 557 and Hwy 49.</p> <p>Commissioner Wanless voiced his concern that any future dredging in that area could disrupt the cable. He asked if Time Warner Cable ever considered going above the ground in lieu of under the lake bed. Mr. Mauney took these concerns and questions to Time Warner Cable and is proposing a revised request.</p> <p>Time Warner Cable has made the decision to proceed with the proposal to directional bore under Lake Wylie and not attach to the bridge. In order to resolve the concerns of the LWMC, SCDHEC and the Army Corps of Engineers pertaining to the depth of the siltation above the original lakebed bottom elevation, S&amp;ME, Inc. was contracted to perform core sampling services at two locations. The results of the core samples indicated that Silty Medium Sand was present to a depth of 7 feet, 3 inches above the lakebed bottom elevation at the SC Hwy 274 bridge and Clayey Silt was encountered at a depth of 17 inches at the Mill Creek Confluence. Due to the depth of siltation at the SC Hwy 274 Bridge, the burial depth of the proposed TW Fiber Cable under the original lakebed elevation has been revised from 10 feet to 20 feet. Duke Energy has also provided correspondence stating that “The current Shoreline Management Plan would not allow dredging in this area due to the Environmental and Natural Area classifications of the shoreline upstream of the bridge.”</p>	<p>A motion was made by Commissioner Wanless to approve the revised request presented by Time Warner Cable for the underground Fiber Cable near SC Hwy 274 Bridge. Seconded by Commissioner Peers. The motion was approved.</p>
<p><b>Treasurer’s Report</b></p>	<p><b>Treasurer’s Report</b> – Secretary Treasurer Vernon Peers 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>	

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<p data-bbox="176 212 443 568"><b>Executive Director's Report</b></p> <p data-bbox="176 568 443 1463"><b>Chairman's Report</b></p>	<p data-bbox="443 212 1629 568"><b>Executive Director's Report</b> – Executive Director Joe Stowe reported</p> <ul data-bbox="443 212 1629 568" style="list-style-type: none"> <li data-bbox="443 212 1629 568">• <b>Bi-State Commission Meeting</b> – SCDHEC testing fish in Lake Wateree. Results indicated that it is safe to consume Catfish and Black Bass one meal per week. Black Crappy would be safe to eat as much as you like. Limited consumption is due to high metal contents within the particular fish breeds. NCDNR plans to conduct similar tests in Lake Wylie. FERC – North Carolina and South Carolina will try to work out disagreements outside of court. Henry McMasters would like to have settlement before his term is over.</li> </ul> <p data-bbox="443 568 1629 1463"><b>Chairman's Report</b> – Chairman Smitty Hanks reported</p> <ul data-bbox="443 568 1629 1463" style="list-style-type: none"> <li data-bbox="443 568 1629 763">• <b>Riversweep</b> – The LWMC will assist at from the Southfork to Tailrace area. Still need additional pontoon boats for transporting volunteers. The Commission has purchased a 10' x 10' booth with LWMC logo on all four sides. This booth can be used for future Riversweep events or other promotional events.</li> <li data-bbox="443 763 1629 1169">• <b>Fourth of July Fireworks</b> – 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. As part of his effort, Virkler plans to contact Duke Energy, major corporations and area banks for one-time donations of \$10,000. Duke Energy has already committed to contribute. One major problem is that half of the money is due in November and firework donations are not tax deductible. Commissioner Virkler is trying to come up with an idea to make donation tax deductible. Virkler has also contacted the YMCA's Attorney to help research coordinating this fund raising effort with helping disadvantage campers.</li> <li data-bbox="443 1169 1629 1282">• <b>Buoys</b> – Have 11 missing solar lights from buoys. Commission Clerk to order replacement lights. Chairman Hanks to contact manufacturer's engineer to see if there are tamper-proof lights available.</li> <li data-bbox="443 1282 1629 1463">• <b>Coal Ash Hearing</b> – Chairman Hanks and Joe Stowe attended EPA hearing on Coal Ash. Chairman Hanks has drafted a letter of response to the information that he heard from this hearing and gave to Commissioner Wanless to review before asking the board for approval.</li> </ul>	<p data-bbox="1629 212 1923 730"></p> <p data-bbox="1629 730 1923 1463">A motion was made by Commissioner Virkler for the Commission to endorse the fund raising efforts for Fourth of July Fireworks. Seconded from Secretary Treasurer Peers. The motion was approved.</p>

Topic	Discussion Summary	Action
<b>Other Business</b>	<p><b>Other Business</b></p> <ul style="list-style-type: none"> <li>• <b>Clean Marina Program</b> – Commissioner Campbell is researching grant opportunities to help marinas meet necessary guidelines.</li> <li>• <b>Spill Notification</b> – Proposed Bill previously made its way through Committee and House. There is a good chance that it will pass if it gets to the floor of the Senate.</li> <li>• <b>Hydrilla</b> – Commissioner Virkler spoke with Ken Manuel regarding Hydrilla in Lake Wylie. Mr. Manuel reported that the control of the Hydrilla with Grass Carp is working well.</li> </ul>	
<b>Election of Officers</b>	<p><b>Election of Officers</b> – Legal Counsel Chris Clark conducted the Election of Officers for Chair, Vice Chair and Secretary Treasurer. Attorney Clark informed the Commission of the guidelines and procedures of this election then presented the recommendations from the Nominating Committee.</p> <ul style="list-style-type: none"> <li>• Chairman – Smitty Hanks was recommended for Chair. With no other nominations, Smitty Hanks will continue to be the Chair of the Lake Wylie Marine Commission.</li> <li>• Vice Chairman – Terry Everhart was recommended for Vice Chairman. With no other nominations, Terry Everhart will continue to be the Vice Chairman of the Lake Wylie Marine Commission.</li> <li>• Secretary Treasurer – Howard Virkler was recommended for Secretary Treasurer. With no other nominations, Howard Virkler is the new Secretary Treasurer for the Lake Wylie Marine Commission.</li> </ul>	
<b>Comments</b>	<p><b>Comments</b></p> <ul style="list-style-type: none"> <li>• Executive Director Joe Stowe welcomed Ed Hull to the LWMC meeting. Mr. Hull was appointed by York County to the Marine Commission. He will begin his role as Marine Commissioner in October 2010. Welcome!</li> </ul>	
<b>Adjournment</b>	<p>There was no further business and the meeting was adjourned at 8:46pm.</p>	<p>A motion was made by Vice Chair Everhart to adjourn the September 27, 2010 business meeting. Seconded by Commissioner Virkler. The motion was approved.</p>

<b>Topic</b>	<b>Discussion Summary</b>	<b>Action</b>
<b>Next Business Meeting Date and Location</b>	The next LWMC business meeting will be held on October 25, 2010 at 7:00 at the Good Samaritan United Methodist Church, 5420 Crowder's Cove Lane, Lake Wylie, SC.	

Annette Demeny, Commission Clerk