

Lake Wylie Marine Commission
September 23, 2013
Good Samaritan United Methodist Church
Annual Meeting Minutes



Commissioners Present: Chairman Terry Everhart (Mecklenburg County)
Vice Chairman Brad Thomas (Gaston County)
Secretary Treasurer Ron Wanless (York County)
Commissioner Robert Biggerstaff (Gaston County)
Commissioner Smitty Hanks (Gaston County)
Commissioner Ed Hull (York County)
Commissioner George Medler (York County)
Commissioner Lynn Smith (Mecklenburg County)
Commissioner Howard Virkler (Mecklenburg County)

LWMC Staff Present: Joe Stowe, Executive Director; Chris Clark, Legal Counsel;
Emily Parker, Clerk

Annual Meeting Minutes

Item 1 – Welcome and Introductions

Chairman Everhart called the meeting to order at 7:00 pm.

Item 2 – Approval of Minutes

A motion was made by Commissioner Medler to approve the August 26, 2013 minutes. The motion was seconded by Commissioner Biggerstaff and was approved unanimously.

Item 3 – Approval of the Agenda

Chairman Everhart asked if any additions or changes needed to be made to the September 23 agenda. Secretary Treasurer Wanless suggested that agenda Item 10 (Nominating Committee Report) be moved to the end of the agenda and that Item 13b (Acknowledgement of Service – Commissioner Hanks) be situated before Item 10. A motion was made by Secretary Treasurer Wanless to approve the agenda as amended. The motion was seconded by Commissioner Hanks and it was approved unanimously.

Item 4 – Consent Agenda

No items were submitted on the Consent Agenda. Legal Counsel Chris Clark recommended that the LWMC use the Consent Agenda. He reminded the group that items on the Consent Agenda (e.g., approval of agenda; committee reports; approval of minutes) get an up or down vote, with no discussion.

Item 5 – Public Comment

Mr. Ted Hendrix commented on the Water's Edge community docks proposal in relation to its proximity to existing congestion around Saddler Island. The proposed community docks may extend the congested area and he expressed concern about this with regard to boater safety.

Item 6 – Stakeholder Reports

Charlotte Mecklenburg Police Department and SPLASH Report – Chairman Everhart reported that his unit is still at three people. There has been nothing out of the ordinary lately. However, they have been swamped with car break-ins.

Gaston County Police Department – Officer Hamrick reported that he checked on the status of the new patrol boat. GCPD should take delivery of the boat at the end of January 2014. They are now taking bids for companies to clean the current boat for upcoming Christmas parades.

York County Sheriff's Office – Sgt. Mabry reported that it has also been slow on the lake side of law enforcement lately. However, there was a fatal drowning near Fort Mill and two bodies were recovered.

NC Wildlife Resources Commission – Sgt. Barry Rowell was not present and no report was given.

SC Department of Natural Resources – No one was present to report.

US Coast Guard – Charlie Collins, Assistant Chief of Enforcement, addressed the LWMC. He was joined by several of his colleagues. Mr. Collins provided a statistical snapshot of this year: there have been 97 boardings – out of the 97, 55 boaters were missing adequate documentation and 43 had inadequate ventilation this year. There was only 1 BWI documented by USCG, which is a significant improvement from last year (18 BWIs). 75% of boats boarded this year appreciated the USCG's presence on the lake.

Mecklenburg County Land Use and Environmental Services Agency – David Buetow presented water quality results from July. LUSI map scores looked good. The index scores also look good; perhaps the best the scores have looked in years. Secretary Treasurer Wanless asked how this could be explained. Is it dilution? Mr. Buetow said that it depends on when the sampling occurs. The bacteriological map also looked good for July. The numbers were in single digits and/or well below the State standards. The next sampling will happen next week. Commissioner Hanks asked if LUESA is sampling at the Allen Plant for metals. Mr. Buetow answered yes, they are sampling there in the lake near the discharge.

Duke Energy – Ronnie Lawson reported.

- Lake level: 97.4 / Target level is 97.0
- Drought Management Group – this group is not meeting right now.
- All ground water levels are in the normal range.
- No dredging has occurred.

Commissioner Virkler asked what is involved in getting a dredging permit. Mr. Lawson said that dredging is not allowed unless it pertains to a structure like a dock or pier. There are 7 or 8 agencies that must give approval before Duke Energy gives the final approval. There is a \$1,000 application fee and a \$1,000 deposit. Commissioner Hanks asked if a dredging application has been submitted by the Water's Edge developer. Mr. Lawson said that he did not think so. Secretary Treasurer Wanless clarified about whether or not the same rules apply in South Carolina regarding dredging being attached to a structure. Mr. Lawson commented that no dredging would be allowed in environmentally sensitive areas.

Lake Wylie Lakekeeper Report – Ms. Ellen Goff reported on Riversweep. Plans are moving along nicely and pre-registration numbers are tracking ahead of last year and are just under 400, including 19 boat captains. The big push is in the next 8-9 days, through next weekend. Pre-registration (www.lakewylieriversweep.com) will close on Sunday evening, September 29. However, Ms. Goff is inclined to leave pre-registration open. They will generate reports by site like last year. Ms. Goff said that she received an email last week about a mussel kill from Camp Thunderbird to the lower dam. Commissioner Hanks added that this happens from time to time. Mr. Hendrix added that the same situation can be seen near his residence. Wylie’s Wicked Wake Fest is scheduled to happen on the same day as Riversweep starting at noon in the main channel. Commissioner Hanks asked Chairman Everhart if anyone had been notified about the wake fest event. A representative from the USCG Auxiliary commented that they will have 3 boats on the a lake during Riversweep.

Mecklenburg County Park and Recreation – No one was present to report.

Item 7 – Update on Proposed Project: Water’s Edge Community

Commissioner Hanks updated the group about the inspection of the proposed Water’s Edge community. Two different drawings of the proposal site were addressed. A third image from Google Earth was provided by Commissioner Hanks. Mr. Mike Degner was present and tried to clarify which drawings are correct with regard to proposed dock placement. Commissioner Hanks pointed out a concern about shallow water. Mr. Degner commented on the steep shore line and that docks from existing tree line only go out about 30-35 feet. The concern is about having a dock that sticks out and boaters having to stay 150 feet away from the end of a dock or other structure. This will put boaters moving through very shallow water in the channel. Mr. Degner addressed the dredge permit question raised earlier. All other regulatory agencies have been contacted but have not yet approved the proposal, therefore Duke Energy does not have a formal submission related to this project. Mr. Degner said that they would pull the docks in very close into the tree line and that area would need to be dredged (so the docks will float) because it is so shallow. The channel is actually beyond the end of the docks. Commissioner Hanks asked Chairman Everhart what a safe distance would be between the docks and the channel. Chairman Everhart could not give an answer without seeing it. He looked at the Google Earth map and clarified with Mr. Degner about dock placement in relation to the channel. Vice Chairman Thomas clarified that we may be looking at ~52 feet from the shoreline to end of dock. The issue is “channel control” by way of the docks jutting out and the legal boating area being diminished. It may force boaters to drive too much into shallow water. Commissioner Medler questioned Mr. Degner about the topographical layout of the site. Commissioner Medler does not see that this is going to be a problem. Commissioner Hanks’ point was that there is a 150 foot buffer off of the end of a dock or structure. That would leave about 50 feet for boats to travel in. Whole channel is about 300 feet wide, from shore to shore. Commissioner Biggerstaff mentioned something about the ICW – parts are like a throughway (like I-85). If you want to fish or slow down, just pull over out of the main “lane.” Commissioner Virkler asked if boaters *need* to run wide open. Secretary Treasurer Wanless said that the experience has been that folks *will* want to run full throttle down the lake. Generating a choke point may increase potential for accidents. Vice Chairman Thomas brought up thinking through alternatives to this situation. A guest asked what would be wrong with a 0.5 mile no wake zone near the proposed site. Chairman Everhart warned against making rules to accommodate one particular situation. Putting no wake buoys out all over may create a false sense of security. Officer Hamrick reminded folks about the needed to go through NCWRC. He agreed with Chairman Everhart – need to be careful about making concessions for people. Vice Chairman Thomas made a motion to table this discussion until the October meeting. He asked Officer Hamrick to visit the site. Officer Hamrick said he would with and would like to visit the site along with NCWRC. Commissioner Smith seconded the motion. Discussion: Vice Chairman Thomas asked Mr.

Degner if he could come up with alternative scenarios. Chairman Everhart mentioned that boaters can throttle back if there is shallow water. A vote was taken and approved unanimously.

Item 8 – Riversweep Update

Commissioner Hanks shared the design for the hat and for the t-shirt for Riversweep. Everyone was in agreement about the hat and t-shirt design. Commissioner Hanks will tell the printer to start printing. The next Riversweep meeting is on September 25 to assemble supplies for Riversweep.

Item 9 – Mid-Atlantic Boat Show

Vice Chairman Thomas reported that after some discussion, the best and least expensive route would be for Ms. Parker to put together a PowerPoint presentation slideshow, including text at the bottom of each slide, to run at the Mid-Atlantic Boat Show.

Item 10 – *moved to the end of the agenda.*

Item 11 – Treasurer’s Report

Secretary Treasurer Wanless reported that have not received any payments from the three contributing counties, but he is confident that the payments will be in by the end of the month. The LWMC is still in good fiscal shape.

Item 12 – Executive Director’s Report

Executive Director Joe Stowe reported.

- Northern Law Center Update – Mr. Stowe spoke with Joe Carriker of Duke Energy and he still thinks that the Canal Road location would be satisfactory.
- Mecklenburg County Meeting Location – We are still working on finding a different, suitable Mecklenburg County meeting location. The next meeting will be at the current Mecklenburg County location (Pleasant Hill Presbyterian Church). Mr. Stowe listed space criteria: big enough to accommodate marine commissioners and guests, good acoustics, convenient location in the county, and no food or alcohol served on the premises. He asked for anyone to provide suggestions.
- Goal Setting for 2014 – Mr. Stowe suggested having a Goal Setting at end of year, in October or November 2013. Then in January 2014, the slate of commissioners will be set for the year, in terms of goals and direction. Mr. Stowe asked if the LWMC should continue to have a Goal Setting session, if it should be the same format, and if the same person should be asked to lead it. Commissioner Virkler asked what has been accomplished. Mr. Stowe said that if we did not have a goal(s), we would not have a purpose to meet. Commissioner Medler said that last year’s Goal Setting session was excellent and that he liked the leader. Secretary Treasurer Wanless and others thought doing it in November would be a good idea. Mr. Stowe will check with Jennie Stultz, check some dates, and report back at the October meeting.
- LKW Stickers – Mr. Stowe started by giving each marine commissioner five LKW stickers. Now that we have them, what should we do with them? One idea is to give 100 stickers to the Clean Marina Program to be distributed to each Clean Marina and sold for \$1.00 each. Each marina would keep the money. Mr. Stowe asked for comments from the group. Commissioner Virkler thinks that selling them for a dollar is a good idea. Commissioner Medler does not think we should charge for them. Marine commissioners could hand them out individually vs. setting a stack out and/or charging for them. Commissioner Hanks suggested giving them to marina members and selling them to customers.

Commissioner Biggerstaff made a motion to give the stickers away, free of charge. Commissioner Smith seconded the motion. A vote was taken and approved unanimously. Each marine commissioner will be given 100 stickers each to start with.

Item 13 – Chairman’s Report

Chairman Everhart reported.

- a. Saddler Island/Tailrace Marina/US National Whitewater Center Update – Chairman Everhart reported that the warning signs are up at Saddler Island. He reported on arranging a dumpster for Riversweep. Commissioner Hanks asked about signs at the US National Whitewater Center. Chairman Everhart will follow up on the USNWC signs.
- b. *moved to the end of the agenda.*

Item 14 – Clerk’s Report

Ms. Parker reported that the monthly CCOG report is included in the agenda package. Everything is on track with the FY 2012-2013 audit.

Item 15 – Old/New Business and Commission Project Reports

- Water Quality
 - Clean Marina/Clean Boating – Commissioner Biggerstaff stated that the certificates are still needed to give to re-certified Clean Marinas. Ms. Parker produced several of them on the spot, but still needs to make one for Tega Cay Marina. He also has a buoy at this house that needs to be taken away.
 - Invasive Species – Commissioner Virkler reported that Ken Manuel sent out a letter about hydrilla and alligator weed floating down the lake due to high water events.
- Buoys – Commissioner Hanks commented that there is an issue with buoys up at Mt. Holly-Huntersville Road. It seems that we have recovered from the high waters events, as far as getting buoys back in place.

Executive Director Joe Stowe asked about whether we need to take a vote to go into Annual Meeting mode to elected officers. Legal Counsel Clark said no, the election of officers should be treated like another agenda item.

- Safety – Chairman Everhart had nothing to report at the present time.
- Recreation – Vice Chairman Thomas had nothing to report at the present time.
- Public Information – Commissioner Hull had nothing to report at the present time.

Item 16 – Public Comments (limited to 3 minutes)

No one was present for public comment.

Acknowledgement of Service – Commissioner Hanks

Chairman Everhart presented Commissioner Hanks with his acknowledgement of service award and thanked him for his service and loyalty to the Lake Wylie Marine Commission. Commissioner Hanks thanked the marine commissioners, Executive Director Stowe, and all of the stakeholders. Everyone present applauded.

Nominating Committee Report

Secretary Treasurer Wanless presents the 2013-2014 LWMC Officer's slate. Secretary Treasurer Wanless started to make a motion, but Legal Counsel Clark advised Secretary Treasurer Wanless to withdraw motion, as the floor needed to be open for discussion. Legal Counsel Clark led the election of officers. He stated:

- The floor is now open for any additional nominations for the office of Chairman. Are there any additional nominations? Hearing no further nominations, the nomination period is closed. Congratulations to Commissioner Thomas, you are now the Chairman.
- The floor is now open for any additional nominations for the office of Vice Chairman. Are there any additional nominations? Hearing no further nominations, the nomination period is closed. Congratulations to Commissioner Smith, you are the new Vice Chairperson.
- The floor is now open for any additional nominations for the office of Secretary/Treasurer. Are there any additional nominations? Hearing no further nominations, the nomination period is closed. Congratulations to Commissioner Hull, you are now the Secretary/Treasurer.

Item 17 – Adjournment

The meeting was adjourned at 8:30 pm.

The next LWMC meeting is scheduled for 7:00 pm on Monday, October 28, 2013 at Pleasant Hill Presbyterian Church (15000 York Road, Charlotte, NC).