

**Lake Wylie Marine Commission
November 25, 2013
Belmont City Hall
Meeting Minutes**



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

Commissioner Absent: Commissioner George Medler (York County)

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

Meeting Minutes

Item 1 – Welcome and Introductions

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

Item 2 – Consent Agenda

Legal Counsel Chris Clark advised on how to proceed with the Consent Agenda. Chairman Thomas asked if any items on the Consent Agenda should be removed. A motion was made by Commissioner Biggerstaff to approve the October 28 meeting minutes. The motion was seconded by Commissioner Brennan and approved unanimously. The November 25 meeting agenda was removed from the Consent Agenda in order for an item to be added.

Item 3 – Discussion of Items Removed from Consent Agenda (if any)

Chairman Thomas made a motion that a presentation from Dr. Bill Jarman with Gaston County PAWS be added to the November 25 meeting agenda. Commissioner Wanless seconded the motion and it was approved unanimously. This item will be added under at the end of Item 5 – Stakeholder Reports.

Item 4 – Public Comment

n/a

Item 5 – Stakeholder Reports

Charlotte Mecklenburg Police Department and SPLASH Report – A little later in the meeting than usual, Commissioner Everhart reported that SPLASH is going to be in a winter parade a week from Saturday, but not in the Charlotte parade. SPLASH is up and running.

Gaston County Police Department – No one was present to report.

York County Sheriff's Office – Sgt. Mabry reported that it has been quiet lately. The dive team has been busy looking for items (firearms) in the lake. They are in the process of removing old sonar off of their boat's center console and replacing it with a new one. They have one boat in the water and they are trying to keep it clean; they will participate in the light parade in a few weeks.

NC Wildlife Resources Commission – No one was present to report.

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

US Coast Guard – No one was present to report.

Mecklenburg County Land Use and Environmental Services Agency – David Buetow reported on September water quality sampling results. The LUSI and bacteriological maps look good, like they did at the last reporting time. Mr. Buetow shared a 1947 topographical map of the river with the group – before it was named Lake Wylie. Before 1960, Lake Wylie was called the Catawba River or, Catawba Lake.

Duke Energy – Ronnie Lawson reported.

- Current lake level: 97.0 (target level)
- No dredge or dock applications have been received in past several months.

Executive Director Stowe asked a question about the tagging of docks and dock inspections. Mr. Lawson said that a Duke Energy staff person is in charge of inspecting and tagging docks. They do not usually note docks without tags. Chairman Thomas asked about whether the Duke Energy dock inspector would report dilapidated docks. Mr. Lawson responded that he typically will not report dilapidated docks. However, Lake Services staff can communicate with owners of dilapidated docks. Duke Energy has the Structure Renovation Program. It has been happening on Lake Norman for the past few years. Lake Wylie may come up in the next couple of years, by county. That program is about identifying docks that need assistance. Commissioner Brennan suggested that the LWMC could help with this process. Mr. Lawson said to contact him or Mr. Kermitt Taylor. Commissioner Brennan asked about tree debris stuck in the water/bank. Does Duke Energy take care of such debris? Duke Energy does not clear debris unless it is a navigational hazard.

Lake Wylie Lakekeeper Report – CD Collins reported that this year has been active. The construction of Stuart W. Cramer High School has contributed to a lot of sediment going into the lake. This is a very frustrating situation. If we can do one thing this year – try to influence NCDENR so that the Stowe Farms project is watched more carefully. The Riverkeeper is hoping that the LWMC can do something to help. Commissioner Biggerstaff asked Mr. Collins what can be done. NCDENR does not have the staff to cover such projects. Things may get worse in terms of sedimentation. Executive Director Stowe asked if Mr. Collins has been to Gaston County Commissioners. He said yes, and they said go to NCDENR. The Stowe Farms project construction may negatively impact the lake starting early next year if individuals and groups are not proactively ready and aware.

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

Added agenda item:

Dr. Bill Jarman from Gaston County PAWS updated the group on ongoing conservation activities happening on Lake Wylie. This fall, Gaston County PAWS applied for three Duke Energy grants and was awarded on all three. In order to proceed with plans related to the grants, Gaston County PAWS needs the LWMC's approval. The first grant is to be used only in South Carolina and is for two osprey nests and five fish attractors per fishing buoy. SCDNR will have 15 fishing buoys. The goal is to enhance fish population. Gaston County PAWS was also approved for two osprey nests. Currently, there are eight osprey nests in North Carolina and 13 in South Carolina. They have proposed adding two osprey nests in South Carolina with four possible locations mapped out, awaiting approval. The second portion of the second grant is for fish attractors for the North Carolina portion of the lake. There are currently 11 fish buoys and they will place 5 attractors under each buoy. The third is an Eagle Scout project. The scout will coordinate with NCWRC to place 5 fish attractor buoys in northern portion of Lake Wylie and then apply 10 fish attractors to each buoy location. Duke Energy has looked into and approved three sites in North Carolina. In summary, there are 21 osprey nests in North Carolina and South Carolina on Lake Wylie. It takes a year or 2 for ospreys to roost on a nest. Commissioner Biggerstaff made a motion that the LWMC approve Gaston County PAWS osprey nests and fish attractors projects. Vice Chairman Smith seconded the motion and it was unanimously approved.

Item 6 – NCDOT Request for Comments Regarding Bridge Replacement in Cramerton

Chairman Thomas looked at the site and plans and saw no issue with it. The fact is that bridge construction is already underway and approval should have been sought beforehand. Commissioner Wanless is going to write a letter to NCDOT saying that they should have requested comments ahead of time. Commissioner Wanless will write the letter and Chairman Thomas will sign it. Ms. Parker will make sure the letter gets to NCDOT.

Item 7 – Treasurer's Report

Secretary Treasurer Hull reported that the LWMC is financially sound. The payment is soon to arrive from Gaston County. Secretary Treasurer Hull commented the LWMC is in good shape with regard to E-verify documentation.

Item 8 – Executive Director's Report

Executive Director Joe Stowe reported.

- a. Executive Director Stowe passed out a report from the last Charlotte Mecklenburg Utilities Department (CMUD) committee meeting on future water supply related to the Catawba lake chain. The work this CMUD committee is doing is interesting and very technical. If there are any questions, Mr. Stowe can connect marine commissioners with the right people on the committee.
- b. Riversweep 2014 – Executive Director Stowe has been working on raising awareness and funds for Riversweep 2014 from hospitality-tourism tax committee personnel. This funding has to be used to promote tourism. As it turns out, York County may be able to entertain a funding request or “want list” before the first of the year.
- c. Bi-State Commission Representation Update – The Mountain Island Lake Marine Commission approved Smitty Hanks serving as the representative of LWMC and MILMC on the Catawba Wateree Bi-State Commission. No formal action is required.
- d. NC/SC Reciprocal Fishing License Update – Executive Director Stowe recently spoke with Colonel Taylor about a reciprocal fishing license. Colonel Taylor provided Mr. Stowe with figures related to revenue gained from the sale of fishing licenses in South Carolina: York County receives \$5,000; SCDNR receives between \$160,000 – \$180,000. The federal government provides matching funds of \$75 to every \$1 of all funds South Carolina collects for fishing licenses. That could amount to over

\$1.2 million. It is difficult to parse out how much money comes from York County or non-resident fishermen. Colonel Taylor is still in favor of the reciprocity between the states on Lake Wylie. A request for a survey can be put in, hopefully in March 2014, to track how much money is spent on fishing licenses in the area in 2014. If this happens, this time next year, we will have better information at hand. This is the extent of the information Mr. Stowe had to report at this time.

Mr. Stowe continued to say that the LWMC needs to decide about how to respond to the Catawba Wateree Bi-State Commissions request for a letter of support for the reciprocal fishing license. He suggested having an in person meeting with Senator Clodfelter and Senator Hayes to review Colonel Taylor's stance. He asked if there any questions. Chairman Thomas commented that if the LWMC would have better, more detailed information available next year, and perhaps the group should wait to see what the survey provides. Mr. Stowe said that he thinks the LWMC would be doing a disservice to the Bi-State Commission, being aware of the information at hand. He advised to not abandon this idea, but dig in and wait. Commissioner Everhart commented that he thinks that part of what the LWMC is supposed to do as a commission is to look out for the best interest and betterment of the Lake Wylie community. Thus, if the marine commission is in support of a reciprocal fishing license, then that sentiment should be shared with the Bi-State Commission. He added that the LWMC is not on a fact-finding mission, but have just been asked for a letter of support or not. Mr. Smitty Hanks added that Senator Hayes and Senator Clodfelter left the last Bi-State Commission meeting saying that they were going to work on the reciprocal fishing license. Mr. Hanks asked Senator Hayes what he could do, or what could be done to help and the Senator said that a letter of support from the marine commission is what would help. Commissioner Brennan concurred with Commissioner Everhart, saying that this seems to be in line with the LWMC mission to support the use of the lake. He said that it would be nice to have more detailed figures, but even if we do not, he does not see the harm in submitting a letter to the Bi-State Commission. Reciprocal fishing licenses exist between Virginia and North Carolina, and South Carolina and Georgia. Commissioner Everhart thinks the LWMC should go on record as being in support of the reciprocal license. Chairman Thomas asked what the commissioners thought about reframing the letter to address how this would better serve the regions citizens. Commissioner Wanless followed up by saying that the LWMC would be better off simply answering the question asked by the Bi-State Commission, but possibly add in that reciprocal fishing licenses have been proven to work between Virginia and North Carolina, and South Carolina and Georgia. Commissioner Everhart made a motion to send a letter of support to the Bi-State Commission for a reciprocal fishing license for Lake Wylie. Commissioner Brennan seconded the motion. Discussion: Commissioner Brennan asked Executive Director Stowe whether or not this action may cause an adverse reaction. Mr. Stowe replied that yes, it very well may since certain information has already come to light. Commissioner Brennan reiterated a point that Commissioner Everhart made that the marine commission is definitely not trying to step on anyone's toes but perhaps treading lightly at this point is the best way to go. Commissioner Everhart asked the group what should be done about the request for a letter of support from the Bi-State Commission, when most marine commissioners actually do support it. Executive Director Stowe said that the Bi-State Commission meets quarterly at the end of January 2014. He suggested that the group table the discussion and do more research on the matter before taking action. Commissioner Virkler asked if anyone on the marine commission feels strongly that we should not support a reciprocal fishing license. There was no response from the other commissioners. It is a matter of how the support sentiment is worded. The vote was taken. All marine commissioners were in favor, except for Commissioner Brennan. The motion carried. Legal Counsel Clark offered to draft the letter.

Item 9 – Chairman’s Report

Chairman Thomas reported.

- a. Process for Reporting Maintenance and/or Debris Removal Needs – Chairman Thomas noted that this topic was discussed earlier in the meeting. This topic was originally raised in the Goal Setting session. Chairman Thomas asked if there was a more straight forward way. For structures – Perry Johnston (Dock Master’s) handles debris removal. Duke Energy removes debris when it is a navigational hazard. Environmental issues can be reported to Mr. CD Collins. Duke Energy will remove any *structure* that is in the middle of lake or on the side. Mr. Collins praised Riversweep volunteers for helping rid the lake of debris. Commissioner Brennan asked if there an EPA agent in the area. If something is in or near the water and is even possibly hazardous, and in Mecklenburg County, people can contact Mr. David Buetow. Erosion and siltation is the big issue. Commissioner Wanless talked about the idea of deputizing residents in an effort to prevent further sedimentation. Chairman Thomas would like the LWMC to compile a list of contacts that residents and concerned citizens can report silt and related issues to. He would like this information to be posted to the LWMC website.
- b. 2014 Goal Setting Summary – Chairman Thomas said that the 2014 Goal Setting session was the most productive session he has participated in thus far.
- c. Proposed Removal of 2nd Public Comment Period – A motion was made by Commissioner Biggerstaff to remove the second Public Comment period from future agendas. Commissioner Virkler seconded the motion and it was approved unanimously.
- d. Northern Law Center Update – The LWMC is still working on this with Duke Energy staff. Mr. Barry Webb, Belmont City Manager, informed Chairman Thomas that the Canal Road location is outside of Belmont’s city limits. Thus, any inquiry about this land will need to go to Gaston County. County staff seemed supportive of this possible land use. The plan is to continue exploring this location with Duke Energy and Gaston County.

Item 10 – Clerk’s Report

- a. Proposed 2014 LWMC Meeting Schedule – Commissioner Everhart made a motion to approve the proposed 2014 LWMC meeting schedule, as provided by Ms. Parker. Commissioner Wanless seconded the motion and it was approved unanimously.
- b. Photos for Mid-Atlantic Boat Show Reminder – Ms. Parker reminded everyone present to send her any images by COB on Friday, November 29.
- c. Ms. Parker reported that the monthly CCOG report is included in the agenda package, and if there are any questions, to please let her know.

Item 11 – Old/New Business and Commission Project Reports

- Water Quality
 - Clean Marina/Clean Boating – Commissioner Biggerstaff reported that all Clean Marinas have been re-inspected.
 - Invasive Species – Commissioner Virkler reported that there is nothing new to report at this time.
- Buoys – Commissioner Biggerstaff is going to work with Mr. Smitty Hanks on getting up to speed with regard to buoys.
- Safety – Commissioner Everhart said that there is nothing new to report.
- Recreation – Chairman Thomas had nothing to report at the present time.
- Public Information – Secretary Treasurer Hull reminded group to let him know about any website updates that need to occur.

New Business: Commissioner Brennan told the group about an idea for asking long time TV news anchor Paul Cameron to serve as a spokesperson for the LWMC. Mr. Cameron commented that he would be happy to do it from time to time, on a limited basis – but would first need to check with his supervisors. He said that he would like a letter from the LWMC to share with his superiors. Commissioner Brennan shared a draft letter with the group. He asked who should sign it and Vice Chairman Smith suggested that Executive Director Stowe should sign it. Commissioner Biggerstaff made a motion to approve the letter. Secretary Treasurer Hull seconded the motion and it was approved unanimously. Ms. Parker will work with Commissioner Brennan and Mr. Stowe to see that the letter is put on letterhead, signed, and mailed to Mr. Cameron.

Item 12 – Public Comments (limited to 3 minutes)

No one was present for public comment.

Item 13 – Adjournment

The meeting was adjourned at 8:19 pm.

The next LWMC meeting is scheduled for 7:00 pm on Monday, January 27, 2014 at Good Samaritan United Methodist Church (5220 Crowder's Cove Lane, Lake Wylie, SC).