

# Lake Wylie Marine Commission



**May 22, 2006  
7:00 p.m.**

**Red Fez Club  
16,600 Red Fez Club Road  
Charlotte, NC**

## Minutes

**Commissioners Present:** Chairman Joe Stowe (Gaston County), Commissioner Bo Ibach (Mecklenburg County), Vice Chairman Ron Montgomery (York County), Commissioner Dave Cully (Mecklenburg County), Commissioner Billy McLean (Gaston County)

**LWMC Staff Present:** Mike McLaurin, Executive Director, Annette Lawing, Clerk, Chris Clark, Legal Counsel

**LWMC Staff Absent:** Commissioner Don Cloninger (York County), Secretary/Treasurer Sandy DuPuy (Mecklenburg County),

Topic	Discussion Summary	Action
<b>Welcome &amp; Introductions</b>	Chairman Joe Stowe called the meeting to order at 7:04 pm.	
<b>Approve Minutes – April 24, 2006</b>	The minutes from the April 24, 2006 meeting were approved	A motion was made by Vice-Chairman Montgomery to approve the April 24, 2006 LWMC meeting minutes. Seconded by Commissioner McLean. The motion was approved.

Topic	Discussion Summary	Action
<b>Consent Agenda</b>	None	
<b>Public Comments</b>	No public comments however, the Chairman did ask Marine Commission Clerk to read a recent newspaper article noting an award won by Commissioner DuPuy. The Chairman said that Ms. DuPuy could not be at the meeting because she is in New Bern to pick up her award.	
<b>Special Report - Water Quality of Lake Wylie</b>	<p><b>Water Quality of Lake Wylie</b></p> <p>Commission Roberts reported on two statewide bond proposal designed to improve water quality. These include: Land For Tomorrow Initiative in which one third of the funds will be for purchasing land for water quality preservation. A second proposal is the Clean Water Bond. This bond will fund renovations and updating water and sewer systems mostly in rural counties.</p> <p>Update on Inter Basin Transfer – Currently the Commissioner Roberts is trying to get a resolution on the Mecklenburg County Agenda for June to request for a delay. Is this request is approved; the delay will most likely be until the FERC Relicensing is completed (approximately 2008).</p> <p>Lake Wylie Water Quality Initiative – Mecklenburg County Commissioner Jennifer Roberts reported that she had met with the Covekeepers at the beginning of May and updated them on the Lake Wylie Water Quality Initiative. After the Mountain Island Lake Symposium in March 2006, the consensus was that the Memorandum of Understanding and its goals should be extended to Lake Wylie. This could be done by forming working groups with jurisdictions such as; Gaston Co., Mecklenburg Co., York Co., Rock Hill, Charlotte, Gastonia, Belmont, Mt. Holly, Fort Mill, Lake Wylie Marine Commission, and Centralina Council of Governments. Work Groups will develop an MOU (Memorandum of Understanding) to describe water quality protection measures to be coordinated and to lay the framework for enhanced water quality protection around the lake and its tributaries. This MOU would then be presented to and signed by the various governments and organizations involved. Following the signing of the MOU, the Work Groups would develop the Lake Wylie Watershed Protection Guidelines. The purpose of the guidelines would be to provide the jurisdictions around Lake Wylie with watershed protection strategies for use at their discretion in the protection of water quality conditions in the lake. As the watershed area around the lake continues to develop, jurisdictions will be</p>	

Topic	Discussion Summary	Action
<b>Special Report – Water Quality of Lake Wylie (continued)</b>	<p>challenged to find more effective measures for protecting water quality. These guidelines provide some of the water quality protection measures that have been proven effective in other jurisdictions in this region. This handbook will be updated annually as necessary as new measures are made available. Commissioner Roberts encouraged the Lake Wylie Marine Commissioners to visit the website to learn more. The website address is <a href="http://www.milmou.org">www.milmou.org</a>. The contact person will be Rusty Rozzelle at 704-336-5449.</p>	
<b>County Reports</b>	<p><b>Charlotte-Mecklenburg Police Dept and SPLASH Report</b> – Officer Everhart reported</p> <ul style="list-style-type: none"> <li>• Officer Everhart attended the International Boating and Water Safety Summit on April 30 – May 3 in Palm Harbor, FL. After arriving, Officer Everhart attended the summit on Sunday where he was able to make new contacts and get some items for “SPLASH”. General sessions were held on Monday. There was a presentation about the response to the hurricane in New Orleans complete with video and input from the agencies that responded. It was stressed how important the Wildlife Officers from across the nation were in assisting the victims. South Carolina DNR played a big part in the New Orleans response effort.</li> <li>• Tuesday and Wednesday consisted of sessions along the waterway. A few of the sessions were “Applying Best Professional Practices in Boating &amp; Water Safety Education” and “Effective Interagency Coordination of Enforcement Activities”.</li> <li>• The Summit ended with an Awards Banquet on Wednesday evening. Officer Everhart stated that he enjoyed the summit and hopes that the information that he brought back will benefit all the Enforcement Agencies on the water.</li> </ul> <p><b>Gaston County Police Department</b> – Officer McCants reported</p> <ul style="list-style-type: none"> <li>• Will be on the water full time in June</li> <li>• Have two (2) jet skis that will assist in patrolling</li> </ul> <p><b>York County Sheriff’s Office</b> – Deputy Ware reported</p> <ul style="list-style-type: none"> <li>• Have two (2) boats and two (2) jet skis</li> <li>• Calls have increased since the warm weather has set in</li> <li>• Several calls from Allison Creek regarding sand bars</li> <li>• Received call to Allison Creek Landing of a 21’ pontoon boat that was stuck. Water level is down and it makes it difficult for large boats at these landings.</li> </ul>	

Topic	Discussion Summary	Action
<p><b>County Reports (Continued)</b></p>	<p><i>N.C. Wildlife Resources</i> – Sgt. Rowell reported</p> <ul style="list-style-type: none"> <li>• Issued thirty-three (33) citations, forty-eight (48) warnings</li> <li>• April – 77 hour on the lake</li> </ul> <p><i>Tega Cay Police Department</i> – No Report</p> <p><i>S.C. Dept of Natural Resources</i> – Sergeant Todd Campbell reported</p> <ul style="list-style-type: none"> <li>• One (1) boating accident</li> <li>• Six (6) officers on lake starting Friday, May 26<sup>th</sup></li> <li>• Sgt Campbell reported that the Youth Fishing Rodeo and Jakes Event on May 13, was a great success with over 350 children in attending. The Sgt. thanked Woody Woodward from the Mecklenburg County Parks and Recreation for the use of the climbing wall during this event.</li> <li>• He said that the area lake enforcement units are working well together and that we are ahead of some of the other lakes in this effort.</li> </ul> <p>Commissioner Dave Cully suggested that the Marine Commission and law enforcement agencies should schedule a media day prior to holiday weekends. This will give great media exposure and reminds everyone that law enforcement will be on the lake during these holiday weekends. Secondly, Commission Cully suggested that if the Marine Commission does indeed create a LWMC calendar then the law enforcement should be given a page of exposure.</p> <p><i>Duke Energy of the Carolinas</i> – No Report</p> <p><i>Lake Wylie Covekeepers</i> – Brenda Peers reported</p> <ul style="list-style-type: none"> <li>• There are 9 new Covekeepers that will now assume new responsibilities for patrolling the waters and inland construction sites of the watershed. All but one, however are from York County. The CoveKeepers are in need of volunteers from Gaston and Mecklenburg counties.</li> <li>• Blue Bird Lane problem has been resolved</li> <li>• Reported that Donna is monitoring the drought</li> </ul>	

Topic	Discussion Summary	Action
<b>County Reports (Continued)</b>	<ul style="list-style-type: none"> <li>The Dam Catawba River Challenge will be held on Mountain Island Lake on July 22<sup>nd</sup> and Lake Wylie on August 22<sup>nd</sup>.</li> </ul> <p><i>Mecklenburg County Parks and Recreation</i> – No Report</p>	
<b>Discussion of a Contract for the Purposing of Establishing a Law Enforcement Center</b>	<p><i>Discussion of a Contract Between the LWMC and Duke Energy Corporation, North Carolina Municipal Power Agency Number 1, North Carolina Electric Membership Corporation, Piedmont Municipal Power Agency and Saluda River Electric for the Purpose of Establishing a Law Enforcement Center</i> – Commission Counsel Chris Clark was asked to give is comment on the proposed agreement. Chris said that his biggest concern was that the contract viewed all of the users as joint tenants. All of the tenants could be held liable if one tenant violates the lease. Chris offered several suggestions on how best to address this matter. He also noted that there were a number of items normally found in such a lease that were left out or not mentioned. The Commission discussed Chris’s concerns and recommendations.</p>	<p>The Commission directed Chris Clark to forward the contract to the attorneys for York County, York County Sheriff’s Office and SC Department of Natural Resources for their review and comments. Chairman Stowe will follow up with Duke regarding the Marine Commission comments and concerns. The matter will be discussed further at the June 26<sup>th</sup> meeting.</p>
<b>Public Hearing on the 2006-2007 Budget Ordinance</b>	<p><i>Public Hearing on the 2006-2007 Budget Ordinance</i> – The Public Hearing was opened on motions by Commissioners McLean and Cully.</p> <p>Michael McLaurin reported that the budget is the same budget that was submitted in FY 2005-2006. He noted that the projected COG and Counsel’s fees are about the same as the current year. Presently York and Gaston Counties are recommending a funding level of \$ 25,000, which is the amount, requested. Mecklenburg has recommended approximately \$ 23,700. McLaurin said that he has notified Mecklenburg of the recommendations of the other two counties and the Mecklenburg staff has confirmed those higher recommendations. It is anticipated that Mecklenburg County will adjust its recommendations to meet the other two counties.</p>	<p>The Commission approved a 2006-2007 Budget Ordinance consisting of \$ 75,724.00 in Expenditures which are allocated to Administrative and Public Relations \$ 22,177.00, Public Safety</p>

Topic	Discussion Summary	Action
	<p>There were no public comments.</p> <p>On motions by Commissioners Cully and McLean the budget was adjusted to increase the funding level of the law enforcement center from \$ 6,000 to \$ 10,000.</p> <p>The Public Hearing was closed on motions by Commissioners McLean and Cully.</p>	<p>\$ 27,769.00, Environmental \$ 14,605, Reserve \$ 11,173 and Revenues of \$ 75,724.</p>
<p><b>Authorization to Contract for Services in 2006-2007</b></p>	<p><i>Authorization to Contract for Services in 2006-2007</i> – The Chairman requested that the Centralina contact, Counsel contract and Audit contract be pulled from the agenda for further work. The matter will be considered at the June meeting.</p>	<p>Item tabled until the June meeting.</p>
<p><b>Recommendation for 2005-2006 Budget Revision</b></p>	<p><i>Recommendation for 2005-2006 Budget Revision</i> – Michael McLaurin reported that a budget adjustment was needed to account for the lack of full funding by the counties and to account for various expense changes. He presented a revised budget containing Expenditures of \$ 59,550.00 consisting of \$ 20,250.00 in Administrative &amp; Public Relations, \$ 21,190.00 for Public Safety, \$ 18,110.00 and Reserve of \$ 9,250.00. The estimated revenue is \$ 68,800.</p>	<p>The budget revision was approved on motions by Commissioners Cully and McLean.</p>

Topic	Discussion Summary	Action
<p><b>Update on the Interbasin Transfer Application by Concord and Kannapolis</b></p>	<p><b>Update on the Interbasin Transfer Application by Concord and Kannapolis</b> – Michael McLaurin reported that the revised Environmental Impact Statement will be released by the end of the week. Once the report is released, the public will have 60 days to comment on the report. The Commissioners discussed what additional action the Commission might need to take. Commissioner Cully said that since the Commission had spoken out against the transfer, it (the Commission) should reaffirm its original position.</p>	<p>Michael McLaurin will forward the report to those agencies along the Lake that had participated in the joint meeting. He will review the EIS and if appropriate will reaffirm the Marine Commission’s position opposing the proposed IBT.</p>
<p><b>Review of the Maine Commission Goals Worksheet and Discussion of Any Revisions Needed</b></p>	<p><i>Laws that Differ between North Carolina and South Carolina</i> – Commissioner Ibach reported distributed a worksheet showing the difference between North and South Carolina laws. Some examples he gave included the difference in towing a water skier and the definition of when it is too dark to ski. Chairman Stowe suggested that he (Stowe) discuss this matter with the Bi-State River Commission at its meeting in August. Sgt. Campbell suggested that the Marine Commission take no action on the matter. He said that the officers tend to use common sense in enforcing differences between the two states.</p> <p>• <i>Lake Wylie Marine Commission Calendar</i> – Commissioner McLean reported that</p> <ul style="list-style-type: none"> <li>• He had gotten a quote for \$ 2.21 each, based on a quantity of 5,000 calendars.</li> <li>• There will be a price increase in July.</li> <li>• The Commission could explore purchasing photos rights from Richard Rudisill who take photos for <u>Lake Wylie Living</u>.</li> <li>• The Commission could sale sponsorships for the calendar. Carla DuPuy said that crescent Resources would be interested in being a sponsor.</li> <li>• Michael McLaurin said that he will need some type of budget for the project in order to account for the incoming and outgoing funds.</li> </ul>	<p>It was the consensus of the Marine Commission to receive as information and to note on the Marine Commission goals worksheet that no further action was needed.</p> <p>Commissioner McLean will continue working on this project.</p>

<b>Finance</b>	Executive Director Mike McLaurin reported <ul style="list-style-type: none"> <li>Distributed the new Finance and Activity Report</li> </ul>	
<b>Other Business</b>	<p><i>Chairman's Report-</i> Chairman Joe Stowe said that he had no report.</p> <p><i>Executive Director's Report</i> – Executive Director Mike McLaurin said that he no report.</p> <p><i>Commissioner's Comments</i> - Commissioner Ibach asked if the Commission could request NC DOT to place a “Reduce Speed Ahead” sign on Highway 49 as you go into South Carolina. He noted that the N.C. speed limit goes from 55 mph to 35 mph in S.C.</p>	Chairman Stowe said that he knows the NC DOT District Engineer and will ask him about this.
<b>Public Comments</b>	<i>Public Comments</i> - None	
<b>Adjournment</b>	The meeting was adjourned at 9:05 p.m.	A motion was made by Vice Chairman Montgomery to adjourn meeting. Seconded by Commissioner Ibach. The motion was approved.
<b>Next Business Meeting Date and Location</b>	The next LWMC business meeting will be held on June 26, 2006 at 7:00 pm at Belmont City Hall, 115 North Main Street, Belmont, NC	

Annette Lawing, Marine Commission Clerk

Date