Lake Wylie Marine Commission



February 23, 2009 7:00 p.m.

Belmont City Hall 115 North Main Street Belmont, NC

Minutes

Commissioners Present: Chairman Sandy DuPuy (Mecklenburg County), Commissioner David Cloninger (Gaston County),

Commissioner Ron Wanless (York County), Commissioner Terry Everhart (Mecklenburg County),

Commissioner Howard Virkler (Mecklenburg County), Vice Chairman Vernon Peers (York County)

Commissioners Absent: Secretary Treasurer Smitty Hanks (Gaston County),

LWMC Staff Present: Joe Stowe, Executive Director, Chris Clark, Legal Counsel, Annette Lawing, Clerk

Topic	Discussion Summary	Action
Welcome &	Chairman Sandy DuPuy called the meeting to order at 7:12 pm.	
Introductions		
Approve Minutes	The minutes from the January 26, 2009 meeting and the January 30, 2009 Strategic	A motion was made
– January 26,	Workshop were approved.	by Vice Chairman
2009 and		Peers to approve the
January 30, 2009		January 26, 2009
Strategic		meeting minutes.
Workshop		Seconded by
Minutes		Commissioner
		Virkler. The motion
		was approved.
		A motion was made
		by Commissioner

Topic	Discussion Summary	Action
Approve Minutes		Wanless to approve
– January 26,		the January 30, 2009
2009 and		Strategic Workshop
January 30, 2009		meeting minutes.
Strategic		Seconded by Vice
Workshop		Chairman Peers. The
Minutes		motion was
(continued)		approved.
Approval of the	The February 23, 2009 meeting agenda was approved.	A motion was made
February 23,		by Commissioner
2009 Meeting		Wanless to approve
Agenda		the February 23,
		2009 agenda as
		submitted. Seconded
		by Commissioner
		Virkler. The motion
		was approved.
Consent Agenda	Consent Agenda - None	
Public	Public Comments - None	
Comments		
Treasurer's	Treasurer's Report – Commission Clerk Annette Lawing reported	
Report	a. Finance Report - The monthly finance report was distributed to the	
	commissioners prior to the meeting. Ms. Lawing reported that the 2 nd Qtr payment	
	from Mecklenburg County was received on February 22 nd .	
	b. FY2009-2010 Budget Preparation – Ms. Lawing requested that the Commission	
	review the proposed budget information that was distributed at the January 23 rd	
	LWMC meeting and send any revisions to her prior to the March 23, 2009	
	business meeting.	
Executive	Executive Director's Report – Executive Director Joe Stowe reported	
Director's	a. Meetings	
Report	• Feb. 4 – Met with York County and Duke Energy to set up bid meeting and	
	review procedures for proposed boathouse at the Law Enforcement Center.	
	The Commission will need to generate a letter to FERC regarding	
	relocation of existing barrier. The LWMC is one of the organizations that	

Topic	Discussion Summary	Action
Executive	will be commenting on this project therefore, it was uncertain if the letter	
Director's	needs to be written by the Commission. Mr. Stowe to conduct additional	
Report	research and report back to the Commission on what the proper steps are.	
(continued)	• Feb. 11 – Attended meeting of the Catawba River District Committee. Mr.	
	Stowe will contact a committee member to see if they would come speak to	
	the Commission regarding this River District vision.	
	• Feb. 12 – Attended a pre-bid meeting of contractors and York County	
	officials about procedures for receiving bids for the boathouse at the Law	
	Enforcement Center. The goal is to have pre-bids answered by March 17 th .	
	• Feb. 13 – Attended Catawba Wateree Bi-State Commission meeting where	
	the control of taking surface water out of the Catawba River was discussed.	
	• Feb. 17 – Met with Tom Smith of the York County Council about	
	scheduling a meeting with Duke Energy regarding the strengthening of the	
	lease at East Liberty Hill Road (Law Enforcement Center).	
	• Feb. 23 – Met with Duke Energy and discussed the lease at East Liberty	
	Hill Rd. Duke is reviewing proposed changes and will report back to the	
	commission.	
	b. Law Enforcement Center Update – Currently, working on getting phone lines to	
	the facility.	
Chairman's	Chairman's Report – Chairman Sandy DuPuy reported	
Report	 Strategic Workshop – A successful LWMC strategic workshop was held January 	
	30, 2009. As a follow up to this meeting, Chairman DuPuy requested that the	
	Commission meet an hour early for the March 23 rd LWMC meeting in order to	
	prioritize their goals.	
	> Mandatory Boater Education – Chairman DuPuy has invited Pete Deschenes of	
	the Joint Select Committee to speak at a future LWMC meeting. He has organized	
	the NC Safe Boating Alliance. He will keep Chairman DuPuy informed of the	
	bill's progress and when the Commission should contact legislators.	
	> Regional Water Safety Forum is scheduled for May 5-6 th . Vice Chairman	
	Vernon Peers will be speaking on behalf of the Lake Wylie Marine Commission	
	about the proposed Clean Marina Program.	
	> Additional Education – Dave Cable, Executive Director, Catawba Lands	
	Conservancy will be a guest speaker at the March 23 rd LWMC meeting.	

Topic	Discussion Summary	Action
Old Business	Old Business	
	 Law Enforcement Cumulative Reports – Commissioner Everhart reported that several of the Law Enforcement agencies have been preparing for the Law Enforcement Information Exchange and Update meeting therefore have not completed their cumulative reports. Buoys – Commissioner Cloninger questioned if the buoys near the Whitewater Center are illegal. Clerk, Annette Lawing will research to see if these buoys were previously approved by the Commission. Commissioner Virkler added that the Commission should encourage this No Wake area around the Whitewater Center. This should be a safe place for non motorized watercraft, stated Commissioner Virkler. Lakekeeper, Letter of Support for the SC Fair Share Water Bill – Chairman 	Chairman DuPuy and ED Stowe agreed to meet with Commissioner Everhart and Sgt Todd Campbell to agree on target information.
	DuPuy asked for an update on the status of the bill so the Commission could support it when needed. Riverkeeper David Merryman reported that the Rock Hill Herald recently published an editorial on the local support for the SC Fair Share Water Bill.	
Commission	Commission Projects Report	
Projects Report	 Project S-01, Law Enforcement Facility – See Executive Director's Report for update. Project E-1, Concord / Kannapolis IBT – Chairman DuPuy reported. US Solicitor General Kneedler does not support the City of Charlotte nor Duke's request to be interveners in the court case. He stated that neither group has a distinct interest at stake to justify allowing them to interject in the case; however, a final decision has not yet been made regarding their status. Project E-2, Hydrilla – Commissioner Virkler reported. Commissioner Virkler and ED Stowe will attend the hydrilla meeting in Raleigh on March 4th. Project E-4, Clean Marina Program – Commissioner Peers reported. Bill Ambrose to help the LWMC pull Clean Marina initiative together. Commissioner Peers drafted a letter to send to each individual marina owner on Lake Wylie explaining our vision. Project PI-01, Notification of Sewage Spills – Commissioner Wanless learned that SC apparently has no regulations for public notification of sewage spills. Riverkeeper David Merryman agreed that he too could not identify what the regulations are for SC public notification for spills. 	Chairman DuPuy asked Commissioner Wanless to continue to determine the status of the new bill.

Topic	Discussion Summary	Action
Stakeholders	Charlotte-Mecklenburg Police Dept and SPLASH Report – Officer Everhart reported.	A motion was made
Reports	 Organized "Brief the Chief" meeting in which area law enforcement agencies reported their successes to their Chiefs and Colonels as well as their efforts in working together to make Lake Wylie a safer lake. 	by Commissioner Everhart to approve \$4,102 for repairs to
	 SPLASH Report – SPLASH is in desperate need of repairs. Officer Everhart distributed a quote from Robotronics detailing the requested worked to be done with pricing. 	SPLASH. Seconded by Vice Chairman Peers. The motion was approved.
	 Gaston County Police Department – Officer Rodney Hamrick reported. Participated in the "Brief the Chief" meeting and presented a summary of his presentation concerning statistics about traffic and other activity on and around the lake. 	**
	York County Sheriff's Office – Deputy Ware reported.	
	 Participated in the "Brief the Chief" meeting. Worked the Mid Atlantic Boat Show the first weekend in February. 	
	N.C. Wildlife Resources – No one was present to give a report	
	Tega Cay Police Department – No one was present to give a report	
	S.C. Dept of Natural Resources – Sgt Todd Campbell reported	
	 Gearing up for summer boating season. 	
	 Department may have to cut one or two boats due to the current economy situation. 	A motion was made by Commissioner
	 Participated in the "Brief the Chief" meeting. 	Cloninger to
	 Chem-Sticks have arrived and will be distributed to the officers 	contribute \$350 to
	• Planning the 6 th Annual Fishing Rodeo and would like to request that the LWMC	the 6 th Annual
	sponsor this event again this year. Last year, the commission contributed \$250 to	SCDNR Fishing
	this special event. This year, the commission approved contributing \$500 since there is less businesses able to donate due to the lacking economy.	Rodeo. Seconded by Vice Chairman
	• and to the factoring economy.	Peers.
	Mecklenburg County Land Use and Environmental Service Agency (LUESA) –	1 3010.
	LUESA is operating on a winter water sampling schedule so there was no report for	An amended motion
	January.	was made by

Topic	Discussion Summary	Action
Stakeholders		Commissioner
Reports	Duke Energy of the Carolinas – Ronnie Lawson reported.	Wanless to
(continued)	➤ Lake level – 97' (target is 97')	contribute \$500 to
	> LIP – Stage 2	the 6 th Annual
	➤ Usable Storage – 63% (target 56.2%)	SCDNR Fishing
	> 6 Month Average – ground water and stream flow (68.2%)	Rodeo. Seconded by
		Vice Chairman
	Lake Wylie Lakekeeper – David Merryman reported.	Peers. The motion
	➤ Water Allocation Bills – NC Sen. Wes Hayes' bill was submitted and similar bills	was approved.
	were introduced in the SC Senate by Sen. Campbell and SC House Rep. Gullick.	
	The Catawba Riverkeeper supports the version of the bill submitted by Sen. Wes	
	Hayes. While all versions of this bill propose permitted withdrawals, Sen. Hayes'	
	bill supports the protection of seasonal variability in stream flows, an integral approach to protecting the vitality of our river and its inhabitants.	
	 Duke Energy and County / State Buffer Rules - Currently, there are no 	
	Memorandums of Understanding between Duke and NC DENR and York County	
	regarding education of buffer zone requirements for home buyers. The Riverkeeper	
	Foundation has sent letters to Duke questioning this but to date have received no	
	responses.	
	➤ Upcoming Events – March 19 th – Rock Out for the River, A benefit concert for	
	the Catawba Riverkeeper Foundation at the Neighborhood Theatre in Charlotte @	
	8pm. April 18 th – Lake Wylie Migratory Fowl Paddle , Bring your own canoe or	
	kayak and join the Catawba Riverkeeper on Lake Wylie to view migratory fowl as	
	they travel through our region. Launch site – TBD	
	Mecklenburg County Parks and Recreation – Mike Monroe was not present therefore,	
	Annette Lawing gave report	
	> Buoy update:	
	Brown's Cove – Replaced one pencil buoy Note: The second of the se	
	Wither's Cove – Replaced two pencil buoys McDowell Cove – Replaced one large byoy	
	McDowell Cove – Replaced one large buoy Releasted governl buoys to metal CDS leastions.	
	Relocated several buoys to match GPS locations	

Topic	Discussion Summary	Action
Comments	Comments – Chairman DuPuy stated that she asked Commissioner Virkler to brief the Commission about a new product that he made her aware of that seems to have potential to stop siltation at construction sites. Commissioner Virkler explained that it is a silicon based product that can be sprayed on soil to temporarily seal it and prevent run-off. A trial run of this product was performed at the Marshall Steam Plant. It has been in use I Europe for some time. Commissioner Virkler can ask a representative from the Zydex Corporation to come speak to the Commission about this innovative product at a future meeting if the Commissioners are interested. Commissioner Virkler explained that he planned to invest in the company. Chairman DuPuy explained that since that was the case, if the Commission wished to learn more about the product, that Commission Virkler would not engage in the discussion or participate in any vote because it would be a conflict of interest.	
Adjournment	There was no further business and the meeting was adjourned at 8:40 pm	A motion was made by Vice Chairman Peers to adjourn the February 23, 2009 business meeting. Seconded by Commissioner Everhart. The motion was approved.
Next Business Meeting Date and Location	The next LWMC business meeting will be held on March 23, 2009 at 7:00 at the Belmont City Hall, 115 North Main Street, Belmont, NC.	

Annette Lawing, Commission Clerk