

Lake Wylie Marine Commission
June 27, 2016
Good Samaritan United Methodist Church



Commissioners Present: Chairman Lynn Smith (Mecklenburg County)
Vice Chairman Ed Hull (York County)
Secretary Treasurer Robert Biggerstaff (Gaston County)
Commissioner Brad Thomas (Gaston County)
Commissioner Blanche Bryant (York County)
Commissioner George Medler (York County)
Commissioner Tim Mead (Mecklenburg County)
Commissioner Peter Hegarty (Mecklenburg County)

Commissioners Absent: Commissioner Neil Brennan (Gaston County)

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

Meeting Minutes

Item 1 – Welcome and Introductions

Chairman Smith called the meeting to order at 7:00 pm and welcomed everyone present.

Item 2 – Approval of Minutes

Chairman Smith asked if any changes need to be made to the May 23 minutes. Secretary Treasurer Biggerstaff made a motion to approve the May 23 minutes. Vice Chairman Hull seconded the motion and it was approved unanimously.

Item 3 – Approval of Agenda

Chairman Smith asked if any changes need to be made to the June 27 agenda. Secretary Treasurer Biggerstaff made a motion to approve the June 27 agenda. Commissioner Thomas seconded the motion and it was approved unanimously.

Item 4 – Public Comment

None.

Item 5 – Stakeholder Reports

Charlotte Mecklenburg Police Department – Officer Joye reported that the Coast Guard rode with them on Memorial Day weekend. They conducted boat boardings and tested boaters for alcohol consumption. CMPD also helped the YCSO find a missing swimmer. They worked on the drowning that occurred on June 8. They also assisted the YCSO with another drowning in mid-June. This past weekend was Operation Dry Water with the Coast Guard. They conducted approximately 50 boat boardings. Recently, there was also a medical call about an older gentleman wearing a life jacket who was in distress. He was removed from the water and taken to the hospital for monitoring. The Coast Guard is coming back to Lake Wylie for the July 4th holiday.

Gaston County Police Department – No report was given.

York County Sheriff's Office – Sgt. Mabry spoke to the group about light sticks. If boat lights do not work, the YCSO gives them out to boaters so they can safely make it home. Sgt. Mabry submitted a request for the LWMC to purchase light sticks on behalf of the five law enforcement agencies. Commissioner Bryant made a motion to proceed with the purchase of the light sticks. Secretary Treasurer Biggerstaff seconded the motion, there was no discussion, and the motion was approved unanimously. Commissioner Thomas said that the light sticks could be sent to the Creative Solutions office and he would handle distribution.

Sgt. Mabry brought up the mid-June drowning that Officer Joye talked about. It ended up taking two days to locate and recover the victim. He offered positive comments on the team work involved in recovering the victim. Carolina Dive and Rescue assisted the YCSO in recovery operations, as well as SCDNR's dive team. Sgt. Mabry reported that SCDNR was complimentary of the effective coordination between agencies serving Lake Wylie. He acknowledged Carolina Dive and Rescue and Chad Davis for their invaluable involvement in the situation.

Tega Cay Police Department – No report was given.

Acknowledgement of Life Jacket Awareness Initiative

Chairman Smith introduced the item and emphasized the importance of wearing life jackets on the water. Commissioner Bryant introduced Ms. Jessica Davis, a math teacher from Clover High School. Principal Rod Ruth was also present. Commissioner Bryant, Sgt. Mabry, Principal Ruth, and Ms. Davis stood in front of the dais.

Commissioner Bryant said, "We had the most wonderful time up in Clover. It was quite an experience. The kids were so enthusiastic, but it came from her. It came from her enthusiasm. And Rod has been wonderful, he has been great to work with. The kids, we hope, are going to be proud of this award. We've already had 13 drownings in South Carolina this year – three here on Lake Wylie. I look out my door yesterday and there were kids on paddle boards with no lifejackets on, going up the middle of the river. So we *need* to emphasize life jackets. We appreciate you Clover. Thank you so much. You tell the kids that next year will be even better!"

Commissioner Bryant went on to say that they plan to start this effort in September this year. Ms. Davis and Principal Ruth received a standing ovation for their work. Principal Ruth thanked the LWMC and Commissioner Bryant acknowledged Sgt. Mabry and Richardson's leadership.

NC Wildlife Resources Commission – Sgt. Laton introduced the NCWRC summer intern. Operation Dry Water was this past weekend and there was great collaboration from nearby agencies. He noted that it has been a busy month. There have been three drownings on Lake Wylie so far this year. He asked that if and when Marine Commissioners speak to the media to please emphasize that life jackets only work when you wear them. They have seen a lot of people jumping off of boats and then drowning.

SC Department of Natural Resources – Sgt. Plemmons reported that they also collaborating with nearby agencies this past weekend. Safety is the common goal. His officers wrote six summons and 21 warnings. The month of May was busy. They checked over 377 boats. SCDNR assisted with the mid-June drowning, and the South Carolina drowning. They also emphasize life jacket awareness. They give out t-shirts to kids that say, "I got caught wearing my life jacket." He noted that there was another drowning yesterday. They recently increased their dive team up to 16 people from 12 people.

US Coast Guard – No report was given.

US Coast Guard Auxiliary – No report was given.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – No report was given.

Duke Energy – Ronnie Lawson reported that:

- Lake level: 96.6' (target level: 97.0')
- Low inflow protocol: Normal.
- One dredge permit has been approved.

Gaston County Cove Keeper – No report was given.

Lake Wylie Lakekeeper Report – Dan Mullane reported that they are starting the Catawba Riversweep below the dam. It will be held on Saturday, August 13 from 9 am – 2 pm at Landsford Canal State Park. There will be a cookout afterwards and prizes to raffle off. He also noted that Sam Perkins' annual talk will be held on Saturday, July 30 at Mount Holly Municipal Complex from 10 am – noon.

Item 6 – River Sweep Update

Ellen Goff reported that:

- 2016 participation data: 461 total participants: 40 boat captains, 132 walkups, 132 group members, and 157 registered individuals (out of over 300 that registered).
- Because of poor turnout/logistics, it is suggested that Charlotte Yacht Club and Long Cove Marina be dropped for next year – may revisit in following years.
- Updated trash figures: (estimate) 3 large construction dumpsters full of trash – 189 bags of trash, 45 bags of recyclables, 38 tires (7 with wheels), 31 large pieces of Styrofoam and dock pieces, 1 kayak, 12 plastic and metal barrels, a wake board, a diesel piston, a birdhouse, a sliding board, 25 feet of gutters, Highway 279 street sign and 72 other items including an infant car seat and a fire hose.
- 3.1 tons of trash weighed from York County, 0.5 tons of recyclables.
- Assets: Funds on hand (to be updated by Treasurer) ~\$1,200.
- Materials: 468 shirts, 37 boat captain hats, 15 Leinenkugel tents, 3 Riversweep banners, 44 tarps, 80 trash grabbers, 65 emergency radios.
- Thank you letters have been sent to donors.
- Special thanks to Tailrace Marina – they provided kayaks when the kayaks from the National White Water Center were not available.
- Next Riversweep – the Planning Committee recommends a fall event instead of the spring. October 7 is the first Saturday in October 2017. September 30 may be considered. Input from the LWMC is desired.

Item 7 – “Sheyenne’s Law” (HB 958) Update

Legal Counsel Clark reviewed “Sheyenne’s Law” and recapped that the LWMC submitted letters of support for this legislation. The bill moved quickly through the House and the Senate. It was approved unanimously in the House and Senate, and signed by the Governor today.

Item 8 – Letter from Duke Energy

Legal Counsel Clark reported that there are a few proposed amendments to the Comprehensive Relicensing Agreement (CRA). The May 25, 2016 letter from Duke Energy talks about the amendments. Three of the five amendments have to do with Lake Wylie. He noted that if the LWMC does not do anything, it will be as if the LWMC agrees with the proposed amendments. Legal Counsel Clark provided his best understanding of the amendments. He recommended that the LWMC review the document and decide how to act. Commissioner Mead thought that sending an approval letter is a more appropriate response than letting the deadline pass, and thus, passively agreeing.

Commissioner Thomas made a motion to send a letter of agreement to Duke Energy. Commissioner Mead seconded the motion. Discussion: Legal Counsel Clark noted that there is a form that Duke Energy sent that we are to fill out and send back. The form lists all 5 amendments. Commissioner Thomas withdrew his motion.

Commissioner Mead seconded the withdrawal of the motion. Commissioner Hegarty made a motion to approve the three proposed amendments that pertain to Lake Wylie. Commissioner Mead seconded the motion. Discussion: Mr. Lawson provided additional comments. Commissioner Hegarty withdrew his motion. Commissioner Mead seconded the withdrawal of the motion. Discussion: Commissioner Mead commented that he has no problem endorsing all five proposed amendments. Commissioner Thomas made a motion to approve all five proposed amendments. Commissioner Mead seconded the motion, there was no discussion, and it was approved unanimously. Ms. Parker will fill out the form and send it to Duke Energy before the July 25 deadline.

Item 9 – Treasurer’s Report

- Monthly Finance Report – Secretary Treasurer Biggerstaff provided the monthly finance update.
- FY 15-16 Budget Amendment – Secretary Treasurer Biggerstaff made a motion to approve the FY 15-16 budget amendment as shown in the June agenda packet. Commissioner Mead seconded the motion, there was no discussion and it was approved unanimously.

Item 10 – FY 16-17 Budget

a. Public Hearing for Consideration of the FY 16-17 Budget Ordinance – Secretary Treasurer Biggerstaff made a motion to enter into Public Hearing for the purpose of discussing and approving the FY 17 budget. Commissioner Thomas seconded the motion and it was approved unanimously.

There were no comments from the public.

Commissioner Mead made a motion to close the Public Hearing. Commissioner Thomas seconded the motion and it was approved unanimously.

b. Discussion and Approval of FY 16-17 Budget Ordinance – Secretary Treasurer Biggerstaff made a motion to approve the FY 17 budget. Vice Chairman Hull seconded the motion. There was no discussion. The vote was taken and the FY 17 Budget approved unanimously.

Item 11 – Executive Director’s Report

Executive Director Stowe reported:

- FY16-17 Centralina COG contract – After review and consideration, Executive Director Stowe recommended that the LWMC approve the CCOG contract. Commissioner Thomas made a motion to approve the FY16-17 Centralina COG contract. Commissioner Bryant seconded the motion, there was no discussion and it was approved unanimously.
- Duke Energy Shoreline Management Plan Meeting – On June 13 Mr. Stowe attended the Shoreline Management Plan review meeting hosted by Duke Energy. Information was shared about the plan and its supporting data. This comprehensive plan is a part of the FERC process and must be reviewed on a periodic basis.
- Water Supply Management Group Meeting – On June 14 Mr. Stowe attended the June meeting of the Water Supply Management Group. This group is made up of water treatment personnel who represent all the various counties and municipalities along the Catawba chain, from Lake James to Lake Wateree. There is wide ranging discussion at the meetings on issues and opportunities which affect the entire system and all its users.

- Audit Update – Mr. Stowe has continued work on securing an accounting firm to handle the Marine Commission’s audit. An initial letter was sent to three firms who had been recommended by members of our Commission. Each of them responded that they were not interested in the work due to their lack of experience in preparing audits for government based groups. After a recommendation from CCOG, he checked the Local Government Commission website which listed names of local firms with such background. Mr. Stowe spoke with 3 of these who all indicated an interest and he mailed them an information packet. Their bids are expected to come back by mid-July.
- Law Enforcement Center – The Law Enforcement Center facilities are getting worn down. The LEC is on 3.5 acres of land. Mr. Stowe spoke to the Marine Commissioners to urge them to consider how the LEC space could be put to its highest and best use. That could include enlarging the facility, perhaps making a space for multi-agency use, etc.

Item 12 – Chairman’s Report

Chairman Smith reported that she participated in the Cabela’s event on June 12. Executive Director Stowe, Secretary Treasurer Biggerstaff, and Chairman Smith were there for the afternoon. They were stationed inside and SPLASH was a hit. This was the third event SPLASH has appeared at this year (Camp Thunderbird, Pleasant Hill Presbyterian Church, and Cabela’s).

Item 13 – Clerk’s Report

Ms. Parker did not have a report.

Item 14 – Old/New Business and Commission Projects Reports

- Water Quality –
 - Clean Marina/Clean Boating – Secretary Treasurer Biggerstaff reported that all Clean Marinas have flags and certificates.
 - Invasive Species – Commissioner Medler did not have a report.
- Buoys – Secretary Treasurer Biggerstaff reported that all buoys have been taken care of.
- Safety – Commissioner Bryant noted that they are going to work towards getting schools involved earlier with the life jacket awareness program. Kids and older adults need life jackets while swimming in the river and while on boats.
- Recreation – No report was given.
- Public Information – No report was given.

Item 15 – Adjournment

The meeting adjourned at 8:17 pm.
