

Lake Wylie Marine Commission
November 23, 2015
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 George Medler (York County)
Commissioner Tim Mead (Mecklenburg County)
Commissioner Brad Thomas (Gaston County)
Commissioner Blanche Bryant (York County)
Commissioner Neil Brennan (Gaston County)
Commissioner Peter Hegarty (Mecklenburg 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 October 26 minutes. Commissioner Mead made a motion to approve the October 26 minutes. Commissioner Bryant 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 November 23 agenda. Secretary Treasurer Biggerstaff made a motion to approve the November 23 agenda. Commissioner Medler seconded the motion and it was approved unanimously.

Item 4 – Public Comment

None.

Item 5 – Stakeholder Reports

Charlotte Mecklenburg Police Department – Officer Joye spoke about a topic that was brought up at the October meeting – a barge potentially dumping tree debris in the main channel. CMPD received a call the day after the October LWMC meeting saying that a barge was seen dumping trees into the lake. CMPD asked Duke Energy and the Army Corps of Engineers about this issue. According to NC General Statutes, it is not illegal to dump trees in the lake (not sure about SC Statutes however, Sgt. Mabry has looked into it). The marine commissioners were surprised that this action is not against the law. Duke Energy’s policy is that if a tree sinks, it is alright because it creates a habitat for fish. CMPD has a good idea about which barge is responsible. Apparently, there is nothing to keep builders from clearing a lot and dumping trees in the lake. However, factory made or treated materials are not allowed to be

thrown in the lake. Commissioner Thomas asked Officer Joye to please let the LWMC know once they know for sure who is responsible. Commissioner Brennan asked if the marine commissioners think trying to change the law is worth pursuing. The Marine Commissioners agreed that it would be worth pursuing. Commissioner Brennan proposed that next steps could include finding out what the statute situation is in South Carolina and who the legislators are whose jurisdictions cover this area (NC and SC). Commissioner Brennan asked how long this has been going on and if it is an actual problem (in terms of property damage). Commissioner Brennan made a motion that the LWMC look into the possibility of changing the law so that people cannot dump matter into the lake. Commissioner Thomas seconded the motion. Discussion: Legal Counsel Clark asked Officer Joye about the NC statute. It was reported that the NC statute is GS 14-399d, subsection b. The vote was taken and approved unanimously.

Gaston County Police Department – Commissioner Thomas reported for Officer Hamrick. The GCPD lake enforcement is getting their larger boat ready for various Christmas parades.

York County Sheriff's Office – Sgt. Mabry reported that they have also been keeping an eye on debris and trash floating down the lake. They have been involved in departmental training. The Sheriff's Office Explorer Group has had a float in the parade. Loaner life jackets will be worn in the parade. Sgt. Mabry purchased new locks for the law enforcement center.

Tega Cay Police Department – No report was given.

NC Wildlife Resources Commission – No report was given.

SC Department of Natural Resources – No report was given.

US Coast Guard – No report was given.

US Coast Guard Auxiliary – Rick Croasdale reported that they are glad that the tide came in last month. They have six new members in training and two new boats. Thus, their presence on the lake will increase.

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

Duke Energy – Ronnie Lawson reported that:

- Lake level: 98.9 (target level: 97.0')
- All reservoirs in the lake system are in good shape.
- Low inflow protocol: At Stage 1, but expect to go to Stage 0 December 1st and expect to be at 'Normal' by the end of December.
- No dredge applications have been approved.
- Jen Huff is the new Director of Lake Services at Duke Energy.
- Vice Chairman Hull asked about Duke Energy leasing Sadler Island to the US National Whitewater Center. Mr. Lawson said that is part of the relicensing agreement. He added that the prediction is that there could be a new license by the end of the year.
- Commissioner Medler asked if anything has come to light about not swimming around marinas. He talked about the 'silent killer' – [Electric Shock Drowning](#). In this scenario a boat pulls into a marina, has a bad ground, and puts out an electrical field that can kill someone in the water. Mr. Lawson has not heard anything about this issue thus far.

Gaston County Cove Keeper – No report was given.

Lake Wylie Lakekeeper Report – Dan Mullane reported that with the return of rain, emails have also returned. He coordinated with Secretary Treasurer Biggerstaff on the site at Paradise Point. The site is under control at the moment. Mr. Mullane recently had his first experience with the McLean Development. Water was noticed leaving a house going straight into lake. Plans were made to divert water and contain sediment. They let residents at the Cove know they should keep an eye on sediment by measuring levels with a stick. They have a lot of good cooperation on the ground. Tailrace Marina is building a restaurant and residential units. Silt fences were “run over” by the rain. They are working to get them put back up. Each county has different rules about development. Historically, York County has been less strict about clear cutting practices. York County has considered starting to have stricter rules. Nothing concrete has happened yet, but good progress is being made.

Mecklenburg County Park and Recreation – No report was given.

Tega Cay Police Department – No report was given.

Item 6 – Recommendation from SCDNR on the No Wake Buoy at Duke Energy Public Boat Ramp at Viesta Road in York County

Sgt. Tony Spires was not able to attend the meeting. This agenda item will be revisited in early 2016.

Item 7 – Revised Draft Emergency Safety Procedure

Commissioner Brennan said that he spoke with Sgt. Bickley with SCDNR. Commissioner Brennan sent him the draft proposed emergency safety procedure to review. Sgt. Bickley suggested wording edits in an email and Commissioner Brennan revised the document based on Sgt. Bickley’s edits. Commissioner Brennan made a motion to accept the revised version of emergency safety procedures as one of the LWMC’s guiding documents. Commissioner Mead seconded the motion and it was approved unanimously.

Item 8 – Update on Lake Maps

Commissioner Medler said that we have York County and Gaston County’s map information, but they need Mecklenburg County’s information. He called his contact at York County. She is going to help get names of contacts at Meck County GIS. Once all map information is ready, it can be sent to Kingfisher Maps in Clemson.

Item 9 – Tega Cay Update

Commissioner Brennan reported that the administrative process to release funds from the SC revolving fund is expected to close on December 6, with additional renovation work to start shortly thereafter. Corrective actions so far have proven to be effective. The recent heavy rains resulted in one small sanitary sewer overflow (SSO) of less than 1,000 gallons, none of which reached the lake.

Item 10 – Treasurer’s Report

Secretary Treasurer Biggerstaff provided the Finance Report. The LWMC’s finances are tracking as they should be for the second quarter of the fiscal year.

Item 11 – Executive Director’s Report

Executive Director Stowe addressed the following items:

- a. Boater Safety Week – Last year, we worked with Clover High School. This year, want to expand this effort. Commissioner Bryant is in charge of Boater Safety Week. He asked marine commissioners to think about Boater Safety Week and how we can make a big splash.
- b. 2016 Mid-Atlantic Boat Show, February 11 – 14, 2016. Commissioner Brennan can ask Paul Cameron to come to the Boat Show again this year. Executive Director Stowe asked marine commissioners to think about give aways.
- c. *Charlotte Observer* journalist Bruce Henderson has recently written four informative articles on water availability in the Catawba Wateree lake system. Mr. Stowe mentioned a seminar that will be held on December 1. He suggested that the marine commissioners read these articles. Ms. Parker will look up the articles and get them posted on the LWMC website.
- d. SPLASH – Terry Everhart keeps SPLASH. Executive Director Stowe would like to consider giving Mr. Everhart a fee for keeping SPLASH up. He asked if anyone had questions or reservations about this plan. Commissioner Mead had a concern about paying a public employee above and beyond. An explanation occurred about Mr. Everhart’s situation and Commissioner Mead stood corrected. Commissioner Brennan suggested that Mr. Everhart be reimbursed for mileage and for meals while on SPLASH business. Executive Director Stowe said that if everyone is alright with it, he will work with Chairman Smith on putting together a proposal. Commissioner Thomas suggested that the pay should be on an hourly basis. Chairman Smith asked if Executive Director Stowe has spoken with Mr. Everhart about the upcoming Boat Show. Commissioner Medler suggested \$20/hour and specify an appearance time frame. Chairman Smith and Executive Director Stowe will draft a proposal and share it with the group.

Item 12 – Chairman’s Report

- a. 2016 Goal Setting – Chairman Smith let the group know that a date has been selected for the annual Goal Setting. It will be held on Wednesday, January 13 at Belmont City Hall at 2:00 pm. The Stowes will host dinner after the meeting.

Item 13 – Clerk’s Report

- a. Proposed 2016 LWMC Meeting Schedule. Ms. Parker directed the marine commissioner’s attention to the draft 2016 meeting schedule included in their agenda packet. Commissioner Mead made a motion to adopt the proposed 2016 meeting schedule. Commissioner Brennan seconded the motion and it was approved unanimously.

Item 14 – Old/New Business and Commission Projects Reports

- Water Quality –
 - Clean Marina/Clean Boating – Secretary Treasurer Biggerstaff had nothing to report.
 - Invasive Species – Commissioner Medler talked to Ken Manuel. Mr. Manuel reported that Duke’s mosquito control boat staff found no hydrilla or alligator weed in the lake. They also found that there is a new fish in the lake – tilapia. Tilapia eat hydrilla. Grass carp will still need to be added. The mosquito control boat staff removed ~6,000 pounds of trash from the lake. Chairman Smith asked if anyone had heard about an alligator sighting in the lake near Yachtsman. No one had heard about this sighting.
- Buoys – Secretary Treasurer Biggerstaff said that we got the danger buoys in, however one was damaged. We are working this to rectify this situation.
- Safety – Commissioner Bryant brought up the SPLASH card (size of a baseball card) to get printed for the Boat Show. Executive Director Stowe got the card from Commissioner Bryant and will arrange for it to be printed. Commissioner Hegarty suggested using Vista Print. Sir Speedy was suggested,

as well as a company called AiM. The contact there is named Richard Winters. Commissioner Brennan made a motion to spend up to \$300.00 on getting the cards printed. Secretary Treasurer Biggerstaff seconded the motion and it was approved unanimously.

- Recreation – No report was given.
- Public Information – No report was given.

Commissioner Brennan volunteered to lead the “no dumping stuff in the lake” subcommittee (see the CMPD report in Item 5 above). Executive Director Stowe and Legal Counsel Clark will help as needed.

Item 15 – Adjournment

The meeting adjourned at 8:15 pm.
