

**Lake Wylie Marine Commission**  
**September 26, 2016**  
**Good Samaritan United Methodist Church**



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**Commissioners Present:** Chairman Lynn Smith (Mecklenburg County)  
Secretary Treasurer Robert Biggerstaff (Gaston County)  
Commissioner Tim Mead (Mecklenburg County)  
Commissioner Neil Brennan (Gaston County)  
Vice Chairman Ed Hull (York County)  
Commissioner Blanche Bryant (York County)

**Commissioners Absent:** Commissioner Brad Thomas (Gaston County)  
Commissioner George Medler (York County)  
Commissioner Peter Hegarty (Mecklenburg County)

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

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**Annual 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 August 22 minutes. Commissioner Brennan made a motion to approve the August 22 minutes. Secretary Treasurer Biggerstaff 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 September 26 agenda. Commissioner Brennan said he would like to amend the agenda to update the group on several items under Old Business. Commissioner Brennan made a motion to approve the September 26 agenda as amended. Vice Chairman Hull seconded the motion and it was approved unanimously.

**Item 4 – Public Comment**

None.

**Item 5 – Stakeholder Reports**

Charlotte Mecklenburg Police Department – Officer Carey reported that CMPD Lake Enforcement officers have cited boaters for up to 15 BWIs during this boating season. They are waiting to see how these cases come out in court. Historically, the courts have not paid much attention to these citations. They are trying to get Charlotte’s district attorneys familiar with the BWI charge. Officer Carey brought up the Charlotte protests and said that the lake unit has been impacted. He mentioned that there were two boats wrecks this weekend in York County.

Gaston County Police Department – Officer Hamrick reported that they came off of the lake on September 5. The Coast Guard rode with them that weekend. GCPD has an event coming up on October 8 at Home Depot. Their big boat is having electrical issues – the batteries keep draining. Their small boat is ready to go on the water.

York County Sheriff's Office – Sgt. Mabry reported that this past week, the dive team went to train in Charleston. He said that the way they have been doing things up here has rubbed off on law enforcement in the Charleston area. There were two boating accidents this past weekend in York County. One of the accidents occurred on Friday night and they found it Saturday morning. A boat drove through someone's boathouse. Fortunately, no one was hurt.

Tega Cay Police Department – No report was given.

NC Wildlife Resources Commission – Sgt. Laton reported that they are still patrolling, but have scaled back. They are dividing time between patrolling on land and water. They will do more education through the fall and winter.

SC Department of Natural Resources – No report was given.

US Coast Guard – Lt. Dave Herndon and Petty Officer Craig Miller told the group what they accomplished on the lake this summer. Petty Officer Miller distributed a report to the Marine Commissioners. He then reviewed significant cases they encountered on Lake Wylie on June 25, July 3, and September 3. He reviewed results statistics for seven different occasions during the summer that the Coast Guard patrolled on Lake Wylie.

US Coast Guard Auxiliary – No report was given.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) –Mr. Ferguson was unable to attend the meeting, but he emailed his report to Ms. Parker. Ms. Parker forwarded his email to the group.

Duke Energy – Ronnie Lawson reported that:

- Lake level: 96.3' (target level: 97.0')
- Low inflow protocol: Stage 0.
- No dredge permits have been approved.

Gaston County Cove Keeper – No report was given.

Lake Wylie Lakekeeper Report – Dan Mullane reported that they had a successful clean up on the river below Lake Wylie. Thirty people showed up to volunteer. A clean up was held on Lake Wateree two weekends ago. He announced that a kayak and canoe exploration of Lake Norman will be held on October 15. Participants can borrow kayaks and canoes, if needed. He reported that Sam Perkins said that there was a fish kill near Buster Boyd Bridge. Mr. Perkins has details if anyone has questions. Mr. Mullane reported that The Palisades development continues to be closely monitored.

#### **Item 6 – Presentation from Utilities Inc.: Conveyance Permit Application Riverpointe Wastewater Treatment Facility Treated Effluent Discharge Pipe**

Mr. Tony Konsul with Utilities Inc. presented to the group about the exposed pipe in one of the coves in the Riverpointe neighborhood. The focus of their work is to bury the exposed pipe. Utilities, Inc. operates the wastewater treatment plant (WWTP) in Riverpointe. That WWTP was installed around 1988. The pipe in question carries treated effluent into the lake. Duke Energy requires an easement to do this work. Commissioner Brennan commented on the situation with pipe last year. At that time, it was exposed due to

the drought and a buoy was placed so people would be aware of it. He confirmed that the easement is in line with where pipe runs into the lake. Commissioner Brennan recommended that the LWMC approve this project. Secretary Treasurer Biggerstaff asked if Utilities Inc. will bore or use another method. Mr. Konsul commented that they are currently exploring options. They have hired divers to inspect pipe. He added that the pipe runs 850' out into the lake and the first 250' are exposed. Commissioner Brennan made a motion to accept the recommendation for the easement and approve the work that Utilities Inc. has proposed. Secretary Treasurer Biggerstaff seconded the motion. There was no discussion. The vote was taken and approved unanimously. Ms. Parker will send a letter to Mr. Konsul.

#### **Item 7 – Emerald Point Presentation by World Wide Engineering**

Mr. Dee Henning with World Wide Engineering (WWE) presented to the group about a retaining wall project at Emerald Point. He was under the impression that they need to get the site plan approved by the LWMC. He distributed an aerial site plan of the Emerald Point project. Their work would address an existing retaining wall system. None of the walls are on the lake front. Mr. Henning said that he is curious about the approval process. Chairman Smith asked Ronnie Lawson to comment on how WWE should proceed. Based on Mr. Lawson's answer, Commissioner Mead made a motion that the LWMC prepare a letter that says if the site plan is accurate and that none of the retaining walls to be replaced about the lake, then the LWMC has no objection to replacing the retaining walls. Commissioner Brennan seconded the motion. The vote was taken and approved unanimously. Ms. Parker will draft a letter and send it to Legal Counsel Clark to review before finalizing and sending it to Mr. Henning.

#### **Added Item**

Commissioner Brennan reported on two items:

#### **Coal Ash Issues at Allen Steam Plant**

##### Inactive Basin

- Spillway repairs and new spillway installation will be complete by October 31 and certified by the submission of as-built engineering drawings by November 30.
- Vegetation and tree removal was completed on September 21.
- Slope repairs are to be completed and certified completed today (September 26).

##### Active Basin

- Spillway repairs are to be completed by October 14 and certified by November 17.
- Slope repairs are to be certified complete by September 28.

#### **Tega Cay Sewer System Repairs**

- On schedule to complete the project by December.
- Rehabilitation of the Waste Water Treatment Plants (WWTPs) continues as does inspection repair, replacement and/or lining of the gravity sewer lines.
- Over 50% of the new force main that connects the WWTPs has been installed.
- There were no Sanitary Sewer Overflows during the June to September reporting period.

#### **Item 8 – Treasurer's Report**

Secretary Treasurer Biggerstaff provided the monthly finance update.

#### **Item 9 – Executive Director's Report**

Executive Director Stowe reported:

- a. Nominating Committee Report: The Nominating Committee has met. The election of officers will be the last item of business on the agenda.
- b. Boat Show Notice: New Date: Please note that the Boat Show has been moved to February 9 – February 12, 2017.

### **Item 10 – Chairman’s Report**

Chairman Smith reported that she attended the September Officers meeting.

### **Item 11 – Clerk’s Report**

Ms. Parker did not have a report.

### **Item 12 – Old/New Business and Commission Projects Reports**

#### **Old Business**

- Water Quality –
  - Clean Marina/Clean Boating – Secretary Treasurer Biggerstaff did not have a report.
  - Invasive Species – Commissioner Medler was not present.
- Buoys – Secretary Treasurer Biggerstaff reported that a lake resident called about three buoys that were on his shore. It was noted that there is a buoy loose in Brown’s Cove. It was also noted that one of the buoys in the back of Boyd’s Cove looks like it is sinking.
- Safety – Commissioner Bryant did not have a report. She said that more information is forthcoming next month.
- Recreation – No report was given.
- Public Information – No report was given.

#### **Election of Officers**

Legal Counsel Clark explained the election process and led the Election of Officers. He stated:

- For the position of Chairman: Executive Director Stowe said the Nominating Committee recommends Lynn Smith. Hearing no further nominations, Lynn Smith will continue serving as Chairman.
- For the position of Vice Chairman: Executive Director Stowe said the Nominating Committee recommends Neil Brennan. Hearing no further nominations, Neil Brennan will serve as Vice Chairman.
- For the position of Secretary Treasurer: Executive Director Stowe said the Nominating Committee recommends Robert Biggerstaff to the position of Secretary Treasurer. Hearing no further nominations, Robert Biggerstaff will continue serving as Secretary Treasurer.
- For the position of Assistant Secretary Treasurer: Executive Director Stowe said the Nominating Committee recommends Commissioner Brad Thomas to the position of Assistant Secretary Treasurer. Hearing no further nominations, Brad Thomas will serve as Assistant Secretary Treasurer.

That concluded the Election of Officers. Legal Counsel Clark congratulated the Officers.

Executive Director Stowe stood and acknowledged the outstanding job that Ed Hull has done as Vice Chairman of the LWMC. He thanked Mr. Hull and everyone present gave him a standing ovation.

### **Item 13 – Adjournment**

The meeting adjourned at 7:50 pm.

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