



Commissioners Present: Vice Chairman Peter Hegarty (Mecklenburg County)
Secretary Treasurer Blanche Bryant (York County)
Commissioner Ellen Goff (York County)
Commissioner Dan Mullane (Mecklenburg County)
Commissioner Hunter Wilson (Mecklenburg County)
Commissioner Smitty Hanks (Gaston County)

Commissioners Absent: Chairman Neil Brennan (Gaston County)

LWMC Staff Present: Emily Parker, Administrator; Chris Clark, Legal Counsel

Meeting Minutes (revised)

Mission Statement

To promote public policies and support regulations for the preservation of Lake Wylie and its wildlife and for the education and safety of the citizens who use this beautiful natural resource.

Item 1 – Welcome and Introductions

Vice Chairman Hegarty called the meeting to order at 7:00 pm and welcomed everyone present. Secretary Treasurer Bryant asked for a moment of silence for York County Sheriff's Office Detective Michael Doty who passed away due to injuries sustained in the line of duty.

Item 2 – Approval of Minutes

Vice Chairman Hegarty asked if any changes need to be made to the November 27, 2017 minutes. Commissioner Wilson moved to approve the November 27, 2017 minutes. Commissioner Goff seconded the motion and it was approved unanimously.

Item 3 – Approval of Agenda

Vice Chairman Hegarty asked if any changes need to be made to the January 22, 2018 agenda. Legal Counsel Clark proposed an agenda amendment. He would like to move Item 13 (*Follow up: LWMC Insurance Request*) into closed session at the end of the meeting, along with two additional items – relative to a liability issue and a budget issue. LWMC is permitted to go into closed session to consult with legal counsel. Legal Counsel Clark stated that if the Marine Commission agrees with his recommendation, he would need a motion, second and vote to amend the agenda to remove Item 13 and insert closed session at the end of the meeting before adjournment. Commissioner Hanks moved to amend the agenda as recommended by Legal Counsel Clark. Vice Chairman Hegarty suggested that we table these items until next month when Chairman Brennan will be present. Commissioner Hanks withdrew his motion. Legal Counsel Clark then amended his recommendation that Item 13 be removed from the agenda (Item 13 will stay on the agenda). Secretary Treasurer Bryant moved to adopt the agenda as recommended by legal counsel. Commissioner Goff seconded the motion. There was no further discussion and it was approved unanimously.

Item 4 – Public Comment

Lake resident Kirk Ballard addressed the Lake Wylie Marine Commission about a potential no wake zone near his residence, which is near Riverside Marina. Mr. Ballard found out that the marina may have applied for a no wake zone. Mr. Ballard and some members of his community do not agree with a possible no wake zone. Vice Chairman

Hegarty clarified that a no wake zone application had not come in to the Lake Wylie Marine Commission and that the Marine Commission would let him know if an application does come in. Until then there is not much else the LWMC can do. Legal Counsel Clark added that because this location is in North Carolina, the marina could apply directly to NC Wildlife Resources Commission (NCWRC). Sgt. Laton mentioned that he could inform the Marine Commission if that no wake zone application comes in.

Item 5 – Stakeholder Reports

Charlotte Mecklenburg Police Department (CMPD) – Officer Carey reported that CMPD will be in the same location at the Boat Show. He mentioned that CMPD lake enforcement are probably not going to be out on the water much more this winter. Charlotte City Council is slated to hear the request for CMPD’s new boat at their February 26 meeting.

Gaston County Police Department (GCPD) – No report was given.

York County Sheriff’s Office (YCSO) – No report was given.

Tega Cay Police Department (TCPD) – No report was given.

NC Wildlife Resources Commission (NCWRC) – Sgt. Laton reported that they have been working on duck hunting on Lake Wylie. NCWRC will have a booth at the Boat Show this year. Sgt. Laton will send Ms. Parker a list of boater education classes to be posted on the LWMC website.

SC Department of Natural Resources (SCDNR) – No report was given.

US Coast Guard – No report was given.

US Coast Guard Auxiliary – Coast Guard Auxiliary member Ray Webber reported to the group. The Coast Guard Auxiliary will be on Lake Wylie from April 1 – Oct 31. Marine safety is their primary focus. He plans to come to each LWMC meeting moving forward. The Coast Guard Auxiliary will be at the Boat Show. Vice Chairman Hegarty asked if they maintain a boat on Lake Wylie. Mr. Webber replied that they have two boats on the lake. They are not Coast Guard boats, but instead are member’s personal boats called “facilities.” He added that a lot of training and outfitting is required to turn a member’s boat into a “facility.”

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – Matthew Phillips reported on the November 2017 [Lake Use Support Index \(LUSI\) map](#). They do not sample in Lake Wylie in December but will sample again in January. Referring to the November LUSI map, he said that a couple of coves have higher nutrient content, but the numbers are normal and look good. Mr. Phillips talked about the River District development. His team just met with developers Lincoln Harris and Crescent. The developers have LUESA’s contract in hand. He commented that the developers must sign that agreement before they can break ground. LUESA will start with baseline monitoring, likely in spring 2018. He added that the River District development is a 15-20 year project. Commissioner Goff asked if they will add sampling areas when the development starts, and Mr. Phillips said they would. Commissioner Hanks asked about the one LUSI sample site in SC and if other sample sites can be added. Mr. Phillips said he would have to check with his supervisor. Commissioner Hanks added that if LUESA cannot sample in SC, maybe they can contract with the LWMC to do the sampling. Vice Chairman Hegarty asked if he went out to the spill near McDowell Park. Mr. Phillips commented that his coworkers went to that spill and that it is cleared up.

Duke Energy – Ronnie Lawson reported that:

- Lake level: 97.4’ (target level: 97.0’)
- Low inflow protocol: Stage 0 (drought watch)
- No dredge permits have been submitted or approved in the past month.

Commissioner Mullane asked Mr. Lawson if someone else is willing to fund a dredging project, would Duke Energy support it. Mr. Lawson said that individuals must first do the application process. Individuals pay to submit the application and for the dredging service itself.

Gaston County Cove Keeper – No report was given
Lake Wylie Lakekeeper Report – No report was given.

Item 6 – Yachtsman Marina Request for Safety Buoys

This item was deferred *until the area can be inspected*.

Item 7 – 2018 Mid-Atlantic Boat Show Preparation & Assignments

Vice Chairman Hegarty addressed the 2018 Boat Show and staffing assignments. Set up will happen Wednesday, February 7 and take down will happen on Monday, February 12. Mr. Brad Thomas kindly offered to help with booth set up and takedown. The LWMC will have the same booth location as last year

Item 8 – Consideration of New Venue for York County Meetings

Secretary Treasurer Bryant continues to look for a suitable York County location. Commissioner Hanks moved to meet in the Mecklenburg County location in February and meet in the York County location in March, if needed. Commissioner Wilson seconded the motion and it was approved unanimously. Ms. Parker will follow up with The Red Fez Shrine Club and Good Samaritan United Methodist Church.

Item 9 – Review of 2018 Goals from the Goal Setting Session

Vice Chairman Hegarty reviewed the 2018 goals. Commissioner Hanks moved to accept the goals with the provision that Marine Commissioners may need to be flexible with their assignments over the course of the year. Commissioner Wilson seconded the motion and it was approved unanimously.

Item 10 – Clarification of the Mecklenburg County Reporting Requirement

Vice Chairman Hegarty presented this item to the group. Mecklenburg County has a new reporting requirement for its commissions. An update from the LWMC is on the Mecklenburg County Board of Commissioners' August 8 agenda. The LWMC report is due to Mecklenburg County in advance of the meeting on July 23. Vice Chairman Hegarty said the LWMC could consider making similar presentations to Gaston and York County Commissions. Commissioner Hanks asked if we could go ahead and meet with Gaston and York Commissions (before August). Vice Chairman Hegarty asked Secretary Treasurer Bryant and Commissioner Hanks to check with their respective counties about getting on each Commission's agenda.

Item 11 – Follow up: Consideration of Joining Area Chambers of Commerce

Vice Chairman Hegarty addressed this matter. The LWMC can join the Lake Wylie Chamber of Commerce as a non-profit organization. Secretary Treasurer Bryant moved that the LWMC join the Lake Wylie Chamber of Commerce. Commissioner Wilson seconded the motion. Discussion: Commissioner Mullane asked who will go to the chamber meetings and events. A few of the marine commissioner said they could attend. Commissioner Goff's reservation is that the LWMC get true benefit for the cost of membership. She would like to see if there is something tangible to be gained. Secretary Treasurer Bryant suggested that if we join a chamber, perhaps the LWMC should look into joining other area chambers. The vote was taken and approved unanimously.

Item 12 – Follow up: Joint Jurisdiction Task Force Update

Legal Counsel Clark said that he called NCWRC's legal counsel about this matter. He had no further report. Mr. Clark provided background on this item and said that further work is needed. Commissioner Hanks asked if Mr. Clark had looked up what the situation is with other neighboring states, such as VA. NC and SC have different statutes in place about pursuing perpetrators across state lines. Mr. Clark said a possible different solution could be to have each law enforcement agency review and perhaps align their rules.

Item 13 – Follow up: LWMC Insurance Request

This item has been deferred to February 26 meeting.

Item 14 – Treasurer’s Report

Secretary Treasurer Bryant provided the Treasurer’s report. She gave an overview of the LWMC financials – revenues and expenditures as of December 31, 2017.

Item 15 – Chairman’s Report

Vice Chairman Hegarty relayed Chairman’s Brennan report:

- Represented the LWMC at six Montcross Area Chamber of Commerce events in December and January.
- Forwarded safety information for marinas from Electrical Safety Foundation International (ESFI) to the state overseers of their respective Clean Marina programs: Ben Solomon (NC) and Liz Hartje (SC). Both are pursuing revisions to their checklists to include steps to inspect for electrical hazards that can lead to swimmer electrocution at marinas. Advised both the state reps that Commissioners Hanks and Mullane may be contacting them for future consultation. Following our Goal Setting meeting, confirmed with ESFI that a qualified electrician is not required to use the ESFI checklist for inspections. An electrician may be needed to correct any discrepancies the completed checklist reveals. After consulting with Legal Counsel Chris Clark, it is recommended that LWMC Clean Marina inspectors not inspect for the electrical issues listed in the ESFI checklist. Rather, LWMC inspectors should ask to see a checklist completed and dated by the by the marina owners as part of our requirements to award the LWMC Clean Marina certification and flag.
- Followed up with Catawba Riverkeeper Sam Perkins regarding the way forward to address the sedimentation issues on Lake Wylie. We are pursuing a meeting with WBTV to see if they would be interested in doing a story following the recent fines levied against Mattamy Homes for the large spill into Lake Wylie last summer.
- Arranged for Brad Thomas to handle the set up and removal of our booth at the Boat Show.
- Coordinated with Commissioner Goff to have Riversweep 2018 Save-the-Date Cards ready for the Boat Show.
- With Commissioners Hegarty, Bryant, and Goff, planned and attended a retirement party for Joe and Janice Stowe on January 11.
- With Commissioners Hegarty and Bryant, planned and attended the 2018 Goal Setting session.
- With officers Hegarty and Bryant, developed the January meeting agenda.

Vice Chairman Hegarty thanked the Charlotte Fire Department for their work to put out a house fire near Pier 49 and the Steele Creek Fire Department for addressing a sunken boat near McDowell Park.

Item 16 – Clerk’s Report

Ms. Parker did not have a report.

Item 17 – Old/New Business and Commission Project Reports**Old Business**

- Water Quality –
 - Clean Marina/Clean Boating – Commissioner Hanks reported that he and Commissioner Mullane have been looking into the LWMC Clean Marina program. He asked if the LWMC is benefitting from conducting the Clean Marina program and if it is the best use of the LWMC’s time. NC and SC both have Clean Marina programs. Commissioner Hanks suggested that it might be a better use of time to try and get marinas aligned with the NC or SC inspection program. He also asked about there being a possible liability issue if we inspect for safety. Vice Chairman suggested formulating a plan for how to address this situation and presented at the next meeting or when the plan is ready.
 - Invasive Species – Commissioner Mullane did not have a report.
 - Sedimentation – Commission Goff did not have a report.

- Buoy Maintenance – Commissioner Wilson reported that there is a buoy at the back of Brown’s Cove that a boater would not see the buoy unless you were right at it. It is not supposed to be there. Vice Chairman Hegarty asked Commissioner Wilson to get the number of it, if possible.
- Safety – Secretary Treasurer Bryant recapped that we discussed at the Goal Setting – the plan is to change what the LWMC does for safety promotion this year. Secretary Treasurer Bryant is open to other safety program ideas. Commissioner Hanks asked if law enforcement has loaner life jackets to give out. CMPD Officer Carey says they do and most of the time they get them back.
- Recreation – No report was given.
- Public Information – Commissioner Goff reported that work is being done on the brochures and promotional materials for Boat Show.

Item 18 – Adjournment

The meeting adjourned at 8:22 pm.