



Commissioners Present: Chairman Neil Brennan (Gaston County)
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)
Commissioner Debi Chacharon (York County)
Commissioner Dan Hartley (Gaston County)

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

Meeting Minutes

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

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

Item 2 – Approval of Minutes

Chairman Brennan asked if any changes need to be made to the February 26, 2018 minutes. Vice Chairman Hegarty moved to approve the February 26, 2018 minutes. Commissioner Hartley seconded the motion. There was no further discussion and it was approved unanimously.

Item 3 – Approval of Agenda

Chairman Brennan asked if any changes need to be made to the March 26, 2018 agenda. Vice Chairman Hegarty moved to adopt the March agenda. Secretary Treasurer Bryant seconded the motion. There was no further discussion and it was approved unanimously. Chairman Brennan mentioned that the LWMC would go into closed session at the end of the meeting.

Item 4 – Public Comment

None.

Item 5 – Stakeholder Reports

Charlotte Mecklenburg Police Department (CMPD) – Officer Joye reported that this past weekend they participated in a useful training on Lake Norman that included inter-agency drills, mock boat accidents, rescues, etc.

Gaston County Police Department (GCPD) – Officer Hamrick reported that the equipment he ordered was delivered and will be installed in two weeks. Both of their boats will be serviced in next few weeks in preparation for boating season.

York County Sheriff's Office (YCSO) – Sgt. Brent Mabry reported that they have been busy with two boater education classes. Seventeen people from ages 12-64 took and passed the courses. He reported that YCSO received their kayaks and got them decaled. Hopefully they will have one shift per week to patrol below the dam. They are coordinating with SCDNR on this patrol. Sgt. Mabry reminded the group that previously there have been only two SCDNR staff members to cover all of the buoys in South Carolina. He reported that now there is only one staff person in this position. He stated that SCDNR has given him the authority to replace missing buoys. The LWMC should continue to coordinate with Sgt. Mabry and SCDNR, per the existing procedure. Next month, the YCSO dive team will have swift water dive training below Lake Murray. Commissioner Wilson asked what it would take for someone to be a boater safety instructor, and if that person has to be a member of law enforcement. Sgt. Mabry said that a person does not have to be, but it is preferred. Sgt. Mabry commented that he thinks the existing classes are readily available to the public and serve to fill a need.

Tega Cay Police Department (TCPD) – No one was present to report.

NC Wildlife Resources Commission (NCWRC) – Sgt. Laton introduced Officer Cody Walker. Officer Walker has been in Gaston County for three years and has been with NCWRC for five years. Sgt. Laton asked if the LWMC had questions based on NCWRC buoy staff' presentation at the February LWMC meeting. Commissioner Hanks said he had a follow up conversation with Tracy Parsons about checking buoys before Easter. Commissioner Goff said they were helpful in pointing the LWMC towards NCWRC contacts in Raleigh. She has been in contact with staff in Raleigh. Sgt. Laton mentioned a search and rescue map made by Kingfisher Maps, which he said was very useful. From search and rescue stand point, it is useful because map is on a grid. Commissioner Wilson commented that an Alcohol Law Enforcement (ALE) officer called him regarding a taskforce the ALE wants to put together. Commissioner Wilson suggested that they get a map made to hand out to people that they stop and interact with. Chairman Brennan is interested in looking into the utility of having Lake Wylie map with grid on it. He would also like information for who makes the map that Sgt. Laton showed the group. *(click here to see a Lake Wylie map sold by Kingfisher Maps <https://www.kfmaps.com/shop/lake-maps/lake-wylie-327/>)*

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. He stated that the Coast Guard Auxiliary also conducts a 4-hour boater education course every third Saturday at a nearby Cabela's location. He noted that a phone number on LWMC site is incorrect. He will get the correct number to Commissioner Goff. He is also interested in the Lake Wylie map idea and also the map phone app for the younger generation. Mr. Webber talked about assessing where buoys are located and reporting back as needed. Chairman Brennan is in favor of having extra assistance on the water related to buoys. The Coast Guard Auxiliary will be on the water starting April 1.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – Adding on to the map discussion, Mr. Dave Ferguson spoke about the Navionics phone app. It does not include a grid for search and rescue, but for \$10 a user can view a map of every major water body through the app. Mr. Ferguson commented that LUESA staff were not able to sample on Lake Wylie in January, but they sampled on Lake Wylie on February 6. He noted that fecal coliform and e. coli numbers are high in certain places due to turbidity because of of rain and snow events in January. He commented that the lake is doing its job and the water that is going down stream is decent and clean. Recently the LUESA group had a meeting about monitoring and monitoring sites. Mr. Ferguson questioned monitoring sites that possibly do not need to be monitored anymore. The outcome is that two sites will be removed. In terms of possible new monitoring sites, areas around Big Allison and around the recreation area at Ebenezer Park intrigue Mr. Ferguson. He made it clear that he would not tell the LWMC specifically where to add monitoring sites.

Commissioner Hanks moved to add two sites to the LUESA monitoring schedule -- Ebenezer Park and Big Allison Creek. Commissioner Chacharon seconded the motion. Discussion: Commissioner Goff noted that the Catawba

Riverkeeper Foundation (CRF) made recommendations about possible sites to sample. Their recommendations are to test for ecoli at Torrence Creek outlet and Little Allison Creek sandbar. Commissioner Goff distributed the CRF's recommendations for the group to review and consider. Mr. Dave Ferguson recommended that when the two sites are picked, to test them for a year for fecal coliform or ecoli, or for both. Commissioner moved to amend Commissioner Hanks' motion. Commissioner Hanks moved to table the original motion until further information can be collected and reviewed by the Marine Commission. Vice Chairman Hegarty seconded the motion. The vote was taken and approved unanimously.

Duke Energy – Ronnie Lawson reported that:

- Lake level: 98.0' (target level: 97.0')
- Low inflow protocol: Normal.
- No dredge permits have been submitted or approved in the past month due to the temporary dredging moratorium in place because of fish spawning season.

Mr. Lawson addressed the FERC licensing process. Duke Energy was granted a 40-year license from FERC and Duke Energy decided to appeal and request a 50-year license. He reported that Duke's appeal was denied, and they are not going to challenge the decision. Duke Energy has the license until 2055.

Gaston County Cove Keeper – No report was given

Lake Wylie Lakekeeper Report – No report was given.

Item 6 – Catawba Sail and Power Squadron (York County) – Presentation Invitation

No presentation was made by the Catawba Sail and Power Squad.

Item 7 – Riversweep Planning Update

Commissioner Goff talked about Riversweep 2018, which will be held on October 6, 2018. The planning committee is in good shape from last year with regard to resources. They will revise the public service announcement (PSA) video. The planning team will meet monthly.

Item 8 – Follow Up: Joint Jurisdiction Task Force Update & LWMC Insurance Request from Mecklenburg County

Legal Counsel Clark provided an update on these items.

Joint Jurisdiction Task Force Update: He noted that last year a meeting was held with multiple law enforcement agencies on the lake because of Lake Wylie's unique position to cross the state line. Some agencies restrict patrolling to just their state. The question is what happens if a perpetrator crosses the state line. Mr. Clark said that he spoke with Mr. Gordon Myers, Director of NCWRC. Mr. Myers was interested in talking about this issue. He would like Mr. Clark to send him information then he will talk with NCWRC's legal counsel. After that they will loop back around to the LWMC to determine the best way to move forward. Chairman Brennan commented that the optimal situation would be for law enforcement officers to come to consensus among themselves. Secretary Treasurer Bryant asked if these agencies do not already coordinate. Sgt. Mabry said they do not have an issue. Mr. Clark said his take away from that multi-agency meeting was that law enforcement agencies have different approaches to this issue. Both NC and SC have legislation that allows active cross jurisdictional coordination.

Insurance Request from Mecklenburg County: This situation has been settled.

Item 9 – Treasurer’s Report

Secretary Treasurer Bryant provided the Treasurer’s report. She gave an overview of the LWMC financials including revenues and expenditures as of February 28, 2018.

Chairman Brennan asked Legal Counsel Clark to set up a Memorandum of Understanding (MOU) between the LWMC and the YCSO regarding the possible transfer of the law center to YCSO. Secretary Treasurer Bryant asked if the deed to law enforcement center has been located. Sgt. Mabry said that he found it. Mr. Clark has copy of lease.

Item 10 – Chairman’s Report

Chairman’s Brennan report was as follows:

- Attended one Montcross Area Chamber of Commerce event, and the officers’ agenda preparation meeting.
- With Commissioner Hanks, called Ben Solomon, overseer of the North Carolina Clean Marina program, to suggest a meeting to pursue ways in which the LWMC can support the state program. Mr. Solomon will visit Lake Wylie in April to brief marina operators on the program.
- Introduced the NC State Clean Marina program checklist to Harbortowne and Tailrace Marinas. Harbortowne is interested in learning more from Ben Solomon, and Tailrace is considering their options. Ben Solomon has agreed to visit Lake Wylie marina operators in April to discuss the state program in detail with them. Date is to be determined.
- Put SC Clean Marina officials in contact with Denton Marina Group Managing Director Steve Stiglbauer who was under the incorrect impression the SC State Clean Marina Program was defunct.
- LWMC Commissioner Medler confirmed that marina insurers have been previously asked to consider lowering their rates for marinas certified as Clean Marinas; they did not agree to such a reduction. Pier 88 Yacht Club (River Hills Estates) owner Paul Hermann received no discount on insurance because of the Clean Marina status his marina has.
- Contacted Boat Show Coordinator Les Gray to reserve a spot next year adjacent to the Lake Wylie Law Enforcement booth. The 2019 Show will be 3 days at the end of January.
- Confirmed with YMCA Executive Director Tim Conley that LWMC may continue to meet at the Clover facility at no charge as originally arranged by Secretary Treasurer Bryant.
- Provided the ESFI electrical safety information to Mr. Stiglbauer for his marinas and to the managers of Pier 49 Marina, Pier 88 Yacht Club, Harbortowne Marina, and Tailrace Marina.
- The Electrical Safety Foundation International provided this information:
“ESFI does not promote or encourage the purchase of any particular products, however any product certified by UL, Intertek, or CSA is typically safe for use. This means that ESFI does not advocate for the effectiveness of any products that claim to detect the presence of an electrical current in water. ESFI staff is aware of the following products that claim to do so:
 1. Shock Alarm
 2. Dock Lifeguard
 3. Shock Guard
 4. Shock Alert”
- Met with Paul Cameron of WSB-TV regarding airing a story about sedimentation issues in general and the Torrence Creek spill last summer in particular. Mr. Cameron suggested that coverage in the spring would be a good time to pursue such a story.
- Communicated with Steven Hinshaw of the McLean development He indicated that a boat house at the McLean site for the Gaston County police boat is not feasible. The offer for a slip and office space there remains.
- Met with Gaston police officials regarding the direction for the Northern Law Center. Met with Ms. Cindy White of the Belmont Rowing Club (BRC) to discuss the possibility of establishing a Gaston County Police boat house and office space on the land the BRC has donated to the City of Belmont. The land is south of the Belmont Water Treatment plant. They are very much in favor of such an arrangement. Belmont Fire

Department is also looking for a new location for their fire boat; they and the city officials are considering the possibility of a joint boat house.

- Met with Allen Steam Plant Manager Terry Tuck for a plant tour and to brief him on Riversweep. Allen Plant will provide bottled water and allow flyers to be displayed in the plant as was done last year. He briefed me on the construction that is underway on the new retention basins for the heavy coal ash, the flue gas desulfurization system that generates fly ash that will also be shipped off-site, the holding area for the wastewater and coal plant run-off, and a new filtration system that will be installed for an additional filtration of the water returned to the river. The existing coal ash basins (active and inactive) will have no additional coal ash deposited there. They will be capped or the ash there will be shipped off site – yet to be determined.
- Conferenced with Emily Parker and Chris Clark regarding legal issues for a closed session of the Commission.

Item 11 – Clerk’s Report

Ms. Parker said that Boat Show reimbursement checks will be ready soon. She thanked Alan Marfin and the Red Fez Shrine Club for their great hospitality.

Item 12 – Old/New Business and Commission Project Reports

a. Water Quality

- Clean Marina/Clean Boating
 - Meeting with NC State Clean Marina Officials – Chairman Brennan covered this in his report.
 - Electrical Current Monitors for Marina Waters – Chairman Brennan covered this in his report.
- Sedimentation (Policy, Presentations, Parity, and Education) – Commissioner Goff reported that the sediment continues to flow into the lake. York County Commissioner Love is working with York County staff to increase monitoring.
- Invasive Species and Impacts of Native Plants on Shoreline and Water – Commissioner Mullane reported that he spoke with Ken Manuel. Duke Energy staff conducted a three-week long study in September and concluded that there was no hydrilla growing in the lake. Therefore, Lake Wylie will not receive carp this year. Mr. Dave Ferguson commented that eel grass is a new problem that could spread to Lake Wylie. Chairman Brennan asked for Commissioner Mullane’s recommendation on whether follow up is needed with Duke Energy about stocking carp in 2018. Commissioner Mullane recommended that there is no need to follow up since Duke Energy has made their decision.
- PCBs and Heavy Metals in Fish – Commissioners Hanks made phone calls on this topic and further research is needed.

b. Northern Law Center – Chairman Brennan covered this in his report.

c. Buoys

- Buoy Maintenance – This topic will be discussed in closed session at the end of the meeting.
- Commissioner Wilson investigated light up buoys, where the light is inside buoy and the casing is luminescent. In models that he found, the light is encased on top, so it seems more secure.
- It was agreed that the Coast Guard Auxiliary would help check buoys and report back to the LWMC and other relevant parties. Mr. Ray Webber will lead this effort for the Coast Guard Auxiliary.

d. Safety Programs – Secretary Treasurer Bryant talked with law enforcement groups about buying life jackets for children. They recommended that it would be good to have four life jackets for children per boat (two for infants and two for older kids under 12). Secretary Treasurer Bryant will get a price quote and share at the April meeting.

Boat rental companies – Commissioner Wilson received a call from an Alcohol Law Enforcement (ALE) officer about a new effort to patrol on Lake Wylie by boat. Commissioner Wilson suggested that they could coordinate with rental boat companies. At the time of the meeting, Commissioner Wilson had nothing further to report on coordinating with paddle boat companies. Commissioner Hanks asked about

requirements to wear a life jacket on paddle board or kayak. It was noted that the LWMC does not want to get into the position of dictating rules to people using Lake Wylie.

e. Public Information

- Schedule, tours, media spokespersons, branding, Chambers of Commerce, email directory – Commissioner Goff reported that there has been conversation about better promotion of the LWMC. Part of this effort would be to revise the mission statement to be more concise and relevant to various audiences. Chairman Brennan suggested putting the LWMC mission statement on the back of Marine Commissioner’s business cards. Secretary Treasurer Bryant commented that when she tells people about the LWMC, she does not often quote the mission statement. Commissioner Wilson suggested the LWMC have a tagline (in addition to the mission statement).
- Secretary Treasurer Bryant said that officers are now meeting at the Lake Wylie Chamber of Commerce (LWCC). Vice Chairman Hegarty will send Ms. Parker information for their contact at the LWCC. When Ms. Parker receives notices from the LWCC and the Montcross Chamber, she can forward them to the LWMC.
- Mr. Rusty Rozzelle sent a placard and stamp kit to Commissioner Wilson. Placards and stamps go on top of storm drains. Commissioner Wilson suggested stamping storm drains in Mecklenburg County in neighborhoods that border Lake Wylie.

Commissioner Hanks moved that the LWMC go into closed session. Vice Chairman Hegarty seconded the motion. There was no discussion. The vote was taken and approved unanimously.

Closed Session

During closed session, the LWMC sought legal advice from Legal Counsel Clark on matters relating to insurance, contracting, and finances. The following motions were made and votes recorded during the closed session:

- A motion was made and seconded to pay Terry Everhart \$20 per hour to take care of SPLASH. The rate will include time spent traveling to and from events and the previous provision to pay for mileage is eliminated. After a period of discussion, a vote was taken and the motion passed.
- A motion was made and seconded to reimburse Chairman Brennan for contracted expenses relating to a farewell party for retiring Executive Director Joe Stowe. There was no further discussion. A vote was taken and the motion passed.
- A motion was made and seconded to convey the Southern Law Enforcement Center to York County. After a period of discussion, a vote was taken, and the motion passed.

Vice Chairman Hegarty moved that the LWMC come out of closed session. Commissioners Hanks seconded the motion. There was no discussion. The vote was taken and approved unanimously.

Item 13 – Adjournment

The meeting adjourned at 9:24 pm.