

**Lake Wylie Marine Commission**  
**July 23, 2018**  
**Belmont City Hall**



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**Commissioners Present:** Chairman Neil Brennan (Gaston County)  
Commissioner Ellen Goff (York County)  
Commissioner Smitty Hanks (Gaston County)  
Commissioner Debi Chacharon (York County)  
Commissioner Dan Hartley (Gaston County)  
Commissioner Hunter Wilson (Mecklenburg County)

**Commissioners Absent:** Vice Chairman Peter Hegarty (Mecklenburg County)  
Secretary Treasurer Blanche Bryant (York County)  
Commissioner Dan Mullane (Mecklenburg County)

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

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**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 June 25, 2018 minutes. Commissioner Hartley moved to approve the June 25, 2018 minutes. Commissioner Goff seconded the motion. There was no discussion and the motion was approved unanimously.

**Item 3 – Approval of Agenda**

Chairman Brennan asked if any changes need to be made to the July 23, 2018 agenda. Commissioner Hanks moved to adopt the July 23 agenda. Commissioner Wilson seconded the motion. There was no discussion and the motion was approved unanimously. Chairman Brennan introduced an item to be added to the agenda. Review of the 'Yachtsman Marina No Wake Buoy Request' should be added after Item 7. Commissioner Goff moved to adopt the July 23 agenda as amended. Commissioner Hanks seconded the motion. There was no further discussion and the motion was approved unanimously.

**Item 4 – Public Comment**

None.

**Item 5 – Stakeholder Reports**

Charlotte Mecklenburg Police Department (CMPD) – Officer Joye reported that the July 4 holiday was relatively quiet on Lake Wylie. Both CMPD boats are operational and they will get their new boat in December 2018. The City of Charlotte will fly Officer Joye, Officer Carey and their supervisor to Seattle for sea trials with the new boat. Afterwards the boat will be shipped to Charlotte.

Gaston County Police Department (GCPD) – Officer Hamrick was not present. GCPD Officer Robinson reported that GCPD lake enforcement has a new supervisor.

York County Sheriff's Office (YCSO) – Sgt. Mabry also reported that the July 4 holiday was relatively quiet on Lake Wylie. He commented that Tega Cay and Belmont had fireworks displays, which may have helped to disperse the crowd that is usually gathered *en masse* on the water. A fatality was reported on Saturday night/early Sunday morning. Reportedly the victim did not drown but died of a medical issue then fell in the water.

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

NC Wildlife Resources Commission (NCWRC) – Sgt. Laton introduced Officer Kyle Young, a NCWRC officer in Cabarrus County. He patrols Mountain Island Lake, Lake Norman, and Lake Wylie. Officer Young has been with the NCWRC for approximately six years. Over the July 4 holiday, NCWRC cited several boats for running without lights. Sgt. Laton said that they are getting a new trainee, Allen Vang. He will train in the field for six months. He noted that they are working with Latin American Coalition on getting boater safety materials translated for Spanish speaking people. He said that the first step is to teach people so they understand the rules and what is expected regarding boater safety. Chairman Brennan gave Sgt. Laton LWMC materials to be translated. Commissioner Hanks asked if there are fishing regulations written in Spanish. Sgt. Laton said not yet. Commissioner Hanks asked about getting a Spanish language Public Service Announcement (PSA) on Spanish radio stations. Sgt. Laton said they are working with the Latin American Coalition to coordinate with different media outlets.

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

US Coast Guard – No report was given.

US Coast Guard Auxiliary – Mr. Ray Webber was not present to report.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – Mr. Dave Ferguson provided the May 2018 Lake Wylie Water Quality Report. He noted that fecal coliform numbers are down, and the main channel is in good shape. He also distributed a June 2018 sampling map that focused only on bacteria data. He noted that on the June map, sampling sites PALC1 and PALC 10 have been removed. Mr. Ferguson reported that LUESA staff successfully conducted bathymetry readings in Loch Foot Cove at the River District development site. He described the bathymetry process. They are now taking bathymetry readings in the Beaverdam Cove. His department should have a new boat next month. Commissioner Chacharon asked if there is a sampling site at Tailrace Marina. Mr. Ferguson said there is not. He noted that they are conducting vegetation surveys on Mountain Island Lake and Lake Norman, but not Lake Wylie.

Duke Energy – Mr. John Bradley reported that:

- Lake level: 97.0' (target level: 97.0')
- Low inflow protocol: Normal
- No dredge permits have been submitted or approved in the past month.

Gaston County Cove Keeper – No report was given.

Catawba Riverkeeper Foundation (CRF) – Mr. Brandon Jones reported that the CRF annual meeting is at 10:00 am on Saturday, July 28 at Camp North End in Charlotte. Commissioner Hanks brought up the Paw Creek (Gaston County) area sedimentation/dumping issue discussed at the June meeting. He said that Gaston County staff looked at the site and they did not find any violations. Mr. Jones noted that the CRF does not have regulatory power, but they can document what is going on and alert the entities that need to know. Chairman Brennan said the LWMC needs education about who has jurisdiction in development situations on land abutting the lake (i.e., counties, Duke Energy, etc.).

Commissioner Goff commented that this sounds like a Gaston County issue, but they may defer to State regulations. Commissioner Hartley will contact Alan Johnson with NCDNR about this buffer issue.

**Item 6 – Sedimentation Study Written Report**

Chairman Brennan commented that intern Ella Wickliff’s July report has been given to each Marine Commissioner for review. He asked everyone to review it and send any questions to Commissioner Mullane. Commissioner Hanks asked Mr. Dave Ferguson about black willow plantings on Lake Norman. Mr. Ferguson commented that live-staking is oftentimes successful, but it is not a fast process. The issue with this method is preventing damage after they are staked.

**Item 7 – No Wake Zone Request -- York County (S. Heindl)**

Mr. Sclater Heindl presented to the LWMC. He lives at the end of Beaver Creek in York County and offered further description of where he lives including about the daily boat traffic in front of his lake front home. He said that boaters do not understand where the end of the cove is located, and that sedimentation has filled the cove. Boaters get stuck in silt on a regular basis. Of the approximate 87’ feet of water in the cove, only about ten feet is usable water for boaters. A comment was made that this sounds like a danger buoy situation versus a no wake zone situation, because it is a safety issue. Sgt. Mabry knows the location Mr. Heindl described. He commented that this request must go through SCDNR. The process is that the LWMC can recommend to SCDNR that a danger buoy be placed in a particular location. Then, SCDNR will send someone out to look at the location. It was clarified that the LWMC can only recommend to the SCDNR. Sgt. Mabry went on to say that SCDNR establishes the need for a buoy(s), and he can fix or replace SCDNR authorized buoys. Commissioner Goff moved to support Mr. Heindl’s application for a danger buoy. Commissioner Hartley seconded the motion. Discussion: Someone asked if the LWMC members should go look at the site. The conclusion is that they do not need to visit the site. There was discussion about danger buoys in the main channel versus danger buoys in the back of coves. There was no further discussion. The vote was taken and approved unanimously. Sgt. Mabry suggested that Mr. Heindl go to the SCDNR website, download the application and fill it out. Once complete, he should send it to Ms. Parker. She will attach the LWMC’s recommendation to it and submit it to SCDNR.

**Added agenda item: Review of the Yachtsman Marina No Wake Buoy Request**

Chairman Brennan explained this request to the LWMC, including recent communication with the NCWRC’s No Wake Zone Coordinator. Commissioner Hanks moved to approve placement of no wake buoys as shown on the aerial image titled “The Yachtsman on Lake Wylie Mecklenburg County” provided by the NCWRC No Wake Zone Coordinator. Commissioner Wilson seconded the motion. There was no further discussion. The vote was taken and approved unanimously. Commissioner Wilson offered to fill out the application that should be sent to NCWRC. Ms. Parker will send him that application.

**Item 8 – Update: Status of Transfer of the Southern Law Center to York County**

Legal Counsel Clark said that he sent the letter to York County administration that he read to the LWMC and those present at the June LWMC meeting. He reported that thus far he has received no response. Commissioner Goff attended the July 16 York County Council meeting. She noted that Item 37 on the Consent Agenda was “Approved the acceptance of a mobile office trailer by the York County Sheriff’s Department from the Lake Wylie Marine Commission.” Someone asked if the consent agenda was approved. Commissioner Goff will follow up with members of the York County Council.

**Item 9 – Treasurer’s Report**

Secretary Treasurer Bryant was not present to report.

## Item 10 – Chairman’s Report

Chairman Brennan reported the following:

- Northern Law Center Update: Met on-site with reps from the Belmont Rowing Club (BRC), the Belmont City Planning Director, and the Belmont Fire Captain to review location for the boat house. The BRC plans to revise the location of the docks and boat ramp because the topography at the original location is not favorable to either dock or ramp construction. The soundings taken earlier with Belmont Fire Department personnel will need to be redone once the final location of the docks is determined.
- Clean Marina Programs: Encouraged the manager of the Lake Wylie Marina (now called Marine Max) to join the Lake Wylie Marine Commission Clean Marina program. In their discussion Chairman Brennan advised him that it appears that the defined storm water outfall behind his service bays that empties into Lake Wylie likely needs to be permitted, and Chairman Brennan provided him the contact information for the South Carolina Department of Health and Environmental Control (SCDHEC) permitting officer. Chairman Brennan contacted North Carolina Wildlife Resources Commission officer Ben Solomon, the state inland Clean Marina program coordinator to ascertain if Pier 49 and Harbortowne Marina will join the state Clean Marina program.
- Chamber of Commerce Events: Attended one Montcross Area Chamber of Commerce event in Mount Holly and personally thanked Mayor Hough for his City’s support of Riversweep.
- Chairman Brennan asked Marine Commissioners and law enforcement members to take and disperse laminated Riversweep posters. The posters were available at the meeting.

## Item 11 – Clerk’s Report

Ms. Parker said that the LWMC auditor, Belinda Johnson, CPA, will send the usual request for finance and other information around the end of the month. Ms. Parker requested fiscal year 2018-19 first quarter funds from each of the three contributing counties.

## Item 12 – Old/New Business and Commission Project Reports

### a. Water Quality

- Clean Marina/Clean Boating: Chairman Brennan covered this in the Chairman’s report.
- Sedimentation (Policy, Presentations, Parity, and Education): Commissioner Goff said the fast pace of development in part of York County has gotten the attention of York County Council. Councilmember Love is leading a campaign to get some relief while ordinances are revised to more effectively harness and channel coming growth. Commissioner Goff shared that Lake Wylie is mostly in York County District 2. More than 50% of violations reported are for environmental compliance issues, and over 40% of all fines and stop work orders are for construction in that district. She said that stormwater and other ordinance revisions are forthcoming. Chairman Brennan asked if the idea is to increase fines. Commissioner Goff said that the idea is to bring ordinances up to the standards and best practices of other counties in the region.
- PCBs and Heavy Metals in Fish: Commissioner Hanks no report.

### b. Northern Law Center: Chairman Brennan covered this in the Chairman’s report.

### c. Buoys

- Buoy Maintenance
  - Update – Cost of Stainless Steel Hardware: Commissioner Hanks distributed price information from two companies that sell stainless steel hardware. He commented that stainless steel hardware is more expensive but lasts longer than galvanized steel. More buoys are breaking loose because the galvanized steel shackles are failing, and clips and swivels are in poor shape. Commissioner Hanks would like to order 7/16” clips but can use 1/2” clips and tighten them if 7/16” clips are not available. He said that 1/2” stainless steel clips are ~\$4.85 per clip. Stainless steel shackles are ~\$7.95 per shackle. He added that the stainless steel hardware is more expensive, but will last longer. Commissioner Hanks moved to buy stainless steel buoy

hardware, as shown on the pricing sheet, not to exceed \$2,797.50. Commissioner Goff seconded the motion. There was no further discussion. The vote was taken and approved unanimously.

d. Safety Programs

- Life Jacket Awareness – Secretary Treasurer Bryant was not present to report.
- For Boat Rental Companies – Commissioner Wilson had nothing further to report.
- For Paddle Boats (kayaks/paddle boards) – Commissioner Wilson had nothing further to report.

Commissioner Wilson commented on the annual Tiki Torch Party coming up on Saturday, July 28. He expressed concerns about the litter issue that comes with that gathering. Chairman Brennan mentioned putting together a safety notification that focuses on silent killers – electricity and carbon monoxide. Commissioner Goff will work on this item.

Follow up on fish attractors: Commissioner Hanks reached out to Mr. Mike Abbey with Duke Energy with follow up questions about the fish attractors. LWMC can buy them and be reimbursed through grant funds in Duke Energy's Habitat Enhancement Fund. The cost would be \$50-\$179 per attractor. Mr. Abbey suggested starting with 20 piers and order the fish attractors at one time. They would need to be installed properly by property owners. They can be weighted down with cinder blocks or bricks. Some are installed vertically and some horizontally. Sgt. Mabry asked from a dive/water rescue perspective for the LWMC to strongly consider what is being placed in the lake. Sunken trees and fish attractors can complicate or compromise dive/rescue missions. Commissioner Hanks will bring this concern to Duke Energy's attention. Ms. Parker will add this item to the August agenda.

Chairman Brennan explained that he and Commissioner Goff expended funds to purchase supplies to put the LWMC briefing notebooks together. These notebooks would be presented to county commissioners from the three contributing counties. He asked for reimbursement for notebooks and printing costs. Commissioner Wilson moved that the LWMC reimburse Chairman Brennan and Commissioner Goff for expenses related to putting the briefing notebooks together. Commissioner Hartley seconded the motion. There was no discussion. The vote was taken and approved unanimously.

e. Public Information

- Media spokespersons, branding, Chambers of Commerce, email directory: Commissioner Goff had nothing further to report.

**Item 13 – Adjournment**

The meeting adjourned at 8:26 pm.