



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

Commissioners Absent: Commissioner Debi Chacharon (York 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

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 July 23, 2018 minutes. Commissioner Hanks moved to approve the July 23, 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 August 27, 2018 agenda. Vice Chairman Hegarty moved to adopt the August 27 agenda. Commissioner Hartley seconded the motion. There was no discussion and the motion was approved unanimously.

Item 4 – Public Comment

None.

Item 5 – Sedimentation Study Update

LWMC Intern Ella Wickliff, a graduate student with UNC Charlotte Department of Geography and Earth Science, presented the Lake Wylie Native Plants Internship Final Report to the LWMC. After her presentation she received a round of applause and praise for a job well done. Ms. Wickliff will send Ms. Parker the PowerPoint presentation and one-page handout on Shorescaping on Lake Wylie. This final

report presentation will be added to the LWMC website. Vice Chairman Hegarty suggested that the one-page document on Shorescaping should go to HOAs, real estate agents, etc. in the Lake Wylie area.

Item 6 – Stakeholder Reports

Charlotte Mecklenburg Police Department (CMPD) – Officer Joye reported that the US Coast Guard will be back on Lake Wylie this coming weekend. He reported bad news about the CMPD’s new boat. Because of a shortage of boat motors in the country, they will not get their boat until spring of 2019, instead of December 2018.

Gaston County Police Department (GCPD) – Officer Hamrick reported that his unit is about to receive a new captain who is supportive of lake enforcement. He said that a 19 year-old drowned on Mountain Island Lake. The victim was not wearing a life jacket. Officer Hamrick recently heard feedback from people who appreciate Duke Energy for keeping water levels up. He commented on sedimentation in the South Fork. He confirmed that there is a great deal of sediment going into Lake Wylie.

York County Sheriff’s Office (YCSO) – Sgt. Mabry reminded the LWMC that SCDNR has only a couple of people that handle buoys in South Carolina. One of these people was Staff Sergeant Rhett Bickley. SSG Bickley died at the end of July. Sgt. Mabry reviewed the buoy arrangement with SCDNR. Sgt. Mabry had been given the authority to maintain buoys as needed. Officer Dwayne Rogers is coming in as SSG Bickley’s replacement, and the same arrangement is in place. Sgt. Mabry can still maintain and replace buoys. He brought different lifejackets to show the group. He worked with Academy Sports to get the lifejackets for display and educational purposes. This past Saturday, he had them on display at the Summer Fest festival in York. He noted that the YCSO booth got a lot of good exposure at the festival. He asked if the LWMC would want to consider having a booth at other local festivals for public education and exposure. He commented that boater safety classes will be held in October and November.

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

NC Wildlife Resources Commission (NCWRC) – Sgt. Laton reported that hunting season will start soon. He said that documents have been submitted to NCWRC related to the Yachtsman Marina no wake buoy application. He will keep everyone posted on progress and next steps.

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

US Coast Guard – No report was given.

US Coast Guard Auxiliary – Mr. Ray Webber relayed his monthly report to the LWMC. Ms. Parker will forward his email to the group as well.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – Mr. Dave Ferguson provided the July 2018 Lake Wylie Water Quality Report. His team picked up their new skiff on August 8 but have not gotten a license plate yet. Therefore, they cannot use the boat. He noted that the water was up when they sampled in July. On the Thursday, July 26 there was a sewer overflow in back of Paw Creek coming from a small trailer park. They put out three no swim buoys. They went back out on that Monday morning, took water samples, and sent samples to the lab. The samples came back normal. Mr. Ferguson commented that he was surprised that there was no news coverage on the spill. He noted that as soon as sewage hits a lake, LUESA sends out a press release. He suggested that social media is the best way to notify lake residents and lake users about spills and other events. Commissioner Goff asked how many gallons were spilled. Mr. Ferguson did not know off hand.

Duke Energy – Mr. Ronnie Lawson reported that:

- Lake level: 97.3' (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 took water samples and communicated out about the spill in Paw Creek. They are working with York County staff on sedimentation issues related to development. He noted that Riverside Fest will happen at Riverside Marina on September 8 from 3 pm – 8 pm. Mr. Jones requested more Riversweep posters. Sam Perkins will present to the Lake Wylie Covekeepers at River Hills Marina at 7 pm on September 12.

Item 7 – PSNC Energy South Point Road HDD Project Update

Mr. Joey Lawler with S&ME presented to the group. LWMC originally looked at this project around two years ago. In the meantime, PSNC put project on hold. They found that NCDOT is going to do work at or near the project site. PSNC has moved the location of the canal crossing 100' to the west. That is the only change. Secretary Treasurer Bryant moved to recommend approval to move the pipe 100' to the west. Commissioner Goff seconded the motion. There was no discussion. The vote was taken and approved unanimously. Ms. Parker will send Mr. Lawler an approval letter.

Item 8 – Fish Attractor Update

Commissioner Hanks reported that fish attractor grant application deadline is August 31. Commissioner Hanks acknowledged Sgt. Mabry's concern about fish attractors possibly complicating dives and under water rescue operations. Commissioner Hanks was concerned that fish habitats are being compromised. He made no further recommendation related to fish attractors.

Item 9 – Riversweep 2018 Update

Commissioner Goff reported that Riversweep registration opened two weeks ago and around 60 people have signed up to volunteer, including six boat captains.

Item 10 – Treasurer's Report

Secretary Treasurer Bryant reported that the financial reports are in each Marine Commissioner's agenda packet and finances are up to date with regard to requesting and receiving funds from the three counties.

Item 11 – Chairman's Report

Chairman Brennan reported the following:

- Northern Law Center Update: On August 16 the Belmont Rowing Club (BRC) requested the following information by August 21:
 - 1) The location of the government dock access along the shoreline (this is an item Chairman Brennan requested that the BRC *specify to the LWMC* in a site plan as they recently proposed to the City a different location of their ramp and dock from their initial proposal.)
 - 2) The overall length of the dock and gangway from the full pond contour realizing that the gangway may extend inland some several feet based on how far inland from the edge of the embankment the cement slab is situated. Chairman Brennan consulted with Kermitt Taylor of Duke Energy Lake Services and concluded that the allowable length of 120 feet from the high water mark is the optimum length to provide maximum availability when lake levels are low.

On August 18, the BRC deferred their request for information made two days earlier; the BRC was to notify us last week "... as to what we will need and when."

The \$500.00 approved to contribute to the engineering study has been forwarded to the BRC, but the initial estimated cost of \$6,800.00 for the engineering study was grossly underestimated. The cost is now \$15,000.00, and the BRC has requested that the LWMC contribute an additional \$4,000.00 to help defray the cost of that study. They asked that the LWMC advise them also by August 21 what we believed would be an appropriate contribution to the project. Chairman Brennan's August 21 response was developed with the concurrence of the officers, Commissioner (and architect) Dan Hartley, and Chris Clark. It reads as follows:

"I met with our officers Monday, and we agree that we should propose to the full commission that we commit to funding commensurate with costs made necessary by the inclusion of our dock and boathouse as you stipulated. That funding includes reasonable engineering costs for your engineer to design and include in the plan the ADA walkway/path to our gangway and the reasonable cost of your engineer to add the location of our gangway pad, gangway, and dock to the engineering drawing. You indicated you can price those costs out for us. Please advise the estimated price of including these items in the engineering drawing when you can. Once we have the estimates, we will submit them to the full Commission for approval.

We will also propose to the full Commission that the LWMC pay for the construction of the path, any grading that may be necessary to construct the path, the gangway pad and gangway, the dock, and the boat house.

The cost of the initial survey and tying it to an aerial topographical survey are costs that are not attributable to the LWMC including the government dock to the project; they exist without the government boat house, and therefore will not be funded by the LWMC.

Please also let me know if I am correct in locating the government dock just to the north of the abandoned sewer line as indicated by the manway (not the man hole) depicted on the soundings sketch I provided."

Chairman Brennan briefed Belmont City Planning Director Shelley DeHart on the BRC request, and she concurred in our proposed response. Nothing heard from BRC as of August 26.

There was discussion and clarification during the August 27 LWMC meeting about how to proceed. Commissioners Wilson and Hanks had concerns about what the LWMC is being asked to agree to and possibly pay for. Commissioner Goff and Chairman Brennan provided further explanation of the incremental nature of what is being proposed. Chairman Brennan thanked Commissioners Wilson and Hanks for their clarifying questions. Commissioner Goff moved that the LWMC continue with the process by responding and asking for a cost estimate for the LWMC's portion. Vice Chairman Hegarty seconded the motion. There was no additional discussion. The vote taken and approved unanimously.

- Annual Report to Mecklenburg County Commissioners: Chairman Brennan delivered the report on August 8 per copy provided. The Mecklenburg County Commissioners asked what they could do for the LWMC. Chairman Brennan's response was to address more rigorously the problem of sedimentation caused by construction / developers by increasing the fines to a minimum of \$100,000 for such blowouts as the Brown's Cove incident in Mecklenburg County, the Mattamy Home event

last year that spilled from Mecklenburg County into South Carolina's Torrence Creek, and the recent Cypress Point major spill in South Carolina. Chairman Brennan opined that \$100,000 is not half the cost of one waterfront lot. By so doing, cause the developers to increase the line item in their respective budgets to pay the recovery of these catastrophes. He stated that it is not a matter of *if* another incident happens, it is a matter of *when*. The presentation was well-received and one Commissioner commented that it gave credence to the reasons they support Marine Commissions.

Chairman Brennan is considering convening a panel discussion to educate the three contributing county's elected officials, key staff, and others about the sedimentation issue in Lake Wylie. He said it is an idea to consider at this point and would like the LWMC's thoughts on the matter.

Commissioner Goff suggested that the LWMC go to mecknc.gov to see [Chairman Brennan's presentation from August 8](#). The presentation to the York County Council is scheduled for September 4 at 6 pm, if any other Marine Commissioners would like to attend.

- Chamber Events: Chairman Brennan attended two Montcross Area Chamber of Commerce events in Belmont.

Item 12 – Clerk's Report

Ms. Parker did not have a report.

Item 13 – Old/New Business and Commission Project Reports

a. Water Quality

- Clean Marina/Clean Boating: Commissioner Mullane said he knows where to get new Clean Marina flags. The question was raised as to whether the LWMC is going to continue to monitor marinas around Lake Wylie in North Carolina since the NC Clean Marina program has been adopted. Or, does the LWMC want to bow out in North Carolina since the state is doing it? Commissioner Hanks moved that the LWMC stop operating a Clean Marinas program in North Carolina. Commissioner Wilson seconded the motion. Discussion: Chairman Brennan offered that by the LWMC continuing its Clean Marinas program, it could undermine the North Carolina program. The vote was taken and approved unanimously.
- Sedimentation (Policy, Presentations, Parity, and Education): Commissioner Goff did not have a report.
- PCBs and Heavy Metals in Fish: Commissioner Hanks did not have a report.

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

c. Buoys

- Buoy Maintenance – Commissioner Wilson gave a status update on a couple of buoys – one that was sliced in half and an out of position hazard buoy.
- Commissioner Hanks brought in galvanized steel buoy hardware so the group can see what it looks like.

d. Safety Programs

- Secretary Treasurer Bryant brought in damaged, and possibly dangerous, electrical wiring that was found under their dock.
- Life Jacket Awareness – No report was given.
- For Boat Rental Companies – No report was given.

- For Paddle Boats (kayaks/paddle boards) – No report was given.

Chairman Brennan address the point Sgt. Mabry made earlier in the meeting about the LWMC having a presence at North Carolina events and festivals. He suggested that it may be worth putting a list together of such events. Commissioner Goff suggested the group carefully consider having a presence at events. These events often happen on the weekend and it can be challenging for people to volunteer their time on a weekend.

e. Public Information

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

Item 14 – Adjournment

The meeting adjourned at 8:44 pm.