



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

Commissioners Absent: Secretary Treasurer Blanche Bryant (York County)
Commissioner Debi Chacharon (York County)

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

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.

Meeting Minutes

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 24, 2019 minutes. Vice Chairman Hegarty moved to approve the June 24, 2019 minutes. Commissioner Hartley 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 22, 2019 agenda. Vice Chairman Hegarty moved to adopt the July 22, 2019 agenda. Commissioner Mullane seconded the motion. There was no 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 around the July 4 holiday, personnel from the US Coast Guard Oak Island Station were on Lake Wylie and stopped approximately 100 boats in three days. He reported that some boaters were stopped multiple times. Officer Joye said

that the CMPD stops people when they see a violation, which can work out to approximately 10-15 boaters a day. He commented that another unit of US Coast Guard personnel will be on Lake Wylie again in mid-August and over Labor Day weekend. Boaters were irritated by the frequency of being stopped. He noted that the July 4 holiday went well in that there were not any accidents on the water. They held a large press conference before the July 4 holiday and mentioned the LWMC and the importance of wearing a life jacket. They also gave away quite a few life jackets. He said CMPD could use 2-3 more life jackets in each size. Officer Joye added that CMPD lake enforcement is low on glow sticks. It was determined that glow sticks should be ordered for CMPD, GCPD, and YCSO in red, green, and white. Commissioner Hanks moved to order 100 glow stick in each color – red, green and white. Commissioner Goff seconded the motion. There was no discussion and the motion was approved unanimously.

Commissioner Hanks moved to order the same type and number of life jackets that were ordered last time. Commissioner Goff seconded the motion. There was no discussion and the motion was approved unanimously.

Gaston County Police Department (GCPD) – Officer Hamrick reported that GCPD had a film crew on their boat over two days this week. They were shooting a recruitment video geared at recent college graduates. He noted that there was a drowning under Lower Armstrong bridge. The drowning victim was a fisherman that Officer Hamrick used to speak with regularly. He also said that GCPD received complaints about the Coast Guard stopping too many boaters.

York County Sheriff's Office (YCSO) – Sgt. Mabry reported that YCSO also received calls about the Coast Guard's frequency of stopping boaters. He mentioned that York County is in the midst of many building projects right now. He was able to salvage a building, or part of a building, before it was demolished and will be able to use it at the southern law enforcement center site.

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

Mecklenburg County ABC Board Law Enforcement – No report was given.

NC Wildlife Resources Commission (NCWRC) – No report was given.

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

US Coast Guard (USCG) – No report was given.

US Coast Guard Auxiliary (USCGA) – No report was given.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – Mr. Dave Ferguson reported on bacteria sampling results only and said that everything looked good. He noted that the South Fork was the cleanest he had seen it in quite some time.

Duke Energy – Mr. Ronnie Lawson reported that:

- Lake level: 97.3' (target level: 97.0')
- Low inflow protocol: Normal
- No dredging permits have been submitted.
- Mr. Ferguson asked Mr. Lawson about a Mountain Island Lake advisory saying that for the next two years, every Monday the lake will be lowest it can be so maintenance can be done. A piece of equipment broke that was monitoring the lake level, so the water level will need to be dropped to fix it.

Gaston County Cove Keeper – No report was given.

Catawba Riverkeeper Foundation (CRF) – Mr. Brandon Jones reported that water samples from each of the Swim Guide sites came back clean. He said they have gotten over 5,500 views on the Swim Guide website. Two weeks ago, a meeting was held about the Mountain Island Lake flooding event. Mr. Jones learned that after a hurricane in the early 2000s, the water level in Lake Norman was over 100'. After that, Duke Energy vowed that Lake Norman would never go over 100' again. Mr. Jones spoke about the Lake Norman dam and gates as related to a flooding event. He noted that Duke Energy plans to waive dock fees related to flooding, meaning when people apply to reinstall their docks, the fee will be waived. He commented that buoys at I-85 bridge are still all over the place and he has gotten a few reports of trash being out of control at the Buster Boyd Bridge boat ramp site. That is a Duke Energy site and they have a contractor to pick up that trash. Commissioner Wilson commented that there is a big barrel for trash on Goat Island. Mr. Lawson said that Duke Energy is not going to pick up that trash. If Goat Island were to flood, all of that trash will go in the water. Trash on Goat Island would need to be picked up by volunteer group. Chairman Brennan asked about the Catawba Riverkeeper Foundation app. Mr. Jones said that they recently re-launched it. Vice Chairman Hegarty asked if Mr. Jones was able to look at a situation at RiverPointe. He said he would check it out.

Item 6 – Follow Up: No Wake Zone Request – York County

Chairman Brennan said that he and Secretary Treasurer Bryant went out to look at the site. They determined that the site could be a candidate for a no wake zone. Mr. Barry Mahal was present at the meeting and said that the conditions have not changed and there are two main issues – erosion because of wake and the safety of people in the water. He wants people to have a great time and have fun, but he is concerned that people are going to get hurt. Mr. Mahal said that he is willing to pay for the buoys to be installed. Commissioner Wilson moved to recommend a no wake buoy to SCDNR. Commissioner Mullane seconded the motion. There was no discussion and the motion was approved unanimously.

Item 7 – Riversweep Update

Commissioner Goff reported that Riversweep planning is moving ahead. Group leaders will be contacted this week. Vice Chairman Hegarty said that t-shirts and caps have been ordered and will cost under \$4,600 (under budget). The caps will be slightly different this year – same logo and color but different style.

Item 8 – Treasurer's Report

Vice Chairman Hegarty reported that for the current fiscal year 2019-2020: Q1 funds (\$6,250) have been requested and received from York County. York County does not require a contract with the LWMC. In order to request and receive funds from Gaston and Mecklenburg counties, contracts must be signed with each county. Legal Counsel Clark is reviewing these contracts.

Item 9 – Chairman's Report

Chairman Brennan reported the following:

Consideration of Contracting with CCOG for Administrative Services for FY 19-20 – Vice Chairman Hegarty moved to contract with CCOG for FY 2020. Commissioner Hanks seconded the motion. There was no discussion and the motion was approved unanimously.

- Northern Law Center: The Belmont Rowing Club (BRC) is making a change to the application to include extended shoreline stabilization in way of their rowing dock. No shoreline stabilization is needed in way of the government boat house dock. The BRC anticipates having the application presented to the City of Belmont within the next few weeks for the City to submit the application to FERC.

- Meetings: Chairman Brennan chaired the June Riversweep 2019 planning meeting. He presented the annual report to the Mecklenburg County Commissioners. He attended a Montcross Area Chamber of Commerce event.
- Buoys: With Commissioner Hartley, retrieved three more no wake buoys that had broken free from their designated locations. Reviewed no wake buoy locations in North Carolina and reported missing buoys to Commissioner Hanks. Reviewed the pending no wake buoy request with Secretary Treasurer Bryant.

Chairman Brennan asked if Elaine Powell, Vice Chairperson of the Mecklenburg County Board of Commissioners, had any comments. She thanked the LWMC and said their service to the lake and community matters. She said that after the flooding event, she held lawn chair town hall meeting in someone's driveway. She added that people needed help from LWMC, so she put them in touch with Chairman Brennan. Vice Chairperson Powell expressed her gratitude for the work and dedication of the LWMC – "you were there, you made a difference." She thanked the Marine Commissioners for their service. She added that she would like to see the Mountain Island Lake Marine Commission be reconstituted.

Item 10 – Administrator's Report

Ms. Parker thanked the LWMC and said she looks forward to working with them in the coming year.

Item 11 – Old/New Business and Commission Project Reports

a. Water Quality:

- Clean Marina/Clean Boating: Commissioner Mullane reported that he has been in contact with the Denton Marina Group. He sent them the Clean Marina Checklist and they will need more time to complete the checklist for each of the three marinas.
- Sedimentation: Commissioner Goff said it has been mercifully dry, so there is not much to report. Chairman Brennan spoke with Rusty Rozzelle and learned that Mecklenburg County has to get a judge's order to put a stop work order in place.
- Shoreline Plantings: Commissioner Mullane reported that for new park in Belmont, they have taken it to where they can regarding providing information and recommendations. Commissioner Mullane said they will regroup and consider a new focus. Chairman Brennan will stay in touch with Belmont staff, including Shelley DeHart, the City's Planning Director. Vice Chairman Hegarty asked if there is anything on the LWMC website about shorescaping. The answer is yes. Vice Chairman Hegarty mentioned that people from The Palisades are curious about what they can do with shorescaping. Chairman Brennan said the LWMC could brief them as well.
- PCBs and Heavy Metals in Fish: Commissioner Hanks had nothing to report.

b. Buoy Maintenance: Commissioner Hanks noted that the LWMC ran out of steel cable while he was out of town. He ordered more cable, it has been delivered, and Terry Everhart has been made aware.

- Back-up Buoy Installer – Chairman Brennan introduced this agenda item and asked for Commissioner Hanks's recommendation. He noted that it takes time to install buoys. Chairman Brennan said that buoy installation needs to be prioritized. He said that the Sadler Island buoys are missing, and they are priority buoys to replace because of paddleboarders and boaters mixing in proximity to each other. Chairman Brennan commented that typically one or two buoys need repositioning or replacing. But since the flood, Mr. Everhart may need assistance since so many buoys are gone or are out of place. Commissioner Hanks asked if the NCWRC could start attending to buoys on the North Carolina side of Lake Wylie, since they do that on Lake Norman. Commissioner Hanks will follow up with Betsy Haywood at the NCWRC.

c. Safety Programs:

- For Boat Rental Companies: Commissioner Wilson recapped that the company that makes online training courses will not create a rental boat course because it would not be financially viable. Commissioner Wilson said he would reach out to other video production companies. He noted that a company in Steele Creek could do it for \$250 per video on different topics, with each video being 2-3 minutes maximum. His question is that if the LWMC were to produce videos, where would the LWMC be liable. Other questions such as who would host the videos, who would act in them, and who would write the scripts were discussed as well. Commissioner Wilson said at the end of the day, the LWMC would be able to make better videos than what are posted on RentalBoatSafety.com. Chairman Brennan asked for contact information of Commissioner Wilson's business competition so he can call them to ask about training provided for boat renters.
- For Paddle Boats (kayaks/paddle boards): Commissioner Wilson had nothing further to report.
- Follow-up on Wake Surfing Issue: Chairman Brennan said the June LWMC meeting was probably the most widely attended LWMC ever held. He researched Mr. Fred Marcum's facts as referenced during the [June LWMC meeting](#). Chairman Brennan reviewed the wake surfing fact sheet that was included in the LWMC July agenda packet. Chairman Brennan suggested that someone or some entity should get ahead of this issue before someone gets hurt. He then reviewed the wake-related legislation handout. He was of the opinion that it could be the LWMC's job to address this issue. He noted that the LWMC is not accustomed to putting forth rules and that boaters are responsible for their wake. He added that boaters cannot be charged criminally for wake, but they can be held liable in civil court. Boaters that produce wake need to police themselves. Officer Joye said that CMPD lake enforcement would not support any regulations related to singling out wake surfers or wake boarders. Commissioner Wilson talked about the need for education to prevent the need for shoreline stabilization and docks repair and replacement. He said that older docks cannot withstand wakes from these bigger boats. Commissioner Hartley commented that the focus should be just about wake, not about singling out wake boarders. Property owners are frustrated because they do not have a solution. Mr. Perry Johnston asked if the Bi-State Commission still meets. Commissioner Hanks said they have not met in a couple of years. Commissioner Hartley suggested creating a map that is scalable that shows no wake areas based on the law in the respective state – 50 yards from docks in NC; 50 feet in SC. – to help large wake throwing boaters aware of the limits. Sgt. Mabry said SCDNR produced a map related to duck hunting and where you can and cannot hunt. He wondered if SCDNR could create a similar such map for wake matters. Chairman Brennan added that looking into the map idea would be a viable next step. Mr. Johnston suggested that perhaps the Water Sports Industry Association (WSIA) could create such a map. Commissioner Hartley will check in with the WSIA. Sgt. Mabry suggested checking in with [York County mapping](#). Commissioner Hartley will check with them as well. Mr. Ferguson commented that the wake situation on Lake Wylie and Lake Norman is very different since Lake Wylie is narrow and long versus Lake Norman that is wide and open. Chairman Brennan will raise this issue in the upcoming Gaston and York County briefings so county leaders are aware of what is going on.

d. Public Relations:

- SPLASH Back-up Operator: Chairman Brennan mentioned that at the last Boat Show Terry Everhart was not able to attend, so SPLASH was not there. Chairman Brennan asked

- Commissioner Goff to check in with Secretary Treasurer Bryant. Officer Joye mentioned that he has a colleague that he is trying to arrange to be a back-up operator for SPLASH.
- Commissioner Goff follow up on the issue in Gaston County, across from Paw Creek, that Commissioner Wilson brought up via email. She said that Gaston County stormwater staff went to the site and said there was no problem. A comment was made that if stormwater staff said there is no problem and there appears to be a problem, perhaps county leadership should be informed about this situation. Chairman Brennan asked Ronnie Lawson to take a look at this site. Mr. Lawson said the boat ramp has been there for a long time. Chairman Brennan said this may no longer be a stormwater issue and that Duke Energy may need to look at it. Chairman Brennan will talk with Joseph Alm himself before next meeting.

Item 12 – Adjournment

The meeting adjourned at 8:32 pm.