



Commissioners Present: Chairman Dan Hartley (Gaston County)
Vice Chairman Hunter Wilson (Mecklenburg County)
Commissioner Sam Perkins (Mecklenburg County)
Commissioner Smitty Hanks (Gaston County)
Commissioner Ray Webber (York County)
Commissioner A.W. Bill Beers (York County)
Commissioner Quay Williford (York County)

Commissioners Absent: Secretary Treasurer Dan Mullane (Mecklenburg County)
Commissioner Brad Thomas (Gaston County)

Staff Present: Neil Brennan, Executive Director; Chris Clark, Legal Counsel; Emily Parker, Administrator

Meeting Minutes

Item 1 – Welcome

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

Item 2 – Approval of Minutes

Chairman Hartley asked if any changes need to be made to the February 22, 2021 minutes. Vice Chairman Wilson moved to approve the February 22, 2021 minutes. Commissioner Webber seconded the motion. There was no further discussion and the motion was approved unanimously.

Item 3 – Approval of Agenda

Chairman Hartley asked if any changes need to be made to the March 22, 2021 agenda. Commissioner Hanks moved to adopt the March 22, 2021 agenda. Commissioner Beers 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) – No report was given.

Gaston County Police Department (GCPD) – Sgt. Knupp was not able to attend the meeting, but provided this update via email:

- GCPD, Belmont Fire Department, and Charlotte Mecklenburg Police will provide security for the following event this Saturday:
 - Belmont Rowing Center is hosting an on-water racing event on 3/27 from 10am-2pm. This is a first-ever "official" on-water event.
 - The competition will be in small 1-person and 2-person racing boats for middle/high school athletes. There will be some small NC and SC teams in the competition. Official US Rowing-certified referees will be on the water as well as buoys to help keep the rowers on course.

The course is 1,000m between the Hwy 74 and railroad bridge on the Catawba River. The course is structured to allow for motorboats to pass around the course (preferably at idle/no-wake speed) with fair ease. A full COVID safety and mitigation plan will be in place and is expected to be within the current [NC COVID executive order 195](#) for outdoor athletic events.

York County Sheriff's Office (YCSO) – Sgt. Mabry was not able to attend the meeting, but provided this update via email:

- We have had very little activity so far in our area of the lake and are responding to calls as needed. There will be a Public Safety Diver training class with all in water activities held at the Lake Enforcement Office the week of April 12 – 17 with 7 divers from our agency attending. I instructed a SCDNR Boating Safety Class on Saturday March 13 with 7 students attending (all passed). The April LWMC meeting will be my last meeting, hopefully by the May meeting my replacement will be on board as my retirement on June 11, 2021 is closing in fast. If I need to address any questions or concerns during the meeting please email or call me and I will attempt to reply.

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

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

NC Wildlife Resources Commission (NCWRC) – Sgt. Laton reported that they are dividing time between being on Lake Wylie and turkey season. Boating safety classes will go back to being held in person at Bass Pro Shops in April.

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 that last month he presented January sampling and turbidity data. His team will be on the lake tomorrow to monitor for March. He will report on March sampling results at the April LWMC meeting.

Duke Energy – Mr. John Bradley said that the water level in Lake Wylie is 97.3'. The target level is 97'. No new dredge applications have been received. Commissioner Webber asked who the contact person at Duke Energy would be if someone wanted to apply for dredging. If in North Carolina, Mr. Bradley is the contact. If in South Carolina, Mr. Kermitt Taylor is the contact. Vice Chairman Wilson asked if Mr. Bradley is aware of any dredging companies that operate on Lake Wylie. Mr. Bradley commented on the company that dredged at the McLean property.

Gaston County Cove Keeper – No report was given.

Catawba Riverkeeper Foundation (CRF) – Mr. Brandon Jones shared slides on alligator weed and noted that Dr. Brett Hartis (Duke Energy) and his group have documented this issue, particularly in the South Fork channel. Mr. Jones said that the bugs used to eat alligator weed come from South America and they only eat alligator weed. This kind of bug has been used for this purpose since 1967. They have not been in this reservoir before, so community education will be needed. Mr. Jones said that the CRF is currently set on staff time for this project and they are excited to get the project moving.

Item 6 – Ebenezer Park Pier Lighting Update

Commissioner Webber contacted the Coast Guard and spoke with Ebenezer Park officials. The Coast Guard will not inspect the structure. Commissioner Webber forwarded information to York County and Ebenezer Park officials. This situation will require a balance of putting in enough lighting, but not so much that it would

contribute to light pollution. All parties acknowledge the need for lighting and the decision resides with York County.

Item 7 – Cramerton Resolution of Support for Riverkeeper Funding Application

Mr. John Searby reported on the South Fork River Health Committee. This committee is convened by the Centralina Regional Council and is led by Mayor Will Cauthen of Cramerton. This group was formed to study the South Fork above the Armstrong Ford Road dam to understand where the greatest areas of sedimentation and pollution are coming from and to look at ways communities along the river can be more resilient to flooding. He noted that Centralina employs Ms. Parker and provides the process and procedure for this committee. He reviewed what was covered at the first two meetings and noted that the next two meetings are next week and in April.

The committee is trying to establish where group is headed and goals for the group. Ideas include getting a significantly larger data set along the South Fork and figuring out which sections of the South Fork are contributing to bacteria and pollution loading. He will try to report back on the committee's progress on a regular basis. Hopefully the committee can access state and/or federal funds for projects to improve water quality in the South Fork as it is a major tributary into Lake Wylie. Commissioner Hanks brought up the resolution from Cramerton and asked if taking out the lower Armstrong Ford Road dam is part of the study. Mr. Searby said this idea was brought to the CRF by American Rivers. A donor is interested in investing in the watershed. NCDOT owns the spillway at Armstrong Ford Road dam. Currently, we are on hold while we wait for NCDOT to find bridge drawings from decades ago. The resolution from Cramerton in the LWMC agenda packet is a letter of support for an engineering study to understand the implications of bridge removal. Commissioner Hanks raised concern about sedimentation built up behind that dam. He said it would be interesting to know the level of sedimentation behind the dam to understand the potential for sedimentation that could come downstream if the dam is removed. Mr. Searby said that what is behind the dam would be part of the engineering study. Chairman Hartley asked Mr. Searby if he has anything to add to Cramerton resolution piece. Mr. Searby said they are trying to collect letters of support from various entities that could model Cramerton's resolution. They want to show NCDOT that there is strong support from stakeholders. The request would be for the LWMC to consider drafting a letter of support similarly worded to Cramerton's resolution. Executive Director Brennan asked if a letter from the LWMC would be appropriate. Mr. Searby said yes, it would and added that there would be no cost for the study since a donor from American Rivers will pay for it. Commissioner Webber asked if it would make sense to have anyone from York County support this work. Mr. Searby thinks the LWMC giving support would include all three counties. Commissioner Webber moved to draft a letter of support from the LWMC. Commissioner Hanks seconded the motion. The vote was taken and approved unanimously. Executive Director Brennan asked that the letter of support be reviewed by Legal Counsel Clark before being sent to the CRF.

Item 8 – Follow Up: Charlotte Water Stowe Regional Water Resource Recovery Facility South Access Bridge

Ms. Brooke Ahrens with HDR, Inc. thanked the LWMC, introduced other members of the project team, and said that if there are any questions about the South Access Bridge project, they are available to provide answers. Chairman Hartley expressed concern about the facility and asked if the project team would come back to group to talk about the larger facility. Ms. Ahrens said they would and noted the large size of the project. Chairman Hartley said that his main concern is spill containment in the event of a catastrophic event. Mr. Ron Hargrove acknowledged Chairman Hartley's concern, provided background on the project, and said that the project team wants to be good stewards of environment. CLT Water will invest in two pipes – a primary pipe and a secondary, back up pipe – that would be placed under the river to move wastewater to the facility. Vice Chairman Wilson moved to approve the South Access Bridge project as presented at the February 22, 2021 LWMC meeting. Commissioner Hanks seconded the motion. The vote was taken and approved unanimously. Ms. Parker will send an approval letter to the project team.

Item 9 – August 2021 Mid-Atlantic Boat Show in Charlotte

Executive Director Brennan brought up the Mid-Atlantic Boat Show scheduled for August 13-15, 2021 and asked if the LWMC would like to participate, whether the booth would be staffed or not. Commissioner Hanks moved that the LWMC have a booth at the Boat Show. Commissioner Webber seconded the motion. Discussion: A question was asked about when payment is due. Ms. Parker will check with Boat Show organizers. Commissioner Hanks would like to reserve the booth in order to keep the LWMC's booth location. Vice Chairman Wilson said he works with vendors that participate in this event and they are not going to participate because of products and equipment being in short supply or back logged. He added that he does not expect to see normal attendance at the Boat Show. Commissioner Hanks asked about the cost of securing a booth and Ms. Parker said it was a few hundred dollars. Vice Chairman Wilson recommended that the LWMC proceed with securing a booth for that amount of money. There was no further discussion and the motion was approved unanimously.

Item 10 – Catawba Wateree Water Management Group's Citizens' Academy Wrap Up

Commissioner Beers said that participating in the Catawba Wateree Water Management Group's Citizens' Academy was an eye-opening educational experience. He came away from the Academy with a lot more knowledge and appreciation for what it takes to keep Lake Wylie healthy and useful for all users.

Item 11 – Buoys and Buoy Maintenance Update

Commissioner Hanks said he received a request about putting in a second buoy in Brown's Cove. It was clarified that one of two buoys have been placed in Brown's Cove. There are three pending no wake zone applications – at the Catawba Yacht Club, McLean Marina, and at The Vineyards (Paw Creek). Secretary-Treasurer Mullane and Commissioner Hanks met with Mr. Jack Young at the Catawba Yacht Club. Executive Director Brennan spoke with NCWRC and they will send an inspector to survey the site (as well as the McLean and Vineyards sites) and make a recommendation about placing no wake buoys or not. Commissioner Hanks suggested waiting until we receive the NCWRC's recommendation until we make a decision. Executive Director Brennan referred to the no wake zone process portion of his March Executive Director's Report (see below). He noted that the process allows for pre-inspection by NCWRC. If the inspector concurs that no wake buoys should be placed, then the LWMC can proceed with placing buoys. Law enforcement would not officially enforce a no wake zone until it is listed in the NC Administrative Code (NCAC). Before no wake buoys are in the NCAC, they would serve as a deterrent to boaters. Executive Director Brennan went on to explain the rest of the no wake zone process, which he drafted and sent to the LWMC for review in his March Executive Director's Report (see below). Commissioner Hanks moved to follow the procedural concept outlined in Executive Director Brennan's report. Commissioner Webber seconded the motion. Discussion: Commissioner Beers recommended having this procedure written down in a separate standalone document. There was no further discussion and the motion was approved unanimously.

While not reviewed in detail during the meeting, Captain Adam provided the following buoy update for March via email:

- This past month we did an inventory of NCNW buoys at each of the bridges and did adjustments or replacements as necessary. As of today all bridges have the appropriate number of NCNW buoys. Items completed:
- Whitewater center: Two buoys were adjusted to their proper placement. +/-30 yards
- I-85 Bridge (2x2): One buoy was out of place, located downriver near the Wilkinson Blvd bridge. Was most likely snagged by debris. No others out of place at this area. +/- .5 mile
- Wilkinson Blvd Bridge (3x2): Existing buoys adjusted and one buoy added for total of 3 NCNW buoys on the South side of the bridge and two buoys on the north side. Two on the North side sufficient in our opinion as much of that side of the bridge is too shallow for boating and having a no wake buoy there may imply that the water is safe.

- Built an experimental anchor for the new buoy at Wilkinson Blvd based on previous marine commission discussions. It's roughly a third heavier than our standard anchors and has lengths of rebar that protrude 8" from each side, slightly sloped to dig into the bottom when pulled. We also used a much greater scope of line in attaching this buoy to its anchor.
- Northside center NCNW buoy may need attention. It's lost much of its graphics and is stuck hard in place closer to the bridge than we would prefer it to be. That being said, it is doing its job.
- Railroad Bridge (3x3): Northeast most buoy missing and unable to locate. New buoy placed.
- Armstrong Bridge (South Fork River) (2x2): Existing buoys adjusted. One buoy far out of position closer to Harbortowne Marina, split in half & mostly sunk. Broken buoy removed and anchor used with new buoy.
- New Hope Rd. Bridge (2x2): One buoy missing. Old style round buoy located nearby on shore. New buoy put in place.
- Currently, we have 6 buoys, two anchors, and enough wire for maybe 3 more buoys.

Things we need from the Marine Commission: Prioritized list from the commission of buoys to be placed with existing supplies.

- Two spools of wire rope.
- Twenty additional buoys.
- Streamlined process for the commission to order buoys, wire rope and related supplies.

Item 12 – Treasurer’s Report

Chairman Hartley provided the Treasurer’s Report in Secretary-Treasurer Mullane’s absence:

- FY21 invoicing to counties:
Mecklenburg and Gaston have the LWMC’s new checking account number. We are awaiting a form from York County.
 - Mecklenburg County: Q1 has been paid. Invoices have been sent for Q2 & Q3.
 - Gaston County: Q1 & Q2 have been paid. Invoices have been sent for Q3 & Q4.
 - York County: Q1 & Q2 have been paid. The Q3 invoice is on hold until we can update the checking account number.
- FY22 funding requests: Mecklenburg, Gaston, and York county funding requests have been submitted.

Item 13 – Chairman’s Report

Chairman Hartley said because he has spent a lot of time with Executive Director Brennan on buoys and sedimentation matters, he will defer his time to Executive Director Brennan.

Item 14 – Executive Director’s Report

Executive Director Brennan reported that:

- John Searby, Brandon Jones, Commissioner Thomas, and I presented the case for enhanced stormwater containment practices to the Belmont Planning and Zoning Board. We argued that the enhanced stormwater containment measure should not only be established for this Del Webb community but also be included in the Belmont Land Development Code for future developments along Lake Wylie in Belmont. The developer did not accept the recommendations but agreed only to consider some of them. The Board decided to reconvene on March 25. Attended a virtual meeting the afternoon of March 22 with Del Webb officials, Brandon Jones, Chairman Hartley, and Belmont Planning Director Shelley DeHart. Del Webb agreed to implement some of the erosion control measures we have proposed that they originally said they would only consider. They were not prone to accept some of the other recommendations. The discussion continues and will likely be resolved at the March 25 meeting.
 - During the meeting, Chairman Hartley said that there are three developments proposed on the South Fork that exceed the acreage of the River District (in Mecklenburg County). The goal is to

put best management practices (BMPs) in Belmont's code. Del Webb will provide third-party inspectors. Commissioner Webber asked how an independent third-party inspectors get paid. The developer pays inspector. Commissioner Webber commented that could hamper independence. Olivia Edwards (Mecklenburg County LUESA) made a compelling case for what to do in coves. It is difficult to figure out where silt is coming from in main channel. A good idea is to conduct a bathymetric survey at the beginning of a development project so change related to silt build up can be tracked with data. Commissioner Hanks asked if these properties be taken into Belmont city limits before construction starts, or after completion. It was noted that the Del Webb project will not be a gated community. Executive Director Brennan gave credit to Marine Commissioner Perkins and Riverkeeper Brandon Jones for drafting the letter of the proposed erosion control measures to the City of Belmont. Chairman Hartley thanked Mecklenburg County Vice Chair Elaine Powell for her support and timely responses from the County. He also thanked Olivia Edwards and noted that her statements were on the mark. Charlotte-Mecklenburg elected officials and staff were acknowledged and thanked. Vice Chair Powell said she was so pleased to hear this conversation and offered her assistance if there is anything she can do to help.

- Recommended to Belmont Planning Department Director the Shelley DeHart that she consider gaining the services of Ronnie Lawson to assist in finalizing the FERC application for the city park which will house the boat house for Gaston County Police Department and Belmont Fire Department boats. The City of Belmont has offered the FERC review position for bids.
- Presented a brief to the Catawba Wateree Water Management Group Citizens' Academy on February 25 to explain the mission and goals of the LWMC. The brief followed the presentation outline of the annual report to the counties.
- Worked with Administrator Parker, Chairman Hartley, and Ms. Betsy Haywood (NCWRC No Wake Zone Coordinator) to address the administrative requirements for submitting applications for no wake zones in the North Carolina waters of Lake Wylie. During the conversation, a process to expedite the establishing of a no wake zone was developed pending LWMC approval. Ms. Haywood will send an inspector to determine if a no wake zone the LWMC recommends will be acceptable to the NCWRC. If that inspector agrees, the LWMC can place the buoys while the application is winding its way through the NCWRC administrative process that takes 6-8 months. The proposed no wake zone application process is as follows:
 1. Receive application from resident / organization / company.
 2. LWMC inspect area for applicability. If no, respond to applicant that the application is denied and cite reason for disapproval. Use list from NCWRC as applicable.
 3. If yes, get input from law enforcement. If law enforcement is a no, decide whether to pursue further. If no, send reason for disapproval to applicant.
 4. If yes (i.e., LWMC disagrees with local law enforcement but still thinks the request is viable or if law enforcement concurs with applicant), Ms. Parker forwards basics to Ms. Betsy Haywood for a NCWRC inspector's assessment - provide location data and reason for our recommendation.
 5. If NCWRC inspector says no, notify applicant request is denied.
 6. If NCWRC inspector says yes, Ms. Parker submits formal application to NCWRC on the NCWRC form and schedules vote in the agenda for the next LWMC meeting to place the buoys. Announce the vote 10 days prior to the meeting to satisfy the public hearing requirement of the law.
 7. If yes vote by LWMC and notify all three counties of the new no-wake zone and place the buoys after the notification.
- Mecklenburg County Vice Chair Elaine Powell has suggested that a boat tour of upper Lake Wylie similar to the one we conducted in the fall of 2019 would benefit new members of her Commission and some of the Gaston County officials as well. The tour is scheduled for April 8, and Vice Chairman Wilson will provide the boats.

- Commissioner Hanks suggested conducting the same tour for the Belmont City Council (on a date after April 8) specifically to see development sites along the South Fork. The LWMC agreed with this suggestion.
- It was requested that NCDOT replace signs on the Buster Boyd Bridge. NCDOT Division 10 staff is looking into that request and NCDOT Division 12 is looking into signs for other bridges at the north end of Lake Wylie.

Item 15 – Administrator’s Report

Ms. Parker asked if any of the Marine Commissioners need business cards. Vice Chairman Wilson asked if there are any guidelines for how to use LWMC name. Commissioner Hanks said that the LWMC name cannot be used in support or endorsement of a commercial endeavor. Executive Director Brennan gave an example, saying that if a Marine Commissioner attended a Chamber of Commerce event, it is appropriate to say, “I’m a member of the LWMC.” It would not be appropriate to say, “I’m with Brennan’s Air Conditioning business, I’m also part of the LWMC.” Vice Chairman Wilson said he is in favor of the LWMC belonging to area Chambers of Commerce. Chairman Hartley asked Vice Chairman Wilson to look into Chambers of Commerce around Lake Wylie. Commissioner Beers will look into Chambers on the South Carolina side of the lake. Commissioner Hanks added that if the LWMC is going to join a Chamber(s), it needs to be agreed on that at least one Marine Commissioner should commit to attending Chamber meetings or events.

Item 16 – Public Relations Report

Vice Chairman Wilson commented that recently, *Charlotte Magazine* ran a feature story was on Lake Norman, which was likely funded by [Visit Lake Norman](#). That organization is set up to assist with marketing Lake Norman and receives funding from Mecklenburg County and other sources. He added that Lake Wylie rarely gets positive media coverage and that Lake Wylie was not mentioned in that article. Vice Chairman Wilson said that perhaps there is something that can be done about it, but we just do not have the funding for such media coverage.

Commissioner Beers informed that group about a paddle board race on the southern part of Lake Wylie that will be put on by a company that runs a paddle board school. They will have four days of paddle board racing. His boating group has been asked to be the safety crew for that event on Niven’s Creek. Commissioner Beers is his boating club’s safety officer and education officer. They have two courses in April and May and both courses are full – 20 students per class. Commissioner Hanks asked if paddle boarding school has gotten approval from York County to hold the race. Commissioner Beers just heard about it and does not know but will follow up.

Item 17 – Adjournment

The meeting adjourned at 8:53 pm.