



Commissioners Present: Chairman Dan Hartley (Gaston County)
Secretary Treasurer Dan Mullane (Mecklenburg County)
Commissioner Sam Perkins (Mecklenburg County)
Commissioner Smitty Hanks (Gaston County)
Commissioner Brad Thomas (Gaston County)
Commissioner Ray Webber (York County)
Commissioner A.W. Bill Beers (York County)
Commissioner Quay Williford (York County)

Commissioners Absent: Vice Chairman Hunter Wilson (Mecklenburg 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 October 26, 2020 minutes. Commissioner Webber moved to approve the October 26, 2020 minutes. Commissioner Hanks 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 November 23, 2020 agenda. Executive Director Brennan asked that Sedimentation Control at the Del Webb project be added as part of his report. Commissioner Hanks asked to add discussion about possible a meeting site to hold a hybrid meeting. Commissioner Thomas asked that Emergency Response Procedures Update be removed from the agenda until further headway is made. Commissioner Beers moved to adopt the November 23, 2020 agenda as amended. Commissioner Webber 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 he was on the water today surveying buoys and noted that most of the buoy are out of place. He can email Captain Adam Huth a list of buoys that are out of place. Commissioner Hanks asked that he and Commissioner Thomas be copied on that email. CMPD lake patrol now has a fourth full time officer.

Gaston County Police Department (GCPD) – Sgt. Knupp reported that GCPD has not been on the lake this month. He noted they are down two officers that he will need to replace.

York County Sheriff's Office (YCSO) – No report was given.
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 waterfowl season ends on November 28 and resumes on December 19. Limitations on the number of people that can gather in person due to COVID-19 has impacted NCWRC's boater safety training classes. They are trying to maintain them, nonetheless. Information about upcoming boater safety training classes can be found on the NCWRC website.

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 his team was supposed to be on Lake Wylie today, but because of a big rain event their plans changed. He noted that streams are back down to normal and he is not seeing turbidity. His team will be on the lake on Monday, November 30 for last routine sampling for 2020. The next sampling will happen in January. Mr. Ferguson talked about the various ways he monitors lake levels and rain events.

Duke Energy – No report was given.
Gaston County Cove Keeper – No report was given.

Catawba Riverkeeper Foundation (CRF) – Mr. Brandon Jones reported that they are moving ahead with the alligator weed project and they will need volunteers. CRF will start volunteer training in early spring 2021. He said to let him know if anyone is aware of any large patches of alligator weed. Mr. Jones mentioned a large flooding event that occurred a few weeks ago that moved a lot of debris in the water. Lake Wylie fared well compared to other water bodies.

Item 6 – Duke Energy Presentation

Tami Styer, Licensing Project Manager and Lynne Dunn, Hydro Compliance Manager shared a PowerPoint presentation to the LWMC on Lake Wylie Flow Releases and Lake Levels. They were joined by their supervisor Jeff Lineberger. The presentation included an overview of the Catawba-Wateree Hydroelectric Project and the Lake Wylie Minimum Flow Aerating Runner Project, information on flow and water quality measurement downstream of the Wylie Hydro Station, recreation and minimum continuous flow releases, and Lake Wylie lake levels, and an overview of the Duke Energy Lake View Mobile app.

Item 7 – No Wake Zone Discussion Update

Chairman Hartley reported that the revised no wake zone application and policies and procedures form are almost ready to be finalized.

Item 8 – Buffer Zone Guideline Discussion Follow Up

Chairman Hartley said this item will be tabled until the January meeting.

Item 9 – Emergency Response Procedures Update

Commissioner Thomas asked for this item to be removed from the agenda.

Item 10 – Buoys and Buoy Maintenance Update

Commissioner Hanks said that the last flood put a lot of buoys out of place up and down main channel, and he is not sure how many are missing. It was noted that there is one approved buoy for Brown's Cove that needs to be installed. Chairman Hartley outlined next steps – get buoys back in place, if no wake zone buoys are missing and we cannot find them use our no wake zone buoys to replace the missing buoys, and make sure buoys are (re)positioned correctly. He asked about the status of the stainless steel cable. Captain Adam said he obtained a new spool of cable and the LWMC has 10 buoys in its inventory. He added that if he replaced all the no wake zone buoys that need to be replaced, all 10 buoys would be used. Executive Director Brennan suggested a possible anchoring solution for downstream buoys – anchoring the anchor by laying a heavy duty cable on the riverbed. Commissioner Thomas liked this idea. Captain Adam noted that he is working with minimal equipment, so handling a heavy duty cable would likely not be feasible. The issue remains with how to effectively anchor upstream buoys. Further discussion is needed about how to better anchor both upstream and downstream buoys.

Item 11 – Treasurer's Report

Secretary Treasurer Mullane reported that:

- York County: Q2 (Oct 1 – Dec 31) funds have been requested and received as well as Q1 funds.
- Mecklenburg County: Q1 & Q2 funds have been requested, and not yet received. However, the LWMC received the fully executed FY21 contract from Mecklenburg County on November 18, so payment should be forthcoming.
- Gaston County: Q1 & Q2 funds were requested and have been received.

Item 12 – Chairman's Report

Chairman Hartley had nothing additional to report.

Item 13 – Executives Director's Report

Executive Director Brennan reported that:

- Contacted NCDOT regarding bridge design specifications to determine if anchoring no wake buoys from the base of the stanchions is viable. Provided feedback from Steven Rackley (NCDOT) to Commissioners Hanks and Thomas and Chairman Hartley.
- Contacted Stacey Taylor, SCDNR point of contact for no wake zone applications. She advised on what information she needs to be sent by email regarding the no wake zone at the McLean Marina. Passed this information to Mr. Parker and Steven Hinshaw, applicant for the McLean Marina no wake zone.
- Met virtually with Chairman Hartley and the Lake Norman Marine Commission Executive Director Morris Sample to discuss buoy policy issues. Agreed to communicate quarterly to discuss current issues/common concerns.
- Investigated a request of residents in Charlotte for the LWMC to oppose the rezoning of a residential zone to an industrial zone to ascertain if the construction would adversely affect Lake Wylie. Proposed a response to decline to weigh in on support for or opposition to the rezoning. Confirmed with Rusty Rozzelle, Program Manager, Charlotte-Mecklenburg Storm Water Services, that the provisions of state law S469 that weakened stormwater retention practices will not apply to this area as it will be a new development, not a redevelopment. Passed the stormwater containment requirements Charlotte will impose to John Searby of the Catawba Riverkeeper Foundation and Commissioner Perkins for comment.
- Advised the City of Belmont Planning Department of the Charlotte stormwater containment/measuring practices for discussion with respect to the Del Webb project on the South Fork River. Planning Director Shelley DeHart asked that the LWMC submit a written request that lists any stormwater run-off Best Management Practices the LWMC would like to have implemented for this project. Executive Director Brennan is coordinating the development of that list with Commissioner Perkins and John Searby of the Catawba Riverkeeper Foundation.

- During the November 23 LWMC meeting, Executive Director Brennan requested approval from the LWMC to move forward with briefing City of Belmont staff, appointed boards, City Council, and the developer on our final recommendations regarding the Del Webb project. Legal Counsel Clark said that the LWMC would delegate authority to Executive Director Brennan and CRF staff to do so. Commissioner Thomas moved to allow Executive Director Brennan and CRF staff to represent the LWMC at those meetings in Belmont. Commissioner Webber seconded the motion. The vote taken and approved unanimously. Chairman Hartley noted that he is on the City of Belmont Planning Commission so he would not be representing the LWMC when Executive Director Brennan and CRF staff make their presentation(s).
- Contacted Les Gray about the 2021 Boat Show to ascertain the set up and COVID restrictions in February. Wider aisles (12 vs 9), 8' high partitions, hand sanitizer would be available. Openness allows thousands in. Will provide masks if still required.
- Mrs. Betsy Haywood, NCWRC No Wake Coordinator, confirmed that there is no requirement to place no wake buoys at designated swimming areas such as the one proposed at the South Point Road boat ramp area.
 - There was a question about who would pay for no wake buoys placed at swimming areas. Executive Director Brennan will follow up on this matter.

Item 14 – Administrator’s Report

Meeting Schedule and Format for 2021: Ms. Parker addressed proposed meeting dates for 2021. The question is about meeting format – Zoom, in-person or a hybrid option. There was discussion about TechWorks in Belmont and if that venue could accommodate a group with appropriate social distancing. Commissioner Hanks added that a possible hybrid meeting site could be the First Presbyterian Church Fellowship Hall (in Belmont). Chairman Hartley will reach out to each Marine Commissioner to hear thoughts on meeting virtually, in-person, or in a hybrid format. Commissioner Hanks moved that until the LWMC knows more about COVID-19 and the vaccine, the LWMC will meet via Zoom through February 2021. Commissioner Beers seconded the motion. The vote taken and approved unanimously.

Item 15 – Public Relations Report

Vice Chairman Wilson was not present and no report was given.

Item 16 – Adjournment

The meeting adjourned at 9:04 pm.