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**Commissioners Present:** Chairman Neil Brennan (Gaston County)  
Vice Chairman Peter Hegarty (Mecklenburg County)  
Secretary Treasurer Blanche Bryant (York 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:** Commissioner Debi Chacharon (York County)

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

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***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 August 26, 2019 minutes. Vice Chairman Hegarty moved to approve the August 26, 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 September 23, 2019 agenda. Commissioner Goff moved to adopt the September 23, 2019 agenda. Commissioner Hartley 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 the Labor Day holiday was quiet on the lake. He noted that their unit’s third full time officer is retiring this week. They plan to train new staff in the off season.

Gaston County Police Department (GCPD) – Sgt. Knupp reported that GCPD are off the water now. He noted that on August 24 GCPD provided security with CMPD at a kayaking event. On August 31 GCPD officers responded to a possible heart attack and Gaston EMS staff got the person to the hospital. He reported that GCPD had 162 dispatch calls and assisted twelve boaters on Lake Wylie.

York County Sheriff's Office (YCSO) – Secretary Treasurer Bryant reported on behalf of Sgt. Mabry. Since the last LWMC meeting:

- On Labor Day YCSO had a jet skier from Georgia who had a cardiac event near Windjammer Park, his wife who was on a different jet ski flagged down several nearby boaters who were able to get the victim onto a pontoon boat and provided CPR until they were met at Windjammer Park by EMS and Tega Cay FD. Unfortunately, he was not able to be revived.
- Sgt. Mabry has taken several new 911 telecommunicators on tours of Lake Wylie to show them landmarks that can aid in them being able to dispatch any needed aid to the proper locations. Commissioner Hartley asked how 911 works if you are in the middle of the lake. Officer Joye answered and said your location based on your smart phone (GPS).
- He is now on a Monday through Friday schedule with the weekends being covered by an on-call list which consists of the school resources officers (SROs) that assist him during the summer.
- Sgt. Mabry was able to get a copy of the 50' buffer map that he presented last month for the LWMC to use as they please. He delivered it to Secretary Treasurer Bryant.

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 NCWRC will put on another Spanish language boater safety class in the fall. He will send Ms. Parker a link to post on the LWMC website. They also have brochures printed in Spanish.

SC Department of Natural Resources (SCDNR) – Legal Counsel Clark reported on behalf of Officer Ruff. In August SCDNR was involved with a felony boating under the influence case and Officer Ruff was the lead investigator.

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

US Coast Guard Auxiliary (USCGA) – Mr. Ray Webber reported that there will be more Coast Guard Auxiliary staff presence on Lake Wylie. Their presence on the water should end at the end of October.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – Mr. Dave Ferguson reported that they will sample on Wednesday of this week. September marks the end of the summer fecal sampling season. The bathymetry assessment of Brown's Cove is finished. They will continue to monitor and conduct bathymetry in this cove for years to come. LUESA wants to know where the home base or central hub for Riversweep will be located. They will have a 23' boat in the water to help shuttle volunteers and trash. Commissioner Goff and Mr. Ferguson will connect about Riversweep details.

Duke Energy – Mr. Ronnie Lawson reported that:

- Lake level: 96.6' (target level: 97.0')
- Low inflow protocol: Normal
- No dredge permits have been issued.

Gaston County Cove Keeper – No report was given.  
 Catawba Riverkeeper Foundation (CRF) – No report was given.

**Item 6 – Follow Up: Letter of Support for Newport Fire Department**

Commissioner Goff said that the LWMC is about safety on the lake, and that given number of new developments, it makes sense to have additional fire coverage on the south end of Lake Wylie. However, she recommended that the LWMC defer to York County Council regarding the purchase of safety equipment. Commissioner Goff moved that Ms. Parker to send the letter to the York County Council on behalf of the LWMC. Secretary Treasurer Bryant seconded the motion. There was no discussion and the motion was approved unanimously.

**Item 7 – Sedimentation Symposium Discussion**

Commissioner Mullane reported that the symposium planning group is working to confirm speakers, preferably one speaker from each of the three counties that border Lake Wylie. Next steps include identifying a date and location for a working lunch in November. If November does not work, the working lunch date may be pushed to early 2020. Commissioner Mullane said that progress is being made.

**Item 8 – Rental Boat Safety Initiatives**

Chairman Brennan brought up the boating safety card that GCPD Officer Doug Hord created and said he would send it to Commissioner Wilson. Commissioner Wilson will try to simplify this information for boat renters. He reiterated any communication to other boat rental companies should not come from him. Vice Chairman Hegarty asked how many Spanish speaking boat renters Commissioner Wilson has had. He replied, just a few. Vice Chairman Hegarty suggested that safety cards could be in Spanish as well. Chairman Brennan asked if the LWMC could piggyback with the NCWRC on this front. Sgt. Laton said absolutely.

**Item 9 – 2019 Goals Review**

Chairman Brennan started the goals reviews discussion. Status updates are included in the right column in the table below.

2019 GOALS	ASSIGNED TO	Status (Sept 23, 2019)
<b>Public Relations (PR)</b>		
1. <b>NEW:</b> Establish a PR standing committee. Come to agreement on group communication and meeting frequency, etc. <i>Committee members: Commissioner Goff, Commissioner Wilson, and Commissioner Hartley</i>	Commissioner Goff to lead PR standing committee	Commissioner Goff commented that overall, PR goals are ongoing.
2. <b>NEW:</b> PR standing committee to develop a PR plan for the LWMC. PR plan to include, but is not limited to:	PR standing committee	Commissioner Goff commented that it is good to have a plans and goals, but they should be assessed moving forward.
a. Cultivate relationships with local TV stations.		Done.

2019 GOALS	ASSIGNED TO	Status (Sept 23, 2019)
b. Arrange radio interview on Charlotte Talks (90.7 WFAE, local NPR station).	PR standing committee and others as needed	In progress.
c. Organize and provide a tour of Lake Wylie for local elected officials and local government staff, with law enforcement and possibly media between April-June 2019.		A tour of the lake for Mecklenburg County Commissioners will happen either Oct 9 or 10 or 16 or 17.
d. Enhance public relations (PR) presence. <ul style="list-style-type: none"> <li>o Expand media contact and social influencers list(s). Including joining chambers of commerce.</li> <li>o Develop PR schedule and content for different times of the year (e.g., county reports, boating safety, Riversweep)</li> </ul>		In progress. Have a HOA list used for Riversweep communications.
e. Build and cultivate a mail and/or email list of lake front properties, Riversweep volunteers, HOA presidents, etc to more easily and effectively communicate the LWMC's mission, about lake issues, etc.		
f. Partner with, promote, and/or approve other events related to Lake Wylie.		In progress. Partnering with Catawba Riverkeeper Foundation for an event on Sept 28.
<b>Water Quality (WQ)</b>		<b>Status (Aug 27, 2019)</b>
3. <b>NEW:</b> Establish a WQ standing committee. Come to agreement on group communication and meeting frequency, etc. <i>Committee members: Commissioners Mullane, Hanks, and Chacharon</i>	Commissioner Mullane to lead WQ standing committee	Done. Group meets via conference call 3 <sup>rd</sup> Monday of the month.
4. <b>NEW:</b> Develop a plan/strategy in conjunction with three contributing counties to combat sedimentation. Sedimentation plan to include, but is not limited to:	WQ Standing Committee and others as needed	In progress.
a. <b>NEW:</b> Meet with NC/SC state legislators to educate them on sedimentation issues.		In progress.
b. Arrange presentations by water quality experts (i.e., Rusty Rozzelle) to planning and zoning boards and the three county commissions to raise awareness about sedimentation/runoff issues.		In progress. Chairman Brennan made presentations to county commissions/councils.
c. Achieve parity among Gaston, Mecklenburg, and York counties related to stormwater runoff regulations, fines, etc.		In progress. York & Gaston counties have stop work orders. Ron Eubanks with Char-Meck Stormwater will

2019 GOALS	ASSIGNED TO	Status (Sept 23, 2019)
		inquire as to the viability in Mecklenburg County.
d. Create and distribute sedimentation/runoff educational materials and presentations for HOAs, local elected officials, water users, developers, and others.		Done. LWMC Native plants study and shorescaping flyer as on LWMC website. Duke Energy Lake Shoreline stabilization is also posted.
e. Clarify and articulate LWMC boundaries and position about sedimentation.		In progress. <u>Note:</u> Are we all in agreement that LWMC position is to educate, provide information and make recommendation about sedimentation issues.
5. Communicate the impacts of native plants on shoreline and water.	WQ Standing Committee and others as needed	Done.
6. <b>NEW:</b> Proposed Northern Law Center site as potential for shorescaping.		Done. All information has been provided.
7. <b>NEW:</b> Set up tour of Allen Steam Plant and Catawba Nuclear Plant.	Chairman Brennan	Done: Allen Steam Plant tour and Catawba Nuclear Station tour.
8. Collaborate with local universities and other agencies to study the aquatic food chain and understand how PCBs are getting into fish.	Commissioner Hanks	In progress.
<b>Safety</b>		
9. <b>NEW:</b> Establish a Safety standing committee. Come to agreement on group communication and meeting frequency, etc. <i>Committee members: Secretary Treasurer Bryant, Commissioner Wilson, Chairman Brenna, and Commissioner Mullane</i>	Secretary Treasurer Bryant to lead Safety standing committee	In progress.
10. Develop safety programs, including but not limited to:	Secretary Treasurer Bryant	---
a. Poll law enforcement to see if the life jacket campaign was effective and if they need more life jackets	Secretary Treasurer Bryant	Done.
b. <b>NEW:</b> Meet with Lake Norman Marine Commission leadership on safety issues and strategies	Secretary Treasurer Bryant and others as needed	Secretary Treasurer Bryant to connect with LNMC leadership.
c. Developing safety communication piece for boat rental companies and for paddle boat rental (kayaks/paddle boards)	Commissioner Wilson	In progress.

<b>2019 GOALS</b>	<b>ASSIGNED TO</b>	<b>Status (Sept 23, 2019)</b>
d. Work to get safety video posted to the LWMC website and elsewhere	Commissioner Wilson	Commissioner Wilson to send Ms. Parker link to safety video to get posted to LWMC website.
11. Determine best way for the LWMC to be involved in the Clean Marina program in SC.	Commissioner Mullane & Chairman Brennan	Done.
<b>Law Enforcement Center</b>		
12. Continue support of a Northern Law Enforcement Center.	Chairman Brennan	*See below.
<b>Administration</b>		
13. Define an Executive Director job description.	Chairman Brennan & Vice Chairman Hegarty	Done. No further discussion required.

\*Continue support of a Northern Law Enforcement Center – Chairman Brennan stated the following: A long-term goal of LWMC is to provide a boat house for the Gaston County Police boat. The goal expanded in March 2018 to include Belmont Fire Rescue Boat. Enhancing police and rescue presence at the north end of Lake Wylie is in consonance with the LWMC’s mission statement to promote policies for safety of the residents. All three counties have been briefed about the project in both 2018 and 2019. Gaston County asked earlier this month if there were any objections from other counties – there have been none. York County was briefed earlier this month and had no comment. Mecklenburg County is onboard, and Commissioner Trevor Fuller praised the LWMC for the boat house project. The LWMC initially committed to the boat house with the Belmont Rowing Club (BRC) by authorizing \$500 for a survey in June 2018. The LWMC stipulated to the BRC what the limits of what LWMC would fund (see [August 27, 2018 minutes](#)). Cost to add the boat house and path to the drawings, the boat house, path, gangway, grading for the path. The initial estimate for a single slip boat house was less than \$100,000. A two-slip boat house will be more. I have asked Perry Johnston of Dockmasters for an estimate. Gaston Police and City of Belmont have committed funds for lifts and dredging (if needed). Both are contributing to the cost. Belmont is committed to the project. LWMC has accrued \$142,551 in savings over the years by judicious spending, good stewardship, and cost cutting measures. The LWMC has wanted to spend these funds and this goal has long been the target of the accrued funds. Vice Chairman Hegarty, Legal Counsel Clark and Ms. Parker, and I met with CCOG Financial Director Denise Strosser to review standard practices regarding the expenditure of large sums of money and savings account balances. There is no restriction to spending the savings for the boat house. We determined that LWMC does not have a *required* fund balance – a balance based on the annual spend that organizations retain in savings for contingencies. However, Ms. Strosser advised that organizations like the LWMC keep an 8% fund balance. For the last two years, our annual spend has been ~\$62,000. We recommend a 10% fund balance of \$6,200. Now that the land for the boat house has been formally deeded to the City of Belmont and the FERC submission is imminent, it is appropriate to propose formally the commitment of funds for the project as we previously stipulated in the August 27, 2018 minutes. I suggest that the LWMC allocate \$136,000 to this project.

Commissioner Hanks asked what the current bid is for the boat house. Chairman Brennan said that there are not any bids yet, and the LWMC is required to get three bids. Chairman Brennan clarified that the

amount of money would be up to \$136,000. Secretary Treasurer Bryant commented that the original idea was to spend \$100,000. Chairman Brennan said the original idea was for a one slip boat house that might be less than \$100,000 and that was not in the minutes but was based on discussion. Chairman Brennan said the \$100,000 figure came from his conversation with Mr. Johnston about a one slip boat house. Chairman Brennan said if it is more than we can allocate, the LWMC should consider going to Belmont and Gaston County and say more funds may be needed. Commissioner Goff commented that this is not without precedent – the southern Law center. The LWMC supported, in part, the southern law center’s establishment, and upkeep costs paying for maintenance, insurance, and utilities over a number of years. Secretary Treasurer Bryant asked how much the LWMC spent on the southern law center over the years. Chairman Brennan said it was over \$20,000. Chairman Brennan suggested putting a motion on the table if further discussion is needed. Commissioner Hanks asked if Belmont and Gaston County are ready to move forward with this project. Chairman Brennan said yes, both entities are ready. Chairman Brennan said the FERC permit must be submitted for the site, then it would be 8-9 months before the FERC permit is approved. The boat house will be part of the FERC permit. Secretary Treasurer Bryant would like to see an estimate for what it will cost before the LWMC commits most, if not all, of its savings. Chairman Brennan clarified that the LWMC is not giving any entity funds at this point, the LWMC is just allocating funds for the project. Commissioner Hartley added that this project is just a line item in the budget. Commissioner Hanks asked if the LWMC is ready to go out for bids. Chairman Brennan said no and added that the LWMC is required to get three bids. He said that once FERC is approved, perhaps then the LWMC can go out for bids. Commissioner Hanks said he is against going on the record saying how much the LWMC is willing to spend, then asking for quotes or bids. Chairman Brennan wants to make sure that there is an understanding that the LWMC is committed to this boat house project. Commissioner Goff asked who is going to manage the project. Chairman Brennan said that the LWMC would take the three bids and the LWMC will decide who will be awarded the contract. Once the contractor is selected and we know how much the project will cost, then we will obligate funds to move forward or, ask for additional funds from Gaston County and Belmont. Commissioner Goff suggested drafting a letter of intent to share among the entities involved in this project, so all parties are on the same page.

Vice Chairman Hegarty moved to allocate \$125,000 towards the construction of the northern law center and that no funds are to be dispersed or committed until the LWMC has three (3) bids in place and at that time, if additional funds are required, it becomes open for discussion about where additional funds would come from. Secretary Treasurer Bryant seconded the motion. Discussion: Commissioner Wilson asked what else could come down the pipeline that the LWMC could commit funds to. There was discussion on this question, but it was not conclusive. Commissioner Hartley asked for clarification on the last part of the motion. The point of clarification is that LWMC would commit to \$125,000, and not spending those funds until it is ready to be built. There was no further discussion, the vote was taken, and the motion was approved unanimously.

#### **Item 10 – Riversweep Update**

Commissioner Goff reported that people are signing up in droves. York Technical College will send 20 students. 42 boat captains have volunteered and there are 31 clean up groups so far. She is hopeful that there will be a great turn out for Riversweep 2019.

#### **Item 11 – Treasurer’s Report**

Secretary Treasurer Bryant reported that first quarter payments have been requested and received from each of the three contributing counties.

## Item 12 – Chairman’s Report

Chairman Brennan had nothing further to report.

## Item 13 – Clerk’s Report

Ms. Parker followed up on the LaBella Associates update from August and Commissioner Hanks’ question about pipe placement. The pipe will be below the dam.

## Item 14 – Old/New Business and Commission Project Reports

- a. Water Quality:
  - Clean Marina/Clean Boating: Commissioner Mullane had nothing further to report.
  - Sedimentation: Commissioner Goff had nothing further to report.
  - Shoreline Plantings/Invasive Species: Commissioner Mullane had nothing further to report.
- b. Buoys & Buoy Maintenance:
  - Status of No Wake Buoys: Commissioner Hanks reported they have tried to get other quotes. Chairman Brennan brought up the idea of the LWMC installing buoys. Commissioner Hanks said he has done that, it is a lot of work, and he does not intend to do that again. He reported that in around 2009, the LWMC decided to not be involved with buoy maintenance, but over time the LWMC did more and more of the maintenance and installation work. Commissioner Goff stated that the LWMC has no business maintaining and installing buoys. Commissioner Hartley commented that repositioning buoys is also a big part of this issue.
  - New Contractor Discussion: Commissioner Goff said the LWMC should contract out buoy work. Vice Chairman Hegarty concurred. Vice Chairman Hegarty asked Sgt. Laton if the NCWRC can take over no wake buoys. Sgt. Laton said per NC General Statute, LWMC is in charge of placing and maintaining no wake buoys. The NCWRC takes care of danger buoys. Commissioner Hanks clarified, based on the NC Administrative Code, that the LWMC is a “suitable agency” to place buoys. The LWMC is not that the only agency that can place no wake buoys, nor is the LWMC required to do so. Legal Counsel Clark confirmed that the NC General Statute and NC Administrative Code say the same thing on this matter. Chairman Brennan stated that there is a tacit agreement or understanding in place that the LWMC maintains no wake buoys on Lake Wylie. Commissioner Goff moved that the LWMC formalize a relationship with a tradesman who does buoy work and get three (3) bids for regular maintenance and installation of no wake buoys on Lake Wylie in North Carolina. Commissioner Mullane seconded. Discussion: Chairman Brennan recommended that the LWMC not take this on until the current buoys that are out of place are put back into position by the current buoy contractor. Commissioner Goff asked if the current contractor is not living up to obligations now, what would motivate him. Commissioner Wilson asked about the requirements for a company to apply for this role. Chairman Brennan replied that that does not need to be decided here. There was no further discussion. The vote taken and approved unanimously.
- c. Safety Programs:
  - For Boat Rental Companies: Commissioner Wilson had nothing further to report.
  - For Paddle Boats (kayaks/paddle boards): Commissioner Wilson had nothing further to report.
- d. Public Relations: Commissioner Goff mentioned the LWMC booth at Riverfest from 1pm – 6pm at Loftin Parkin Belmont on Saturday, September 28.



**Item 15 – Election of Officers**

Legal Counsel Clark explained the election process and led the Election of Officers. He stated:

- For the position of Chairman: Chairman Brennan said the Nominating Committee recommends Peter Hegarty. Hearing no further nominations, Peter Hegarty will serve as Chairman.
- For the position of Vice Chairman: Chairman Brennan said the Nominating Committee recommends Dan Hartley. Hearing no further nominations, Dan Hartley will serve as Vice Chairman.
- For the position of Secretary Treasurer: Chairman Brennan said the Nominating Committee recommends Dan Mullane to the position of Secretary Treasurer. Hearing no further nominations, Dan Mullane will serve as Secretary Treasurer.

That concluded the Election of Officers. Legal Counsel Clark congratulated the Officers.

Chairman Brennan thanked Commissioner Goff for her service to the LWMC and presented her with a wood cut map of Lake Wylie. Commissioner Goff received a round of applause. Vice Chairman Hegarty thanked Chairman Brennan for his service and presented him with a wood cut map of Lake Wylie. Chairman Brennan received a round of applause for his outstanding leadership.

**Item 16 – Adjournment**

The meeting adjourned at 8:40 pm.