



Commissioners Present: Chairman Peter Hegarty (Mecklenburg County)
Vice Chairman Dan Hartley (Gaston County)
Secretary Treasurer Dan Mullane (Mecklenburg County)
Commissioner Blanche Bryant (York County)
Commissioner Smitty Hanks (Gaston County)
Commissioner Brad Thomas (Gaston County)

Commissioners Absent: Commissioner Debi Chacharon (York County)
Commissioner Ray Webber (York County)
Commissioner Hunter Wilson (Mecklenburg County)

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

Meeting Minutes

Item 1 – Welcome

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

Item 2 – Approval of Minutes

Chairman Hegarty asked if any changes need to be made to the January 27, 2020 minutes. Commissioner Hanks moved to approve the January 27, 2020 minutes. Commissioner Thomas seconded the motion. There was no further discussion and the motion was approved unanimously.

Item 3 – Approval of Agenda

Chairman Hegarty asked if any changes need to be made to the February 24, 2020 agenda. He said that Captain Adam Huth with TowBoat US will make a presentation during the meeting. Commissioner Hanks suggested that this presentation be made during Item 13, Old/New Business and Commission Project Reports in the Buoy section. Commissioner Thomas moved to adopt the February 24, 2020 agenda as amended. Vice Chairman Hartley seconded the motion. There was no further discussion and the motion was approved unanimously.

Item 4 – Public Comment

Kristy McBride lives across from Paradise Point. She commented on her concern about water quality and sedimentation. She said that the sedimentation is terrible, people cannot get out of their docks, and all kinds of waste is coming down the river. She asked if anything can be done to clean up the waste in the water. Chairman Hegarty said unfortunately, Lake Wylie gets a lot of flow and mentioned the lake level being controlled by Duke Energy, dams and water flow. Ms. McBride’s main concern is water quality. Secretary Treasurer Mullane mentioned that anyone can report trash via the Catawba Riverkeeper Foundation’s smart phone app. Commissioner Thomas asked Mr. John Searby (Catawba Riverkeeper Foundation Executive Director) to give a brief explanation about turbidity versus dirty water.

Deborah Blankenship was at the meeting on behalf of her mother who lives in Boyd's Cove. She spoke about a sediment pond near Boyd's Cove that breached during recent rain events. She asked when Blythe Construction is gone, who will be liable and who will clean up the mess. She said she has raised concerns with Duke Energy and the county. She is concerned about maintenance and liability issues, and also possibly diminished property values. Chairman Hegarty said he and John Searby will go look at the area Ms. Blankenship spoke about. Chairman Hegarty asked her to leave her phone number with Ms. Parker and they will coordinate a visit.

Stewart Finch is a neighbor of Ms. Blankenship. He said his land backs up to 300-400 acre area that has been stripped of trees and other vegetation. He commented that you cannot just remove hundreds of acres of trees on a steep topography and expect nothing to happen regarding sedimentation. He said there is a long log in the water, with one of the ends sticking out that needs to be removed. He has lived through problems with sediment. Mr. Finch said that Blythe Construction is a blunt instrument that causes damage, and the problem is that Mecklenburg County has permitted all these homes to be built. Chairman Hegarty suggested that he contact Mecklenburg County Commission Vice Chairperson Elaine Powell. Commissioner Thomas said that even when contractors follow the letter of the law regarding silt fences and other preventative measures, it is still insufficient to prevent sedimentation.

Tricia Knudson is a York County lake resident. She commented on sedimentation problems related to a Mattamy Homes development in York County. She said during a recent major storm, she watched her cove turn red with sediment and flow out into the lake. Ms. Knudson commented that developers are ruining the lake, land, and animals – all of it.

Mary Williams is with America's Boating Club of the Catawba. They would like to have a great relationship with LWMC and the Catawba Riverkeeper Foundation. They believe in boater safety and boating fun. Ms. Williams wants to stay connected with the LWMC and work together to preserve the lake. She commented on the damaging impact of clear-cutting trees and sedimentation.

Item 5 – Stakeholder Reports

Charlotte Mecklenburg Police Department (CMPD) – Officer Reitano reported that the Boat Show was a success. They received lots of questions about LED lights on boats. CMPD would like to organize a gathering of neighboring law enforcement agencies to get coordinated. He noted that SPLASH made an appearance at the Boat Show and added that CMPD purchased a wheel for SPLASH's trailer. Chairman Hegarty asked where the trailer is stored. Officer Reitano said at McDowell Park. Chairman Hegarty will coordinate with Officer Reitano to get the trailer's vehicle identification number (VIN) number. Officer Reitano stated he is training to operate SPLASH once Terry Everhart resigns from that position.

Gaston County Police Department (GCPD) – Sgt. Knupp said that GCPD was not at this year's Boat Show. He said they will have seven officers on the water this season, therefore they can expand lake coverage and try to conduct more safety checks. Their Chief has had meetings lately about the Northern Law Center boat house. They GCPD also has a place at the 7 Oaks Bridge to house their boats.

York County Sheriff's Office (YCSO) – Commissioner Bryant reported in lieu of Sgt. Mabry who was out of town. Commissioner Bryant read the following request from Sgt. Mabry: *I am requesting the Commission to purchase a 12-volt truck winch and a universal mount from Northern Tool & Equipment with a cost of \$500 to \$600. The YCSO Dive Team recently acquired a pickup truck that had been seized several years ago and it is currently being stripped of the motor, transmission, radiator and any fluids for use as a training for vehicle recovery from the lake. We would typically lift the vehicle with air bags and float it to*

the shoreline, this is where the winch would come into use. When we get the truck to the shore we will need to remove it from the water to reorient it for the next dive or to secure it until the next training day. The truck will never be left in the lake. The reason that I am requesting this particular set up is that with the winch mounted on the universal mount it can be used on different vehicles in case my current patrol truck should happen to not be on scene or when patrol vehicles get replaced as long as we have a trailer hitch we can use the winch on any vehicle and as always it would be available to the other Law Enforcement Agencies on the lake. Commissioner Thomas moved to approve the request from Sgt. Mabry and the YCSO. Vice Chairman Hartley seconded the motion. There was no further discussion and the motion was approved unanimously.

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

Mecklenburg County ABC Board Law Enforcement – Officer Bruce Mullis reported that the Boat Show was a success. During boating season, they will be on the water Thursday through Sunday.

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

SC Department of Natural Resources (SCDNR) – Officer Vissage reported that they are not on the water much this time of the year. Goose season is open until Saturday, February 29. After that, no hunting on the lake is allowed until the next permitted hunting season. SCDNR plans to be on the water earlier this year. They will practice stopping boats by stopping each other's boats.

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

US Coast Guard Auxiliary (USCGA) – Mr. David Wascher reported that the Boat Show was a success for the USCGA. They are getting ready for several boating safety trainings, scheduled for March 14 at Cabela's at 9:00 am, April 4 at Clover Community YMCA, and April 11 at Cabela's. April 1 starts the period when USCGA can get orders from the Coast Guard – Oak Island to be on the water. Chairman Hegarty asked Mr. Wascher to let Commissioner Wilson know about the upcoming training dates so they can be posted to the LWMC website.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – Mr. Dave Ferguson reported that did not conduct routine monitoring in February. He commented on the water quality report map and associated numbers. Because of the rain events in January, some of the fecal coliform numbers are low (not good). He noted that the numbers also show that the main channel is sorting through pollutants. Mr. Ferguson noted that the southern end of Mecklenburg County on Lake Wylie (site LW1 on the water quality report map) is like the end of a giant funnel. The sampling scores at that site indicate how the lake works to naturally manage pollutants. LUESA staff will take water samples again in March. He mentioned that if there is a water quality or sedimentation issue in the City of Charlotte (vs. Mecklenburg County), Jay Wilson, Erosion Control Program Manager, is the person to contact. Mr. Ferguson will share Mr. Wilson's contact information with Chairman Hegarty.

Duke Energy – Mr. Ronnie Lawson reported that:

- Lake level: 98.1' (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) – Mr. John Searby, CRF Executive Director reported, saying that he is a lake resident and empathizes with the concerns of the residents that spoke during public comment. He went on to say that recent rain fall has created turbidity issues as well as an influx of trash and debris. There are more feeding tributaries into Lake Wylie than any other river in the Catawba basin. An increase in turbidity is also caused by historical pollution from textile mills that is sitting on the bottom of the South Fork being stirred up and massive developments in Gaston County. Until about 18 months ago, North Carolina municipalities could put local storm water regulations in place at whatever level of stringency they deemed appropriate. Then, the NC General Assembly said municipalities storm water regulations could not exceed the State’s standards. He went on to say that the State’s standards are much lower than what Mecklenburg County’s standards used to be. Mr. Searby said that storm water and storm water management is the CRF’s legislative priority in 2020. They want to put the power back into local government’s hands. He said that if anyone has a concern, they should contact their state representatives.

The CRF will pilot a couple of programs in 2020. One is the Litter Gitters program made possible by the Osprey Initiative, funded by Coca Cola. The Osprey Initiative will install them and CRF will clean them out. They will start by piloting three sites. The other pilot program is the Source Water Protection Tool. The CRF will staff this program meant to inform county and city planners about the value of undeveloped land. They will conduct trainings throughout year. Commissioner Hanks participated in this training last year.

Item 6 – SC House of Representatives Bill: No Wake Zones

Bruce Bryant, SC House Representative from District 48, addressed the LWMC. He serves on the agriculture committee and will go to judiciary committee in the near future. A bill came across his desk about vessels moving above idle speed in SC water ways. He addressed the discrepancy in rules between North and South Carolina regarding the distance from a dock or property that a vessel must travel at idle speed – 150’ in NC and 50’ in SC. In SC, legislators proposed a 100’ set back. Representative Bryant commented on the narrowness of some of the water ways in South Carolina. In some places, having a 100’ set back would limit vessel speed to idle speed, so the 100’ set back was reconsidered. He noted that wake boarding has come to SC because boats can get closer to the shoreline. Representative Bryant put in an amendment to the bill, which passed unanimously in the SC House and is currently in the SC Senate. He asked the LWMC to write a letter of support to each SC Senator in the Lake Wylie district to get this bill through to protect SC shorelines, docks, etc. Chairman Hegarty asked for clarification and Representative Bryant said that the bill amendment proposes a 150’ set back in York County only. The rest of SC would be 100’ feet. He asked that the LWMC write as a group to support the bill and asked them to call SC Senators in the district and ask for support. Chairman Hegarty asked Legal Counsel Clark if there is any legal reason the LWMC should not do this, and Mr. Clark said no. Commissioner Hanks moved that the LWMC write and send a letter of support as requested. Vice Chairman Hartley seconded the motion. There was no further discussion and the motion was approved unanimously.

Item 7 – Catawba Riverkeeper Foundation Swim Guide 2020

Mr. John Searby, Catawba Riverkeeper Foundation Executive Director, distributed a flyer about the 2020 Swim Guide Program. The CRF is asking for sampling site sponsorship from the LWMC again this year. They will sample for e coli at different sites around the lake from Memorial Day through Labor Day. Last year, the swim guide website and map had over 8,000 views. This year, the CRF will expand the program to other lakes. To sponsor a site, the LWMC would get 16 weeks of sampling for \$500. The \$500 will pay for boat fuel, sampling supplies, and a small stipend for interns.

Commissioner Thomas moved to continue supporting the Catawba Riverkeeper Foundation's Swim Guide program in 2020 by sponsoring a water sampling site on Lake Wylie. Commissioner Bryant seconded the motion. There was no further discussion and the motion was approved unanimously.

Chairman Hegarty made a comment to the public comment speakers that there are a lot of people doing good work for Lake Wylie. Commissioner Hanks reiterated contacting your state elected officials if you want to move towards change. An audience member made a comment about not knowing about the LWMC until recently. One of the Marine Commissioner gave a brief overview of how the LWMC is organized.

Item 8 – York County Sheriff's Office Request (per Sgt. Mabry)

See above under Item 5, York County Sheriff's Office report.

Item 9 – 2020 Mid-Atlantic Boat Show Review

Chairman Hegarty said that the LWMC had a presence at the Boast Show and that SPLASH had a great showing, despite having technical issues on Friday. Officer Reitano (CMPD) mentioned that he will learn to operate SPLASH. Chairman Hegarty said that 73 people signed up for Riversweep 2020. He met with a company called DockIQ regarding their system to monitor electric current to prevent electric shock at boat docks. If the system detects a potential electric shock at a dock it will send a notice to the owner's smart phone and shuts off the power to the dock. Chairman Hegarty may invite someone from DockIQ to speak to the LWMC.

Item 10 – Treasurer's Report

Secretary Treasurer Mullane reported that:

- For the current fiscal year, \$25,000 has been requested from the three contributing counties (Gaston, Mecklenburg, and York)
- Q3 funds have been received from York County and Q3 & Q4 funds have come in for Gaston County.
- The next round of invoices will be sent to York County and Mecklenburg County in early April 2020.
- The three contributing counties have issued their FY21 funds requests forms.

Item 11 – Chairman's Report

Chairman Hegarty reported that he met with former LWMC Executive Director, Joe Stowe and confirmed that the LWMC does own SPLASH and the trailer used to haul SPLASH. Further details are forthcoming.

Item 12 – Clerk's Report

Ms. Parker did not have a report.

Item 13 – Old/New Business and Commission Project Reports

- a. Water Quality:
 - Shoreline Plantings/Invasive Species: No report was given.
 - PCBs and Heavy Metals in Fish: Commissioner Hanks said there is nothing new to report.
- b. Buoys & Buoy Maintenance: Commissioner Hanks invited TowBoat US Captain Adam Huth to the podium. Captain Huth said that he is aware that several buoys are out of place, but he is not sure where buoys are supposed to be placed. Chairman Hegarty suggested that he gather with Captain Huth and Commissioners Thomas and Hanks to put a game plan together around buoys. He noted that the LWMC will need to separate out danger buoys, as the LWMC is only charged with handling no wake buoys. Danger buoys are under the auspices of NCWRC and SCDNR.

Chairman Hegarty asked if Captain Huth has all buoys supplies. Captain Huth said he needs to assess what supplies remain and what needs to be ordered. Chairman Hegarty stated that a meeting to discuss buoys and then getting no wake buoys in place is a priority because it is a safety issue. Vice Chairman Hartley stressed the importance of having a tracking process in place. Part of the plan will be how to get information about buoys to Captain Huth in a streamlined, organized way.

Chairman Hegarty brought up Mr. Joe Brancatto's no wake zone request made at the January 2020 LWMC meeting. Chairman Hegarty and Officer Joye (CMPD) visited the site at Brown's Cove and confirmed that it is indeed a very narrow and potentially dangerous area. Chairman Hegarty recommended that the LWMC approve a no wake zone for that particular area of Brown's Cove. He said that two buoys in the forward section of the cove would suffice. Commissioner Thomas moved that the LWMC recommend to NCWRC that these no wake buoys be added. Commissioner Bryant seconded the motion. There was no further discussion and the motion was approved unanimously. Ms. Parker will draft a recommendation letter to send to NCWRC.

- c. Safety Programs: On the topic of life jackets, Chairman Hegarty brought up a web site called PleaseWearIt.com and their tag line "Life Jackets Worn – Nobody Mourns". He asked that Commissioners Bryant and Webber investigate how the LWMC might use this tag line in its safety program. Commissioner Bryant mentioned that the LWMC did have life jackets at the Boat Show and thanked West Marine for loaning them.
 - o For Boat Rental Companies: No report was given.
 - o For Paddle Boats (kayaks/paddle boards): No report was given.
- d. Public Relations: No report was given.

Item 14 – Adjournment

The meeting adjourned at 8:30 pm.