



Commissioners Present: Chairman Dan Hartley (Gaston County)
Vice Chairman Hunter Wilson (Mecklenburg 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: ---

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 November 23, 2020 minutes. Commissioner Thomas moved to approve the November 23, 2020 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 January 25, 2021 agenda. Commissioner Thomas moved to adopt the January 25, 2021 agenda. Commissioner Hanks seconded the motion. There was no further discussion and the motion was approved unanimously.

Item 4 – Public Comment

Mr. Jack Young (Catawba Yacht Club) addressed the LWMC about the ongoing safety issues in the waters at the Catawba Yacht Club, which is on the main channel. Mr. Young described several instances of smaller watercraft being negatively impacted by boat wake. He said a no wake zone is needed at the Catawba Yacht Club before there is an injury or death. He said he would pay for the buoys and maintenance. Mr. Young said that Officer Joye is familiar with the situation at the Catawba Yacht Club. Chairman Hartley thanked Mr. Young and asked if Officer Joye had anything to add. Officer Joye said they monitor the cove regularly and have been there around 15 times to respond to requests. He noted that they are doing best they can with monitoring with one boat deployed. Officer Joye said he would be glad to take Marine Commissioners out to view the site. Chairman Hartley said he and Executive Director Brennan went out to the site in fall of 2020 and added that if boaters are moving through the cove at a safe speed, it is almost a no wake area unto itself. Chairman Hartley said he understands the safety issue, but this happens in many coves and in open water because boaters do not understand what their wake can do to smaller watercraft. He added that this is something the LWMC can discuss. This is a bigger issue than just one cove and more research is needed. He added that cove is wide open

and you can see people recreating. Chairman Hartley said he is not sure if boaters would heed a no wake buoy. Mr. Young said that having a no wake buoy would help more than not having one. Commissioner Hanks added that because of the dimensions of the cove it looks like a boater would have to go at no wake speed anyhow. Vice Chairman Wilson said that he is familiar with this cove. He sees a slippery slope related to putting a no wake zone at the mouth of one cove and then getting into no wake zoning all coves. He asked about having a no wake zone in front of the Catawba Yacht Club instead of at the mouth of the cove. Commissioner Hanks thinks Marine Commissioners should go with Officer Joye to view the site. He asked if Mr. Young has submitted a no wake zone application. Chairman Hartley said he has, but it was turned down because it asked for no wake buoys at mouth of cove. Mr. Young said he is more than happy to meet any Marine Commissioners at the Catawba Yacht Club. Chairman Hartley said that Mr. Young is welcome to resubmit the no wake zone application. Mr. Young said he would do that before the next LWMC meeting.

Item 5 – Stakeholder Reports

Charlotte Mecklenburg Police Department (CMPD) – Officer Joye reported that their new officer is currently in EMT training and will be up to speed once boating season arrives. CMPD will be on the water throughout the winter.

Gaston County Police Department (GCPD) – Sgt. Knupp reported that GCPD law enforcement is currently off the water. They are coordinating a training session with Gaston Emergency Medical Services (GEMS) for May 2021.

York County Sheriff's Office (YCSO) – Sgt. Mabry reported on the new fishing piers and swim area at Ebenezer Park (a York County park). He noted that there are no lights on the piers, which makes for a dangerous situation at night. Sgt. Brent has expressed concern to York County which has not been addressed. Commissioner Webber said that he and Commissioner Beers contact York County about this issue. Sgt. Mabry brought up the issue of obscene graffiti on the bridge in front of the nuclear plant on Concord Road, off Allison Creek. He believes the catwalk should be removed and is trying to figure out what agency is responsible for that catwalk. He noted that it was SCDNR, but now no one will take responsibility for it. He is concerned that there will be a fatality. Sgt. Mabry brought up the sun-faded no wake and dangers signs on the Buster Boyd Bridge and that he has asked SCDNR to replace the signs. Executive Director Brennan commented that the Buster Boyd Bridge was built under the auspices of NCDOT. He said he would call Steven Rackley with NCDOT and try to make headway. Sgt. Mabry said that contacting SCDNR would help as well. Executive Director Brennan will check with staff at both SCDNR and NCDOT.

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 will have a new officer starting in February. He will work on the lake this summer with Sgt. Laton and the team. Regular waterfowl season closes on January 30. However, there will be waterfowl hunting allowed on first two Saturdays in February, for youth and veterans. Chairman Hartley asked about waterfowl hunting rules. Sgt. Laton said that at the state level, no distance is specified for both shoreline shooting and shooting from a boat. A boat would need to be still or manually operated to legally shoot waterfowl.

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

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

US Coast Guard Auxiliary (USCGA) – Mr. David Wascher reported that they have been requesting to get on the water but have not received orders to do so. They are conducting small vessel examinations and training when possible.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – Mr. Dave Ferguson reviewed the November 2020 water quality map. He commented on a rain event that caused turbidity and said that muddy water carries bacteria even when the water is cold. His team took samples in the lake last week. He will share that sampling report at the February meeting.

Duke Energy – Mr. John Bradley said that the current lake level is 97.7'. There has been an approved dredge in North Carolina waters near the Mclean development. Chairman Hartley asked how long it takes to get a dredge permit approved. Mr. Bradley explained the process and noted that the speed of the approval depends on the applicant and dredging agency. It could take a few months for a dredging permit to be approved. Executive Director Brennan asked about the FERC permit from Belmont. Mr. Bradley said that he and his colleagues have not yet received a complete, formal application package.

Gaston County Cove Keeper – No report was given.

Catawba Riverkeeper Foundation (CRF) – Mr. Brandon Jones reported that they are getting ready for Swim Guide Program for 2021 and he would like any feedback on this program. He commented that he has had meetings with Dr. Brett Hartis (Duke Energy) regarding the alligator weed removal project.

Item 6 – 2021 Riverkeeper Learning Series

Mr. Brandon Jones reported that first session of the 2021 Riverkeeper Learning series will focus on water and architecture. It will be held online on January 28 from 6:30 pm-7:30 pm. For more information, [visit the CRF website](#).

Item 7 – Catawba Crossings Feasibility Study

Executive Director Brennan introduced the [Catawba Crossings Project](#) and said that comments have been requested from various agencies by February 4. A proposed input letter from the LWMC for the Catawba Crossings Feasibility Study was included in the LWMC's January agenda packet. Commissioner Hanks suggested additional text to add to the letter related to bridge pilings and who would be responsible for removing debris that collects under the bridge. Chairman Hartley and Commissioner Hanks will collaborate to revise the input letter.

Item 8 – Catawba-Wateree Water Management Group's Citizens' Water Academy

Commissioner Beers reported that thus far there have been two sessions of the Catawba-Wateree Water Management Group's Citizens' Water Academy. The first session he was surprised to learn that the Catawba-Wateree Water Management Group is a 501c3 and has no regulatory authority. He noted that the second session was very interesting and focused on the history of the basin as told by Rusty Rozelle (Mecklenburg County LUESA). Mr. Rozelle's presentation described each of the 11 lakes in the Catawba-Wateree system. The next two academy sessions are titled, "Why does Duke Energy "run" the Catawba River and Lakes?" Executive Director Brennan concurred that the first two sessions were fascinating. Commissioner Beers will participate in as many water academy sessions as possible. Click [here](#) for more information on the Citizens' Water Academy.

Item 9 – Buoys and Buoy Maintenance Update

Commissioner Thomas said that there are approximately ten buoys out of place around Paradise Point. Vice Chairman Wilson added that there are buoys out of place near Riverside Marina. Commissioner Thomas said if anyone notices buoys that are out of place, to let he and Commissioner Hanks know so that can create a consolidated list to share with Captain Adam Huth. Captain Adam said that he has been waiting for written authorization from the LWMC to proceed with buoy work. Commissioner Thomas said he recalls a conversation about an authorization letter, apologized for any delay, and will get the letter to Captain Adam. Commissioner Thomas asked if the LWMC concurs with giving Captain Adam the authority to operate at his discretion when

the LWMC sends a request to make buoy repairs. Chairman Hartley added that if Captain Adam sees a buoy related need that has not been requested by the LWMC, to email Commissioners Hanks and Thomas to say he intends to address the issue. Commissioner Thomas asked Legal Counsel Clark to draft the authorization letter for Captain Adam.

Item 10 – 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: Q2 funds have been requested, and not yet received. The Q1 funds have been received.
- Gaston County: Q1 & Q2 funds were requested and have been received.

Secretary Treasurer Mullane updated the LWMC on the SunTrust account breach that happened a few weeks ago. He has been in communication with a staff person at SunTrust about the matter. The funds have been restored and the account is frozen until a new checking account can be opened. The LWMC will hold off on funds requests to the three contributing counties until the new account is open.

Item 11 – Chairman’s Report

Chairman Hartley followed up on Secretary Treasurer Mullane’s update about the SunTrust account breach. He added that there are no credit or debit cards associated with that account and that payments are made by checks only. The plan is to open a new account, hopefully this week. He asked the LWMC if there are any questions or concerns. No questions or concerns were stated. He noted that Ms. Parker wrote a detailed account of what happened and thanked her for her prompt attention to the matter.

Item 12 – Executive Director’s Report

- Executive Director Brennan also thanked Ms. Parker for her role in rectifying the SunTrust matter.
- After receiving the information requested by Stacey Taylor, SC DNR POC for no-wake zone applications, facilitated the submission of the request to her with Chairman Hartley and Ms. Parker.
- The anticipated rezoning presentation to the City of Belmont by the De Webb developers did not occur in January. There will be at least two community briefings before Del Webb presents to the Belmont Planning and Zoning Board.
- Confirmed with Belmont Planning Department Director Shelley DeHart that another development on Lake Wylie soon to be annexed by Belmont, Lake View Farms, is also a new development so provisions of state law S469 that weakened stormwater retention practices will not apply to this area either.
- Discussed with Rusty Rozelle (Mecklenburg County LUESA) and Jay Wilson, Charlotte Erosion Control Administrator, “The Critical Watershed Checklist,” enhanced storm water containment best management practices. Referred to this list in developing the request to the City of Belmont with Commissioner Perkins and Brandon Jones.
- Met with Commissioner Perkins and Brandon Jones to finalize our combined request of enhanced stormwater containment practices we want the City to implement. Contacted both developers to inform them that the LWMC will petition the City to have enhanced stormwater containment practices implemented.
- Referred a report of an underwater obstruction just off the Catawba Yacht Club to both Mecklenburg County Police and NCWRC. Separate investigations were inconclusive, and both parties have agreed to look again.
- Reviewed the Introductory session of the Catawba-Wateree Water Management Group Citizens’ Academy. Their work involves expanding the capacity of the system and tracking sedimentation. I encourage all to sign up for the Citizen’s Academy presentations and view them when you can.

- Confirmed with Sgt. Knupp that dredging the lakebed for the Public Safety Boat House will not be necessary. City has been requested to amend the FERC application accordingly.
- He will set up a Zoom meeting with Lake Norman Marine Commission Chairman and Executive Director late this month or early February.

Item 13 – Administrator’s Report

Ms. Parker did not have a report.

Item 14 – Public Relations Report

Vice Chairman Wilson brought up that the 2021 Mid-Atlantic Boat Show has been canceled and that the LWMC should asked for reimbursement to be applied to the next Boat Show booth reservation. Ms. Parker reported that the refund check came in and will be held until the new SunTrust account can be opened.

Item 15 – Adjournment

The meeting adjourned at 8:13 pm.