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- Commissioners Present:** Chairman Dan Hartley (Gaston County)
Secretary Treasurer Ray Webber (York County)
Commissioner Smitty Hanks (Gaston County)
Commissioner Quay Williford (York County)
Commissioner Sam Perkins (Mecklenburg County)
- Commissioners Absent:** Vice Chairman Hunter Wilson (Mecklenburg County)
Commissioner Brad Thomas (Gaston County)
Commissioner Dan Mullane (Mecklenburg County)
Commissioner A.W. Bill Beers (York County)
- Staff Present:** Neil Brennan, Executive Director; Chris Clark, Legal Counsel; Emily Parker, Administrator

Meeting Minutes

Item 1 – Welcome

Chairman Hartley called the 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 March 28, 2022 minutes. Secretary Treasurer Webber moved to approve the March 28, 2022 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 April 25, 2022 agenda. Secretary Treasurer Webber added aquatic weed control program to the agenda. Secretary Treasurer Webber moved to adopt the April 25, 2022 agenda as amended. Commissioner Hanks 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 Lake Wylie is busy. He noted that jet ski rentals are starting back up around Papa Doc's. His team went to the sandbar near the US National Whitewater Center (USNWC) and noticed a tremendous amount of boat traffic. Executive Director Brennan asked if there is anything the LWMC can do to help, such as issue a public service announcement (PSA). He said if the LWMC can generate a PSA, we will run it by law enforcement for approval. Officer Joye said inexperienced boaters are a big problem. Some boaters have no idea what a no wake zone means, and they need to be stopped and educated. Some boaters also do not know where they are going and where they should not go.

Gaston County Police Department (GCPD) – Sgt. Knupp reported that last week there was a jet ski accident across from Reflection Pointe. The jet skier fell in water, inhaled water, and was taken to the hospital.

The Open-water Catawba River Up and Down race will be held on May 7. His team and Gaston Emergency Medical Services (GEMS) will be out to help with that event. The Bon Temps Paddle Battle will happen later this summer, and they will help with that event as well. Secretary Treasurer Webber offered USCGA assistance with the two events. GCPD lake enforcement are citing boaters (\$25 ticket) who have not had a boater safety course. Boaters can take a course, show proof of course completion, and get rid of the ticket. He noted that GCPD does not usually get down to Papa Doc's. The amount of traffic on Lake Wylie has increased dramatically.

York County Sheriff's Office (YCSO) – No report was given.
Mecklenburg County Sheriff's Office (MCSO) – No report was given.
Tege Cay Police Department (TCPD) – No report was given.
Mecklenburg County ABC Board Law Enforcement – No report was given.
NC Wildlife Resources Commission (NCWRC) – No report was given.
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 monitoring did not occur in April but will start up in mid-May, as well as sampling at their summer sites. Mr. Ferguson's team has two active automated monitoring devices – one in Lochfoot Cove and the other in the back of Boyd's Cove. There is a camera mounted on the monitor in Lochfoot Cove. By using these monitors, they can keep track of rain events, construction and related turbidity. Mr. Ferguson's colleague is able to make a "flip book" of images taken with the Lochfoot Cove monitor camera (every 15 minutes) so they can see turbidity developing and dissipating. He noted that in May – September, they will be on the water taking samples each month. Mr. Ferguson asked about the timing of the Highway 74 bridge replacement project and Officer Joye said it would start in 2024.

Duke Energy – Mr. Kermitt Taylor reported that current lake level is 97.4', the low inflow protocol is still at Stage 0, and they have not approved any dredge applications. Dr. Brett Hartis said that a team will come out in May to reposition the buoy that should be in front of the Allen Steam Plant.

Catawba Riverkeeper Foundation (CRF) – Mr. Brandon Jones reported that monitoring season has arrived. The CRF will have a few interns starting soon. The RiverFest event will be held in Belmont on Saturday, May 14. The LWMC will have a booth at this event. He noted that all Swim Guide sites are sponsored on Lake Wylie. The CRF has received several autonomous sensors and will put one at their boat house on the South Fork River. Duke Energy donated their monitors to the CRF. They will purchase another brand and try out three different brands to see which works best. It was suggested that the CRF consider placing monitors downstream from construction projects (e.g., the Del Webb site). Mr. Jones noted that they have to put a system in place with regard to calibrating and cleaning the autonomous sensors. They will go out on Thursday with Dr. Hartis to check on the alligator weed thrips.

Item 6 – Buoys and Buoy Maintenance Update

Commissioner Hanks brought up Captain Adam Huth's two invoices he recently submitted for payment. He said an item on one of the invoices is a concrete mixer. Secretary Treasurer Webber said he approved that purchase. A question was raised about removing the concrete mixer (\$219.84) from the invoice. Captain Adam conducted a survey of buoys from top to bottom of Lake Wylie and found that several buoys are missing. The LWMC's current inventory includes five buoys and five anchors. Wire rope is on order and new shackles and swivel heads are needed. Executive Director Brennan forwarded a message to Captain Adam about the four Boyd's Cove buoys. For LWMC Chairperson and Boyd's Cove resident Lynn Smith said one of the buoys is back on the shore.

Item 7 – Treasurer’s Report

Secretary Treasurer Webber noted that a few payments were approved in the past month. FY23 funding requests have been sent to the three contributing counties. He noted that the LWMC Budget Subcommittee will need to meet in the next few weeks to draft the FY23 budget.

For the current fiscal year (FY22):

- Gaston County has paid through June 30, 2022.
- York County and Mecklenburg County are up to date through Q3 (March 31, 2022).

Item 8 – Chairman’s Report

Added item: Aquatic Weed Quality Program

Dr. Brett Hartis commented on hydrilla management and said Lake Wylie has 9.2 acres of hydrilla. A permit has been sought to stock 160 grass carp at the cost of \$8 per fish. The total cost of the proposal would be \$2,600 and North Carolina will pay \$1,300, leaving \$650 for the two other contributors (Duke Energy and the LWMC). The lake will be stocked with grass carp on May 12 at Kevin Loftin Park in Belmont. If the carp do not alleviate or eliminate the hydrilla issue, they will consider applying an herbicide. Commissioner Hanks moved to authorize \$650 for grass carp. Secretary Treasurer Webber seconded the motion. There was no further discussion and the motion was approved unanimously. Dr. Hartis said he would keep everyone in the loop.

Item 9 – Executive Director’s Report

Executive Director Brennan reported that:

Federal Energy Regulatory Commission (FERC) Application: Duke Energy completed their final check FERC package. The City of Belmont is recruiting a FERC specialist to help guide the application through stakeholder approval process.

South Fork River Health Committee (now the South Fork River Health Project): The Policy and Advocacy subcommittee met April 6. Action items assigned to the subcommittee members are:

1. Develop standard SCM regulations, i.e., enhanced SCM that should become law (e.g., wider buffers as it was noted that the South Fork River is not under the 50-foot NC riparian buffer law). Brian Sciba and Robert Cloninger
2. Develop recommended SCMs to propose to both developers and municipalities to include in conditional rezoning (e.g., autonomous monitors downstream of sediment basin discharge piping). - Sciba and Cloninger
 - Note: items 1 & 2 will reference the Mecklenburg County ordinance, the Del Webb agreed to SCMs, and the proposed SCMs for the Pulte project
3. Provide the rationale - the WHY - for each recommendation, and the reason for rejecting some SCMs. John Searby and Neil Brennan
4. Seek grants currently available through the American Restoration Plan Act and eventually through the Bipartisan Infrastructure Act. Danlon Lawson
5. Begin a dialogue with the Soil and Water Conservation Districts of each of the three counties in an effort to get information from them on adoption of existing programs to fence livestock out of waterways, encourage larger agricultural buffers, and build wells to keep livestock from watering in the waterways. John Searby and Melissa Patton
6. Survey MS4 (Municipal Separate Storm Sewer System) Permit Managers in the South Fork River Basin on effectiveness of their stormwater programs. Develop a target list of areas of improvement where South Fork River Health Project may be able to assist (outreach, community engagement, supporting projects with funding or volunteers, etc.). Develop talking points around other challenges to compliance to share with elected officials, municipal staff leadership, and the public. Danon Lawson, Scott Attaway, and Will Cauthen.

Idle Speed Zones: Followed up on the letters to the Chairmen of the Mecklenburg County Board of Commissioners and the Gaston County Board of Commissioners and contacted the county commissions to determine if and when a presentation on this LWMC proposed regulation could be scheduled. The regulation would establish idle speed/no-wake within 50 feet of a moored or an anchored vessel, person in the water, or any private wharf, dock, bulkhead, or pier to be consistent with South Carolina law.

Wake Surfing: A new South Carolina law restricts wake surfing within 200 feet of a dock, a person in the water, or anchored watercraft. The LWMC officers have concurred in pursuing such a regulation, and I have requested North Carolina law enforcement officer support for an identical regulation for the North Carolina waters of Lake Wylie. Commissioner Elaine Powell (Mecklenburg) and Commissioner Ronnie Worley (Gaston) have initially supported such a LWMC regulation and will advise if and when to present this proposal to their respective county councils.

Executive Director Brennan reviewed the process moving forward – After law enforcement is on board, we would then approach County Commissions. Executive Director Brennan spoke to Donna Buff (Gaston County Clerk) and she suggested he put together a resolution that would cover both idle speed zones and wake surfing. Commissioner Hanks asked if the LWMC sets a fine, who will collect it and who would receive the money? Executive Director Brennan thanked Commissioner Hanks for his question and for raising a good point to consider. *(The resolution was subsequently amended to include wording addressing fines.)*

Catawba-Wateree Water Management Group: Represented the Lake Wylie Marine Commission at the Catawba-Wateree Water Management Group's 2022 Water for All Summit in Richburg, South Carolina on March 30.

Recommendation to North Carolina Department of Environment and Natural Resources: Arranged for John Searby, Executive Director, Catawba Riverkeeper Foundation, to address Commission Technical Committee of the North Carolina Department of Environment and Natural Resources on April 21. He advocated for enhanced stormwater changes to the North Carolina Erosion and Sediment Control Planning and Design Manual to require wire mesh backed silt fencing along wetlands, streams, lakes or other surface water bodies as is required in Mecklenburg County. Mr. Brandon Jones presented to that Technical Committee and made recommendations. They are supposed to take the CRF's recommendations under advisement.

Charlotte Power Squadron Brief: Presented a slide brief to the Charlotte Power Squadron on April 4 on the organization, mission, and work of the Lake Wylie Marine Commission. After investigating an unsigned boating regulation document that was given to me that evening that was purportedly initiated by the LWMC in 2001, I determined that the document had been superseded long ago by the various state promulgated handbooks and laws on boating regulations. I will advise the Charlotte Power Squadron that the 2001 document should be ignored and will not be updated as one of their members requested.

Executive Director Brennan noted that an Arbor Day Celebration will take place this Saturday from 12-4 in Belmont. Ms. Parker will send out a LWMC booth staffing sign up email for RiverFest.

Item 10 – Administrator's Report

Ms. Parker did not have a report.

Item 11 – Public Relations Report

Vice Chairman Wilson was not present. Ms. Parker provided the following report on Vice Chairman Wilson's behalf:

- If you can share that I have created the Google Shared document for the social media posts. I have shared and given access to all commissioners. No one has made any additions or edits to it.
- I think we need to start using our email list again (cost is roughly \$70 a month). It is the only way (and the best way) to massively get the word out about any situation facing Lake Wylie. It is also the best way for us to make notifications about our upcoming meetings and see out recaps of what was discussed in meetings.

The LWMC requested more information on the first two points. Ms. Parker will relay this request to Vice Chairman Wilson.

- The Allen Steam Plant buoy is still in the middle of the channel 1/4 mile south of the plant where it's supposed to be. Maybe we can just move it for them?

Ms. Parker will let Vice Chairman Wilson know that this buoy will be addressed in May.

Item 12 – Announcements

- Secretary Treasurer Webber will not be at the June 28 meeting.
- Executive Director Brennan and Chairman Hartley will send a notice to the LWMC about attendance at meetings.

Item 13 – Adjournment

The meeting adjourned at 8:19 pm.