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- Commissioners Present:** Chairman Dan Hartley (Gaston County)
Vice Chairman Hunter Wilson (Mecklenburg County)
Secretary Treasurer Ray Webber (York County)
Commissioner Smitty Hanks (Gaston County)
Commissioner Brad Thomas (Gaston County)
Commissioner A.W. Bill Beers (York County)
Commissioner Sam Perkins (Mecklenburg County)
- Commissioners Absent:** Commissioner Dan Mullane (Mecklenburg County)
Commissioner Quay Williford (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 April 25, 2022 minutes. Commissioner Hanks moved to approve the April 25, 2022 minutes. Commissioner Beers 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 May 23, 2022 agenda. Executive Director Brennan said to add discussion of the draft FY 23 budget under the Treasurer’s Report and add discussion about the Lake Wylie Boat Tour under the Public Relations Report. Vice Chairman Wilson moved to adopt the April 25, 2022 agenda as amended. Commissioner Thomas 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 Kennelly reported that the US Coast Guard will ride with CMPD over Memorial Day weekend.

Gaston County Police Department (GCPD) – Sgt. Knupp reported that GCPD will be on Lake Wylie over Memorial Day weekend. Their lake patrol operations start full time on June 6.

York County Sheriff’s Office (YCSO) – No report was given.

Mecklenburg County Sheriff’s Office (MCSO) – 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 the NCWRC had a great media event with Mothers Against Drunk Driving (MADD) and other local law enforcement agencies. Alex Otte with MADD shared her story. Sgt. Laton said if you're going to drink, don't drive. His team will have a new officer starting on Saturday. They will split time on Lake Wylie, Mountain Island Lake, and Lake Norman over Memorial Day weekend. Sgt. Laton spoke with Mr. Brandon Burch (NCWRC) and noted that buoys will be placed to mark the South Fork River north of the hot hole. Sgt. Laton said Commissioner Thomas can coordinate with Mr. Burch directly.

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

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

US Coast Guard Auxiliary (USCGA) – Mr. Jim Nass said this week is Safe Boating Week. The USCGA has been conducting classes and educating the boating public. They are trying to get their boats on the water and want to be on the water as much as possible during boating season.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – Mr. Dave Ferguson was not able to attend the meeting but provided the following report via email:

We have not yet conducted our routine monitoring for the month of May anyway, it should occur later this week. Keep in mind we still have the monitoring buoy working in Boyd's Cove (https://cmann.mecknc.gov/site/?site_id=573&site=3285e69e-210a-4472-bb2b-2cbe29386654) as well as the monitoring station in the back of Lochfoot Cove (directly across from the Allen Steam Station) on the eastern shore of the lake https://cmann.mecknc.gov/site/?site_id=613&site=e936ea93-5e04-4c50-8976-1fbf516b4e0f) that we are keeping an eye on during all this construction as well as throughout this upcoming blue-green algae bloom season.

We will be working in conjunction with North Carolina DENR, South Carolina DHEC, the Riverkeeper, and Duke Energy to combine our efforts on any confirmed blooms that occur on the lake this summer to better educate and inform our residents and lake users about how to stay safe while boating and playing in or around Lake Wylie.

Executive Director Brennan asked about whether the LWMC will get signs to warn people about Harmful Algal Blooms (HABs). Chairman Hartley asked if the LWMC would need permission to place such signs. Vice Chairman Wilson commented about the public perception that Lake Wylie is dirty. Executive Director Brennan clarified that he is asking about signage to post when there is an algal bloom present in the lake. Vice Chairman Wilson said this issue comes back to public relations and being active on a digital platform to get the word out. HABs are about safety and public relations.

Duke Energy – Mr. John Bradley reported that the lake level is at 97.1'. They approved one dredge application on the South Fork River. Vice Chairman Wilson said that someone emailed Mr. Kermitt Taylor (Duke Energy) about the micro businesses popping up around Papa Doc's. Mr. Taylor said they are illegal. Duke Energy's Recreation Department is aware of the micro businesses. Commissioner Hanks asked about the location of the approved dredge. Mr. Bradley said it would be at Beaumont Peninsula above the lower Armstrong Bridge. There are three docks associated with the dredge. Commissioner Thomas asked if Duke Energy could look at the power line right of way on the Mecklenburg County side across from Allen Steam Plant that has been clear cut. There is no silt fence or any other protective measure in place. Sgt. Knupp asked when the South Point Boat Landing is going to be open. The answer was probably next year. That recreation area will include a swim area and picnic tables.

Catawba Riverkeeper Foundation (CRF) – Mr. John Searby thanked the LWMC for their presence at RiverFest. He said around 2,000 attended that event. He noted that the HABs Working Group has been meeting on a regular basis. A communication plan is being developed. The CRF Swim Guide Program starts this week and they will pull samples on Thursday. Results should be posted by 5:00 pm on Friday. He asked everyone to be on the lookout for sampling results and to put them out on social media. He noted that the thrips project is not having much impact. Vice Chairman Wilson asked if he knows anything about the goats in Belmont. Mr. Searby said the City of Belmont is building a greenway and they hired a company that provides goats to eat kudzu and other plants.

Item 6 – Buoys and Buoy Maintenance Update

Captain Adam Huth was not able to attend the meeting but provided the following report via email:

Activity in May

This past month Neil & I rode out to Boyd's Cove together to repair a loose buoy and to assess other buoys in that area. In all we confirmed positioning on three buoys and it was determined a fourth one is needed to get Boyd's Cove up to specs. There is a loose buoy beached at Reflection Pointe we've decided to repurpose for this use.

Future Punchlist

- *Recover beached buoy at Reflection Pointe & place at end of Boyd's Cove at unsurveyed start point.*
- *Survey South Fork River for missing markers.*
- *Replace two missing buoys at northern point of Whitewater Center kayak canal. Someone may have suggested one buoy there instead of two. Please advise.*
 - *Executive Director Brennan will check and see what the law says – if it specifies one or two buoys – and will be in touch with Captain Adam.*
- *Place two buoys with a hefty-style anchor at the outer-most northern and southern points of the Highway 27 bridge in Mount Holly sufficient to provide Mount Holly boat ramp a usable marker.*

Inventory

- *Completing scheduled items will deplete our stock of buoys. Please order 10-20 more along with 10-20 anchors.*
- *We need more stainless-steel shackles. These are only used with hefty anchors, +/- 20 would last us a while.*
- *We need more stainless-steel swivel-headed connectors. These are only used with hefty anchors, +/- 20 would last us a while.*
- *I can help with ordering the above but need firm specs on what was ordered before please.*

Chairman Hartley said the Buoys Committee needs to get in touch with Captain Adam and make a plan for ordering supplies, etc. Secretary Treasurer Webber asked to be added to the Buoy Committee and included on emails with Captain Adam.

Item 7 – Treasurer's Report

Secretary Treasurer Webber reported that:

- A preliminary 2023 budget was drafted for review and approval next month.
 - The LWMC had time to review the draft and there was no comment from group during the meeting.
- \$1,058 insurance premium was paid.
- Two refunds of denied buoy application fees are being processed.

- New invoice from our buoy maintenance contractor TowBoat for buoy maintenance and placements in May approximately \$1,300. While the LWMC is running within our budget our buoy maintenance/placement rate will exceed our budgeted amount for the fiscal year. We will reallocate funds from an unused Research line item to cover the shortfall and look to the FY 23 budget to increase that line item.
- Gaston County, York County and Mecklenburg County are up to date on payments through Q4 (June 30, 2022)
- Met with the Finance Director at Centralina to discuss earmarking committed allocations for the Gaston boathouse from our savings accounts in anticipation of the funds potentially being required in FY 2023 and how to allocate that into the budget. For now, it is tracked as a restricted/allocated number. A meeting with Gaston County/Belmont tomorrow may give us some insight into timing on this request/requirement and the impact on the budget but likely it will not be known in time to budget that large expense and require an amended budget if/when that becomes an issue in FY 2023. For now, its footnoted in the financials.
- Commentary on an idea to create an allocation account for unused budgeted amounts for larger law enforcement purchases, amending/replacing the current “use it or lose it approach.”
 - Can we create a way to accrue funds for law enforcement to make a bigger purchase?
 - Need to get out of the buoy business! (Unlikely, as the NCAC requires the LWMC to maintain and place no-wake buoys)
 - This bullet started a philosophical discussion about how public money should be spent, etc.
 - And can counties or the state(s) tell us how to spend LWMC funds? (Answer: yes, with regard to no-wake buoys in North Carolina)

Item 8 – Chairman’s Report

Chairman Hartley said that the LWMC had a booth at RiverFest and the most questions he received were about where people can swim in Lake Wylie. Currently, the answer is Ebenezer Park.

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 continues their search for a FERC specialist to help guide the application through stakeholder approval process.

Idle Speed Zones: Developed with Legal Counsel Clark a proposed resolution for the county commissioners of Gaston County and Mecklenburg County to adopt in support of proposed LWMC idle speed and wake surfing regulations. These regulations would mirror the regulations in effect in York County. Gained the commitment of the Gaston County Police Department and the Charlotte-Mecklenburg Police Department to enforce the proposed regulations. North Carolina Wildlife Resources Commission officers acknowledged the authority of the LWMC to promulgate such overarching regulations; their authority does not allow them to do so. The cover letter to the county commissions and the proposed resolutions are appended to this report. Discussed with Mr. Bill Stetzer, attorney for the Gaston County Board Commissioners, the background and rationale for the proposed regulations. Subsequently provided him a copy of the draft resolution for his review. Shared a copy of the draft resolution with comment with the Lake Norman Marine Commission (LNMC).

Meeting with Ryan Carter of the Catawba Riverkeeper Foundation: Briefed Ryan Carter of the Catawba Riverkeeper Foundation (CRF) on the workings of the South Fork River Health Committee’s Policy and Advocacy subcommittee of which he recently joined. Mr. Carter is well versed in the legislative processes that will need to be followed once the subcommittee develops the proposed legislation for enhanced stormwater control measures. He offered to help with state legislation for idle speed and wake surfing limitations to parallel the LWMC regulations. This strategy is the two-pronged approach Mecklenburg County Commissioner Elaine Powell recommended.

Mountain Island Lake Marine Commission (MILMC): In the summer of 2019, I was asked by Elaine Powell on behalf of Senator Natasha Marcus to help reinstate the MILMC. Two bills since the MILMC was disestablished in 2014 have failed to reinstate the MILMC. Now, NC Senate Bill 458 sponsored by Senators Marcus and Harrington to reinstate the MILMC awaits house action in the House Rules, Calendar, and Operations of the House Committee. Mr. Ryan Carter of CRF asked if the LWMC could support that House effort. I sent a letter to Representative John Torbett who sits on House Rules, Calendar, and Operations of the House Committee for his support. I suggested that a synergy among the three marine commissions could be realized with a MILMC in the mix and offered to help the MILMC get started if it was to be reinstated. A copy of the letter was provided to the LWMC commissioners and staff. Mr. Searby said this issue made it on the NC General Assembly's short session agenda. If they approve it, MILMC would have no regulatory power but could make recommendations.

Public Relations: Prepared for Vice Chairman Wilson an updated public service announcement and pithy TV spots highlighting specific boating safety points to share with media for Safe Boating Week, May 21-27. Shared with Chairman Hartley a copy of a LNMC brochure that uses a QR code to vector users to their website and safety rules. Suggested the LWMC consider developing a similar brochure.

Item 10 – Administrator's Report

FY22 Audit Contract – Vice Chairman Wilson moved to approve the FY22 audit contract with Belinda Johnson, CPA. Commissioner Hanks seconded the motion. There was no further discussion and the motion was approved unanimously.

Item 11 – Public Relations Report

Vice Chairman Wilson said Executive Director Brennan asked about doing providing boat tours for elected officials. He can accommodate the request to provide boats. Commissioner Thomas moved to reimburse Lake Wylie Boat Rental for expenses incurred for use of boats. Commissioner Hanks seconded the motion. There was no further discussion and the motion was approved unanimously.

Vice Chairman Wilson followed up on points relayed on his behalf by Ms. Parker at the last meeting:

- On the email list – the people on the list would be previous Riversweep participants, people who signed up for Riversweep at previous Boat Shows and signed up via the website. He said it would behoove the LWMC to use the list on an ongoing basis using MailChimp. There is a cost for using MailChimp. He can follow up to see if a free plan is available. Otherwise, it could cost \$50-\$70 per month. He suggested publishing a pre-meeting email and a post-meeting summary. This would be the best way to get the word out about the LWMC and related activities. If the LWMC would like to go this route, the expenditure would need to be approved. He also noted that someone would need to draft the newsletter each month. Vice Chairman Wilson moved to allocate up to \$70 per month for email newsletter distribution. Commissioner Thomas seconded the motion. There was no further discussion and the motion was approved unanimously. It was decided that this expense will pay out of the Public Relations line item. He reiterated that a key role is to have someone who will draft the newsletter. He said he can create the newsletter template and get it sent out. Executive Director Brennan said he would help Vice Chairman Wilson with this endeavor. Vice Chairman Wilson suggested two email messages per month.
- Vice Chairman Wilson asked the LWMC to email him ideas for interesting and informative social media posts (vs. populating a Google doc). These post ideas should be "evergreen" which means they can be used more than once and are not time or event specific (e.g., do not power load your boat at a boat ramp or Mr. Ferguson's lake stratification graphic). Vice Chairman Wilson said the LWMC has plenty of ways to get content out, we just need the content. He added that the LWMC could likely hire a graphic designer for ~\$50/hour, and that the LWMC would need to have 20-30 evergreen posts per season. A suggestion was made to make QR code for the LWMC.

Item 12 – Announcements

Vice Chairman Wilson announced that his wife is pregnant and due in November.

Item 13 – Adjournment

The meeting adjourned at 8:30 pm.