



- 
- Commissioners Present:** Chairman Dan Hartley (Gaston County)  
Secretary Treasurer Ray Webber (York County)  
Commissioner Brad Thomas (Gaston County)  
Commissioner Smitty Hanks (Gaston County)  
Commissioner A.W. Bill Beers (York County)  
Commissioner Sam Perkins (Mecklenburg County)  
Commissioner Dan Mullane (Mecklenburg County)  
Commissioner Quay Williford (York County)
- Commissioners Absent:** Vice Chairman Hunter Wilson (Mecklenburg 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 June 27, 2022 minutes. Commissioner Hanks moved to approve the June 27, 2022 minutes. Secretary Treasurer 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 July 25, 2022 agenda. Commissioner Beers moved to adopt the July 25, 2022 agenda. Commissioner Williford seconded the motion. There was no further discussion and the motion was approved unanimously.

#### Item 4 – Public Comment

Mr. Al Fifield is the HOA Vice President for the Emerald Point community on Lake Wylie that is comprised of 118 condominiums. There are nearly 90 boats in the water and marina in front of the community. The HOA has spent around \$160,000 on dock repairs due to damage caused by boaters speeding by and large wake made by wake surfing. Dock damages are a great cost to the HOA. He is in support of Gaston County and Mecklenburg County supporting the same rules as in South Carolina. Commissioner Hanks asked if he has contacted state legislators since they make the ruling and also suggested he talk with elected officials in Mecklenburg County.

Ms. Christina Mauer also lives in Emerald Point and is the dock master of their HOA. She oversees repairing docks for the Emerald Point community. Ms. Mauer asked how they can get additional buoys. Executive Director Brennan explained that NCWRC approves the placement of no-wake buoys but will not approve those buoys for the sole purpose of protecting docks or shorelines.

Mr. Brent Mabry apologized to the LWMC for not coming back to a LWMC meeting since he retired from York County Sheriff's Office. He attended the meeting this evening to thank the LWMC for the plaque he received upon his retirement. It was a great surprise for him. He thanked the LWMC for all the years of help on Lake Wylie and for all they continue to do. He added that retirement is a full-time job.

Mr. Brad Dickey said this is the first LWMC meeting he has attended. He talked about islands in the lake, like Goat Island, and asked if the LWMC are going to let them wash away. He said he lives in the Clearview subdivision near the Sandbar. He is concerned about the profane music that is played at the Sandbar. He noted that sedimentation is a concern in their cove.

#### **Item 5 – Stakeholder Reports**

Charlotte Mecklenburg Police Department (CMPD) – Officer Joye reported that they had a successful July 4<sup>th</sup> holiday with few incidents. The Coast Guard was on the water with CMPD and will be back on August 12. A 9-year-old had multiple fractures from a rope swing accident. CMPD cut the rope swing down earlier today. On the topic of Emerald Point buoys – Emerald Point should not have no wake zone or other buoys in the water. It is against the law to set out own buoys that are not approved by NCWRC. Emerald Point should go through the no wake zone process. He added that CMPD cannot enforce a no wake zone that is not in the NC Administrative Code. Officer Joye noted that FEMA is coming to do a nuclear exercise to check preparedness on August 16. Commissioner Thomas asked about the increasing number of boats on the lake with blue lights. And now boats have changing red and green lights on each side, which is problematic. Officer Joye said when they work on the water at night, they frequently stop boaters to say they cannot run certain colors and types of lights.

Gaston County Police Department (GCPD) – No report was given.

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) – 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) – Mr. Dave Wascher said that they are documenting all no wake zone and danger buoys. They started above the Buster Boyd Bridge and are working south. He will keep Secretary Treasurer Webber up to date on their progress. The USCGA is monitoring and educating boaters about boat lighting issues.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – No report was given.

Duke Energy – Mr. Kermitt Taylor reported that the lake level is at 96' 6", no dredge applications have been approved, and we are in drought Stage 0.

Catawba Riverkeeper Foundation (CRF) – Mr. John Searby reported that the first autonomous sensor is now installed at the Catawba Riverkeeper Boathouse. They are working on public portal to report data. For the Swim Guide Program – there have been no exceedances on Lake Wylie this year, but there have been a few on the South Fork River. They have asked for no swim advisories at those locations. On the Swim Guide site, so far the Lake Wylie sampling sites have had ~6,000 views. Ebenezer Park is the most popularly viewed. The CRF will have a report at the end of summer. Overall, they have seen a 20% increase in views over 2021. There have been no confirmed reports of harmful algal blooms (HABs). Mr. Searby said if you see a bloom, report it. Almost all Riversweep sites have been finalized, and all sites on Lake Wylie are finalized. Volunteer sign up will start in early August. Commissioner Hanks asked if there is an update on the Armstrong Ford Dam removal. Mr. Searby

said that NCDOT owns the dam and NCDOT has given written permission to study removing the dam. They hired an engineer to do a feasibility study and are coordinating with local governments nearby. The feasibility study costs \$40,000. They are meeting with Belmont City Council on August 15 and will ask for their support. Gaston County will contribute if Cramerton and Belmont put funding in. The feasibility study will take about 90 days and will include pros and cons. There will be opportunities for the public to provide input. He added that without a feasibility study, you cannot access state and federal funding.

#### **Item 6 – No-Rise Certification and the FERC Application**

Executive Director Brennan said that the City of Belmont and the Belmont Rowing Club (BRC) are working together to construct a park that will include a dock for BRC. To do this they must have a FERC permit. The FERC application has been written and is ready to send to stakeholders for approval. There is a steep cost involved and part of the cost is a no-rise certification. He went on to say that if someone is going to build a dock, they must have two engineering reports that say the lake level will not rise in the event of a flood due to the addition of a new dock. The cost is around \$10,000 to get the no-rise certification completed. Executive Director will look further into no-rise certification requirement. Chairman Hartley said this rule does impact the LWMC because it pertains to the Gaston County boat house (Northern Law Center) because it will be in a flood zone.

#### **Item 7 – Buoys and Buoy Maintenance Update**

Chairman Hartley asked if buoys had been ordered from NCWRC. Ms. Parker said yes. Commissioner Hanks asked about whether serial numbers can be added to the new buoys. Ms. Parker will follow up with Sam Seamster (NCWRC) about this question. Secretary Treasurer Webber is talking with NCWRC about their process for checking and maintaining buoys. The USCGA is helping to identify buoys.

#### **Item 8 – Treasurer’s Report**

Secretary Treasurer Webber reviewed the financial reports included in the agenda packet and gave an update on funds received from the three contributing counties:

- York County: Requires no contract with the LWMC. The LWMC can proceed with invoicing for Q1 (July 1 – September 30).
- Gaston County: Requires a contract with the LWMC. Chairman Hartley signed the contract and it has been sent to Gaston County. The LWMC can proceed with submitting the funds request but will not be released until the contract is fully executed.
- Mecklenburg County: Requires a contract with the LWMC. Ms. Parker is in the process of requesting the contract from Mecklenburg County staff.

#### **Item 9 – Chairman’s Report**

Chairman Hartley said that the annual reports to each contributing county are either scheduled or will soon be scheduled.

#### **Item 10 – Executive Director’s Report**

Executive Director Brennan reported that:

**Federal Energy Regulatory Commission (FERC) Application:** As reported last month, Duke Energy completed their final check of the FERC package. The Belmont Rowing Club (BRC) is obliged to fund an engineering firm that has been suggested to shepherd the FERC application through the stakeholder approval process and firm to conduct the recently required no-rise certification analyses That cost was initially quoted at approximately \$52,000 including \$12,000 for the no-rise certification fee. The BRC is investigating the possibility of a piece-meal approach to hiring expert consultants an as needed basis to address any questions regarding the application instead of one firm; the no-rise certification would then be a separate cost.

**Idle Speed Zones:** The proposed resolution to support LWMC idle speed and wake surfing regulations will be tentatively scheduled to be presented the discussed with the Gaston County Board of Commissioners at their August 9 work session. The proposed resolution is tentatively scheduled to be briefed to the Mecklenburg Board of County Board of Commissioners on August 3<sup>rd</sup>.

#### **Riversweep**

- Suggested LWMC could provide Boat Captain caps for Lake Wylie boat owners who register to help. Idea may be expanded to include caps for boat captains basin-wide. The CRF anticipates awarding a generic Riversweep cap to both boat captains and site captains basin-wide. It's estimated that 90 caps will cover Lake Wylie's boat captains and site captains at a cost of \$8 per cap to include set-up fee and shipping. Recommend LWMC obligate up to \$900 to the CRF for caps. Commissioner Hanks moved to give Catawba Riverkeeper Foundation \$1,000 for Riversweep caps and other items. Secretary Treasurer Webber seconded the motion. There was no further discussion and the motion was approved unanimously. Dumpsters have been committed for Riversweep by the respective Mecklenburg, York, and Gaston County departments.
- Agreed to pick up bottled water donated by Allen Steam Plant and deliver it to their distribution site for further transfer to the sites. Will need truck to facilitate.
- Have asked the Catawba Nuclear Station to donate 200 pairs each of small, medium, and large gloves for Riversweep.

**No-Rise Certification:** Melinda Cronenberger, York County Stormwater Compliance Manager, will met with the South Carolina Department of Natural Resources on August 1st to discuss no-rise certifications for docks built on Lake Wylie.

**South Fork River Health Committee Project:** The Policy and Advocacy subcommittee met on July 13 to review proposed enhanced stormwater control measures in Gaston County, funding for land acquisition and stream cleanup, and the concept of a tri-county commission to address South Fork River issues. Minutes of the subcommittee meeting were forwarded to all LWMC commissioners. The full committee meets at 11:30 on July 25. A report of that meeting was provided to the LWMC.

**Miscellaneous:** Retrieved an abandoned no-wake buoy with Chairman Hartley, Secretary Treasurer Webber, and Ray Webbers' son-in-law. Moved an illegally placed buoy to shore and explained to the citizens who placed it the rationale for doing so. Wrote the text of the July LWMC Newsletter.

#### **Item 11– Administrator's Report**

Ms. Parker did not have a report.

#### **Item 12 – Public Relations Report**

Vice Chairman Wilson was not present.

#### **Item 13 – Announcements**

Secretary Treasurer Webber will not attend the August meeting.

#### **Item 14 – Adjournment**

The meeting adjourned at 7:50 pm.