



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

### **Meeting Minutes**

#### **Item 1 – Welcome**

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

#### **Item 2 – Approval of Minutes**

Chairman Wilson asked if any changes need to be made to the March 27, 2023 minutes. Hearing none, the March minutes were approved by general consensus.

#### **Item 3 – Approval of Agenda**

Chairman Wilson asked if any changes need to be made to the April 24, 2023 agenda. Secretary Treasure Beers requested to add three new items to the agenda as follows:

1. Review of No-Wake Zone Request
2. Annual Audit Form and Signatories
3. Appointment of a Budget Committee

Vice Chairmen Webber moved to adopt the April 24, 2023 agenda as amended. Commissioner Hanks seconded the motion. There was no further discussion, and the motion was approved unanimously.

#### **Item 4 – Public Comment**

Mr. Jason Hardin introduced himself as the Assistant Chief of the Steele Creek Fire Department (SCFD). Mr. Hardin mainly wanted to bring the Lake Wylie Marine Commission (LWMC) up to speed on their plans for the area that they cover, which is approximately 59.2 miles of shoreline. Mr. Hardin mentioned that they went from an all-volunteer fire department to now an eight-person staffing unit; 24/7 hours of operation. This will help speed up response time on the lake.

They are looking into purchasing a new fire and rescue boat, as well as exploring the possibility of a new docking location to house the boat. They are currently at the old CMPD Boathouse. Currently the SCFD has an 18 ft John Boat, but plans are to purchase a 25ft boat and fire pump.

The SCFD fire/rescue boat does not have a VHF Radio. The Commissioners determined that all water safety units should consider installing VHF Radios on their boats for quicker and more efficient communication. Chairman Wilson asked Mr. Hardin to research pricing and report back for the LWMC to consider purchasing radio to install on the SCFD fire/rescue boat.

#### **Item 5 - Stakeholder Reports**

**Charlotte-Mecklenburg Police Department (CMPD)** – Officer Joye reported on a fatal boating accident that happened in late March on Lake Wylie. The Steel Creek Fire Department, Charlotte Mecklenburg Police Department, and North Carolina Wildlife Resources were involved in the initial investigation. TowBoatUS was also there and assisted with the accident. North Carolina Wildlife Resources will continue with a thorough investigation and report their findings once the investigation is complete.

**Gaston County Police Department (GCPD)** – Sergeant Knupp updated the committee on the plans for the Southpoint Boat Landing beach and picnic area. They have been in touch with Duke Energy and tentatively have extra duty officers lined up to cover the area on weekends during peak hours. Officers from the Marine Enforcement Unit and School Resources officers will be there on weekdays. Duke Energy is supplying the funding resources for the officers.

Sergeant Knupp updated everyone that after speaking with GCPD Police Captain, there is no interest in removing the cars in the water at Mountain Island Lake. Also, Gaston County has no interest in paying to have them removed from the water. He noted the cost would be thousands of dollars to pull them out of the water. The GCPD is open to partnering with other counties and agencies to get people lined up for the training that is scheduled for June 14.

The large Workskiff boat is getting the generator replaced and should be fully operational in the next couple of weeks.

The GCPD will be out on the lake along with the North Carolina Wildlife training on boat stopping. Do not be alarmed if you see them stopping multiple boats.

**York County Sheriff's Office (YCSO)** – Lieutenant Clark reiterated that they are still interested in using the cars for diving and training purposes. Although YCSO would like to get them out of the water but understand that the feasibility of that happening is low. They have been in discussion with TowBoatUS the possibility of floating them down stream to the nearest boat ramp. TowBoatUS has offered to help if/when this is an option.

The YCSO was notified that a 10th anniversary birthday party is planned for Saturday, April 29 on Goat Island across from Ebenezer Park. The party is being announced on social media. There is cause for concern as they were informed that the party is for someone who has possible ties to gang involvement. Lieutenant Clark mentioned that YCSO and DNR will have boats on the water to monitor the situation. They also planned to have some narcotics officers on the boat to accompany them. YCSO is waiting to hear back from Duke Energy regarding an agent agreement to give them the authority to enforce the laws on the island.

- Mecklenburg County Sheriff's Office – No report was given.
- Tega Cay Police Department – No report was given.
- Mecklenburg County ABC Board Law Enforcement – No report was given.
- SC Department of Natural Resources – No report was given.
- US Coast Guard-Sector NC – No report was given.

**NC Wildlife Resources Commission (NCWRC)** – Officer Parker reported on behalf of Sergeant Laton who was attending a training session. Upcoming events:

- May 9<sup>th</sup> – The Charlotte Fire Department and other agencies are hosting a Media Day. This is a chance for all the media to gather in one spot to engage in learning about boating safety and to gather media footage.
- May 26<sup>th</sup> – The North Carolina Wildlife Resources Commission will be hosting its own Media Day. The event will take place at 3 p.m. at Copperhead Island Park in Charlotte, NC.

Commissioner Hanks commented that some of the channel markers are out of sync. Since LWMC are not allowed to correct the situation, Officer Parker will bring it to the attention of the division that handles channel markers.

Executive Brennan asked if there was any additional information regarding the recent boating accident. According to Officer Parker, the report has been finalized and submitted as a preliminary and not yet available to the public. It will take several more months before they are able to release it to the public. Right now, they are waiting for the medical examiner's office to finalize their section of the report. The NCWRC was able to get tracking information from the GPS data; the accident happened in the Main Channel.

**US Coast Guard Auxiliary (USCGA)** – Ms. Lisa Spencer reported that the USCGA year-to-date had 55 Vessel Safety Checks (VSCs) - 45 of them in April. There are 30 Power Craft at Camp Thunderbird, and 15 of them were on April 24. They are working toward getting the boat crew back together for the upcoming season.

**Mecklenburg County Land Use Environmental Service (MCLUES)** – Mr. Dave Ferguson reported that the heavy rainstorm in January caused delays in their normal monitoring process. He reported on the Lake Wylie Water Quality Report for March 2023. The Mecklenburg County Land Use Environmental Service will start their summer bacteria monitoring program, collecting extra bacteria samples to help keep kids and swimmers as safe as possible. The code monitoring is ongoing and some of the probe samplings from Browns Cove had 10ft of sludge.

Commissioner Smitty asked Mr. Ferguson to come back and report the findings when the testing is complete. They plan to release the report once it is complete. The report could take up to 24 months before it is ready to be released to the public.

**Duke Energy** – Mr. Kermitt Taylor reported that the lake was at the usual level of 97.1. They are still not in the low-end flow protocol due to rain in the last few months. There have been no dredges approved since the March meeting.

There have been questions about cleats at Buster Boyd access on the docks. They are working on approving some new vendors to help with the repairs before the summer activities kick in. New lighting is also being proposed to have lighting installed on the docks for safety. Duke Energy is aware of recent vandalism, which is common at a lot of the of the access areas.

**Catawba Riverkeeper** – Mr. John Searby was not in attendance but sent his report to remind everyone that the Swim Guide starts Memorial weekend. Announcement: RiverFest is Saturday, May 13<sup>th</sup>.

**TowBoatUS** – Mr. Logan Thomas reported that since the last meeting, they have had 55 calls for assistance on Lake Wylie; 50 were routine towing/jump starts/steel drops. Four of those were salvage/sunken vessels, and one kayak accident a few weeks ago. There was a request for SPLASH to be at the Americans Boating Clue children event on May 20<sup>th</sup>.

#### **Item 6 - Duke Energy Lake Level Management Presentation**

Ms. Tami Styre, Senior Project Manager presented the Catawabe-Wateree Hydroelectric Project (FERC No. 2233). Ms. Styre also provided copies of the PowerPoint presentation.

#### **Item 7 - Support for SC1 Boating Safety Group Follow Up**

Secretary Treasurer Beers reported that the Boating Safety Reform bill (that will require South Carolina Boating Education to have the same rules as in North Carolina) has been reported out of the first committee of the South Carolina House of Representatives. As of April 24, they are waiting for it to be scheduled on the agenda for the entire legislature to vote on. The bill has passed through the Senate. Due to parliamentary procedures, a few opponents of the new ruling could stop or slow down the complete passage.

#### **Item 8 - Catawba Sail and Power Squadron Children's Outing**

Secretary Treasurer Beers announced that the Children outing at Americans Boating Clue children event is on May 20<sup>th</sup> with a second event scheduled for Fall 2023. They are expecting between 250 – 350 young people to attend.

#### **Item 9 - Buoy Tracking Follow Up**

No report. Commissioner Perkins was not present.

#### **Item 10a - Buoys and Buoy Maintenance Update**

Commissioners Hanks reported that the steel cables have been delivered but we are waiting to hear back from the folks at North Carolina Wildlife Resources Commission on a quote for the Buoys. Alice will follow up with NCWRC as soon as possible.

#### **Item 10b - Agenda Amendment 1: No Wake Zone Application Request**

Director Brennan reported that the LWMC received a No-Wake Zone application from Mr. Christopher Teumer who resides in Lake Wylie, South Carolina. The request is for a No-Wake Zone for the Mill Creek/Terminal Cove immediately East of Hwy 274 Bridge area. Attached are the application and maps for the proposed locations. Lieutenant Clark pointed out the main issue and danger is the blind corner in that area.

Based on the views of Mr. Teumer and recommendations from Lieutenant Clark, Director Brennan would like to get input from the Commissioners whether the request should also include the surrounding areas. Commissioner Hanks made a motion to recommend to South Carolina Department of Natural Resource to approve the No-Wake Zone request for the Mills Creek/Terminal Cove immediately East of HWY 274 Bridge and recommendations. Commissioner Mullane seconded the motion.

After hearing a second, Chairman Wilson entertain further discussion. It was discussed and clarified that the LWMC will make a recommendation to the SCDNR to approve the request. If the request is approved, the SCDNR will take care of putting the buoys out on the lake. Chairman Wilson put the motion to a hand vote. Support for the motion was four, and opposition to the motion was two. Motion passed by a simple majority. Director Brennan will follow up with SCDNR. *Note: Commissioner Webber subsequently changed his vote to approve the recommendation.*

### **Item 11 - Treasurer's Reports**

Secretary Treasurer Beers reviewed the financial reports included in the LWMC agenda packet and gave an update on funds as of March 31, 2023. Revenues YTD for Gaston County: \$25,000, Mecklenburg and York Counties: \$18,750.00 each. Total interest received \$706.88. Total revenue YTD \$63,206.88. Expenses YTD \$44,687.46. Excess revenue over expenditures \$18,519.42.

### **Item 11a - Agenda Amendment 2: Audit and Who Are the Signatories**

Secretary Treasurer Beers mentioned the forms he received for the audit document did not have the names of signatories for LWMC. Director Brennan suggested contacting Denise Strosser at Centralina Council of Governments (CCOG) to confirm appropriate signatories.

### **Item 11b – Agenda Amendment 3: Appointment of a Budget Committee**

Secretary Treasurer Beers recommended a budget committee for FY 2024. Chairman Wilson appointed Executive Director Neil Brennan, Vice Chairman Ray Webber and Treasurer A.W. Beers as the LWMC Budget Committee for FY 2024.

### **Item 12 - Executive Director Brennan**

Executive Director Brennan reported that:

#### **Garibaldi Festival**

The LWMC will be represented at the Garibaldi Festival in downtown Belmont on April 29<sup>th</sup>.

#### **Handouts**

The pamphlets we hand out at events have been updated, reprinted, and received.

#### **Catawba-Wateree Water Management Group**

He represented LWMC at the 2023 CWWMG Water for All Summit in Hickory on March 29<sup>th</sup>.

The theme this year was “Balancing the Basin,” and speakers addressed protecting water quality and the economic impact of doing so.

#### **Federal Energy Regulatory Commission (FERC) Application**

HDR, the engineering firm shepherding the FERC application through the process for the City of

Belmont, was delayed in conducting the site visit needed to respond to inquiries from the U.S. Fish and Wildlife Service and the North Carolina Department of Environmental Quality regarding shore stabilization. HDR is doing the required 401 pre-filing to start that clock for the Pre-Construction Notification (PCN) - essentially the online application/form submitted to utilize the Army Corps of Engineers Nationwide permitting program.

**South Fork River Health Committee Project (SFRHP)**

At the quarterly meeting of the SFRHP of April 24, it was determined that the most effective manner to achieve enhanced erosion and stormwater control measures (E&SCMs) for Gaston County is for the individual municipalities to include the desired E&SCMs in their respective ordinances. The City of Belmont required enhanced E&SCMs for the Del Webb development on the South Fork River, and the developers of the proposed Henry Chapel Road project and the Lakeview Farms project have agreed to implement those same E&SCMs. Other communities will be contacted in the weeks ahead to determine if they are open to such a course of action.

**Item 12 – Administrator’s Report**

Alice Flowers, Assistant to the LWMC Commission reported on a couple of emails from Lake Wylie residents. Mrs. Jan Rivers, a resident of Lake Wylie, York County shared rarely captured photos of Wood Duck eggs hatching and capturing ducklings on jump day. Photos are included in the minutes. If anyone is interested in installing a wildlife camera on their property, The Rivers would be happy to show you how.

Ms. Donna Brooks of Paw Creek Cove recently attended the Carolina Boat Show in Charlotte and visited the LWMC booth. There was a large sign about the new no wake regulations effective 2023. She wanted to bring to your attention the fact that some boaters are unaware of these new regulations. Ms. Brooks would like the signs available for residents to post on their piers to facilitate better awareness. Director Brennan replied to Ms. Brooks and supplied the Paw Creek Association with a sign, and the pdf copy of the sign to share with their members.

**Item 14 - Public Relations**

Chairman Wilson reported that the website updates are ongoing. Commissioner Perkins is being onboarded and will take over managing the website as Chairman Wilson will be rolling off the board in September. Chairman Wilson highly recommended that LWMC maintain a close relationship with the original website builder/developer. Should there ever be a need for major website edits they will be the best resource to help.

**Item 15 - Announcements**

Commissioner Elaine Power from Mecklenburg County thanked the LWMC for all their service and for the Executive Director’s Report. She mentioned that stormwater control measures matter as they hear from citizens often with concerns about sedimentation and erosion. As the liaison for the LWMC, she encouraged the Commission to continue using her as a resource on these issues.

**Item 16 - Adjournment**

Meeting adjourned at 8:22pm