

**Lake Wylie Marine Commission**  
**February 27, 2023**  
**Clover Community YMCA – Community Room**



**Commissioners Present:** Chairman Hunter Wilson (Mecklenburg County)  
Secretary Treasurer A.W. Bill Beers (York County)  
Commissioner Brad Thomas (Gaston County)  
Commissioner Dan Hartley (Gaston County)  
Commissioner Sam Perkins (Mecklenburg County)  
Commissioner Smitty Hanks (Gaston County)  
Commissioner Dan Mullane (Mecklenburg County)

**Commissioners Absent:** Ray Webber, Vice Chairman; Quay Williford, Commissioner

**Staff Present:** Neil Brennan, Executive Director; Chris Clark, Legal Counsel  
Alice Flowers, Administrative Assistant

**Staff Absent:** ---

**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 January 23, 2023 minutes. Hearing none, the January minutes were approved by general consensus.

**Item 3 – Approval of Agenda**

Chairman Wilson asked if any changes need to be made to the February 27, 2023 agenda. Chairman Wilson acknowledged that Mr. Jeffrey Weir would be an addition to the agenda regarding No-Wake application. The February agenda was approved as amended by general consensus.

**Item 4 – Public Comment**

Mr. Henry Martinat was there representing himself and resides in the Long Cove Community in Mecklenburg County. He asked if LWMC would join him in protesting Petition 2021-101 to rezone Long Cove from Long Cove Mariner to Long Cove Resort. This petition is calling for multiple businesses on fuel pump on the lake, and a new bank boat ramp down a steep slope, into the shallow area in the back of the Cove. Mr. Martinat mentioned that they are already facing citations for raw sewer spills on the property. He is concerned about overdevelopment of this property as it is right next to the McDowell Nature Preserve and Wildlife Preserve. He is further concerned that the plan would result in pollution and runoff into the lake. Mr. Martinat is hoping that LWMC would consider writing a letter to the county commissioners in support of the protest. Chairman Wilson shared that the committee does not get involved in offshore shoreline developments but will follow up and look into the boat ramp and the gas pump concerns.

Mr. Paul Moran representing the Rotary Club of Lake Wylie informed the commission of an upcoming event: **Paddle for The Cure – the Race to Beat Alzheimer’s - fundraiser**, on April 15, 2023. The event will be held at Camp Thunderbird. Questions for the committee were regarding the jurisdiction of South Carolina Department of Natural Resources on safety protocol in respect of buoys, etc. Mr. Moran then asked if the committee had any questions for him, and wanted to know if there were forms that his group needed to fill out and submit prior to the event. No comments regarding forms to be completed and submitted.

Secretary Treasurer A.W. Bill Beers shared that there had been other paddle board races and they used a safety boat system and wanted to know if Mr. Moran's group will be doing the same. Mr. Moran indicated that they would have race committee safety boats out on the lake. They are also working with Camp Thunderbird who will have a jet ski and lifeguards on their property. The Rotary Club of Lake Wylie will make sure that folks/boats are adequately protected. Mr. Beers asked Mr. Moran to see him right after the meeting where he will share more resources that could help them with the event.

TowBoatUS offered to be available on the day of the event as well. It was also recommended that Mr. Moran reach out to the York County Sheriff's Office to see if they too would be able to have a boat at the event as well.

#### **Item 5 – Stakeholder Reports**

Charlotte Mecklenburg Police Department (CMPD) – Officer Kabbash shared that they had an enjoyable time at the boat show and no incidents out on the water.

Gaston County Police Department (GCPD) – Sergeant Knupp reported that on February 7, 2023, they received an unusual call from an angler out fishing at Mt. Olive Dam. The GCPD checked it out and found two cars in the water. With the help of Charlotte Fire and Gaston Emergency Medical Dive Team the cars were cleared. The GCPD left it up to Duke Energy to decide what to do with the cars; pull them out or leave them in the water. The cars are in at a steep drop off. It will be difficult to get them out of the water and are still in the water. Sergeant Knupp said that it was valuable experience for the Gaston Medical Dive Team training.

Sergeant Knupp and several GCPD officers attended the boat show Friday – Sunday. Everything went well and they were able to hand out informational literature.

York County Sheriff's Office (YCSO) – Lieutenant Clark reported that he had been in touch with Sergeant Knupp about the cars in the water. He said that the York County Sheriff's Office Dive Teams would like to use the submerged cars as a training exercise. They would, however, like to see the cars eventually pulled from the lake rather than being left there. Since the cars are not in their district, YCSO would not be able to pay for the towing. They could take care of the logistics of getting them to a location once they are out of the water. Lieutenant Clark said that the cars should be pulled from the water to eliminate further contamination.

Chairman Wilson asked if this were something that Duke Energy would fund. Sergeant Knupp said that GCPD supports the training but may not be able to incur the towing fee. He will speak to the decision-makers to see if they would pay for the towing. Chairman Wilson encouraged GCPD and YCSO to work together, along with Duke Energy for a solution. If nothing pans out, send the towing bill to TowBoatUS. Commissioner Hanks suggested the option of getting them to the shore and calling a junk dealer to pick them up.

Lieutenant Clark asked about the procedure to request funds for department safety equipment/training. Chairman Wilson said to submit a quote with a list of safety equipment needs, include the cost, and submit it to the LWMC for a vote.

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.

Mecklenburg County Land Use Environmental Service - No report was given.

NC Wildlife Resources Commission – On behalf of Sergeant Laton, Commissioner Thomas reported that there is nothing significant to report other than focusing on removing unlawful danger buoys.

US Coast Guard Auxiliary – Lisa Spencer reported that they were at the boat show. The USCGA had good information to provide to boaters and potential boat buyers.

Duke Energy –Mr. Taylor reported that the lake level was at 97’ and the low inflow protocol is finally back to normal. No dredges have been approved since the last meeting. Executive Director Brennan asked for a timeframe on maintenance repair to the Wateree Dam. Mr. Taylor said it would take about a year with a scheduled completion date of March 2024. During the repair/construction phase, Duke Energy will lower the water level from 97’ to 93.5. It was brought back to the normal level while loading equipment in the lake but will be lowered back to 93.5 once the project begins.

Catawba Riverkeeper Foundation (CRF) –Mr. Searby said that the Swim Guide 2023 is in the works. He officially submitted a verbal request to LWMC to sponsor two Swim Guide sites for this year. The sponsorship fee is \$1000 for the two sites. The Catawba Riverkeeper Foundation has hired someone for the Southport Watershed Manager position. The new hire onboarding is imminent as they are currently working on a start date. Mr. Searby would like to go on record to have the cars removed from the lake. The CRF could be a resource to offset the funds to have the cars removed.

It was moved and seconded to approve \$1000 for LWMC to sponsor two Catawba Riverkeeper 2023 Swim Guide. There was no discussion, and the motion was approved unanimously.

TowBoatUS – Mr. Logan Thomas reported that since the last meeting, they have responded to approximately seventeen calls for assistance on Lake Wylie; 15 of those were standard tows, jump starts, sun groundings, etc. There was one sunken vessel and one other vessel on the Catawba side of the lake. They still have three boats in the water and are stationed at River Hills and Lake Wylie Marine this year. Number four is still in the process of refit. He reiterated that they are also willing to be a resource with the removal of the cars in the lake.

#### **Item 7 – FY22 Audit Presentation**

Ms. Belinda Johnson, CPA PA received the 2022 audit report and gave an update on the financial statements.

#### **Item 8 – No-Wake Application**

Mr. Chris Teumer introduced himself as a resident of Lake Wylie, north of 274 Bridge. The No-Wake Zone area in question is visible from the bridge. Mr. Teumer’s concerns for the No-Wake are that there are blind spots, noise, and safety issues for his family. People who are not familiar with the area can run into some serious safety issues when coming upon the blind spot, especially if they are at high speed. He asked what must be done to merit getting a No-Wake Zone put in this seriously dangerous blind spot as well. Executive Director Brennan said that the LWMC does not have jurisdiction to implement a No-Wake Zone order. The LWMC will forward the request to the South Carolina Department of Natural Resources (SCDNR) after receiving input from local law enforcement. The agency will send out an investigator to deem the appropriate course of action.

#### **Item 8a – No-Wake Application**

Mr. Jeffrey Weir represents the Forest Cove Homeowners Association. In December of 2022 they submitted a request for a No-Wake Zone buoy for off the community marina docks. They have 19 slips and a swimming area on the north most side of the dock. There has been a significant amount of building in the back of the cove over the course of the last few years. There used to be a buoy in the area, but it washed ashore. He would like to have the buoy replaced if possible.

Director Brennan mentioned that this issue was discussed at the boat show to get the 50-yard rule to apply not only to public dock but for private docks as well. New regulation establishes a No-Wake zone within 50 ft of any dock. The NC Wildlife Resource Commission has a set of criteria they use to determine when and whether to apply a No-Wake Zone. The LWMC will look at the area, seek a recommendation from local law enforcement, and forward it on to the proper agency or disapprove the application.

**Item 9 - Meriway Pointe Subdivision Sanitary Sewer Forcemain**

Mr. Edwin Suddreth works for W.K. Dickson, a local civil engineering firm. He was here representing the Meriway Pointe Subdivision development. The project proposal is for a residential subdivision to be developed in four (4) phases of roughly 213 acres, near the back side of the YMCA, west of Highway 49. To service the subdivision with health and sanitation sewer, they must install a 6-inch sanitary sewer forcemain from the pump station on their site to the existing York County pump station.

Mr. Suddreth said that part of the process is having to cross Crowders Creek, which is part of Lake Wylie in the boundary line that Duke Energy owns. With this said, they are required to request multiple permits including from LWMC. Chairman Wilson mentioned that near the east side of Crowders Creek there have been significant amount of sediment buildup and asked about the developer's plans regarding managing sediment buildup with their project. Mr. Suddreth said that they will be using such equipment as a silt fence to help manage any sediment buildup. It was recommended that the developer consider installing a monitor system to monitor sediment buildup. LWMC will submit a letter with their input.

**Item 10 – Support for SC1 Boating Safety Group**

Commissioner Beers mentioned that the state of South Carolina has made several attempts to bring the boating safety education requirements in line with other states, including North Carolina, which did theirs in 1989. They want to raise the age limit to which a boater must have completed a boating safety course. In North Carolina, if you were born after 1989 you must have boating safety training to operate a boat. In South Carolina, as young as 16 years old can operate any boat, any size, and at any speed all on your own. Commissioner Beers requested that LWMC support the State of South Carolina implementation of boat safety regulation and submit a letter to both houses of the South Carolina Legislative Chambers. The verbiage starting in 2023 allows 16-year-olds and will raise the age limit each year until it catches up to the same regulation as in North Carolina. Commissioner Beers moved that LWMC support the regulation and send the proper communication to the legislators and a copy to the legislative committee. It was seconded by Commissioner Thomas. There was no further discussion, the motion was approved by unanimous consensus.

**Item 11 – Mid-Atlantic Boat Show/ Executive Director's Report**

Executive Director Neil Brennan's Executive Director's Report was included in the LWMC agenda packet, and he gave the following combined update:

The boat show was a success, and the turnout was good. The LWMC in attendance handed out flyer/brochures with standard information about LWMC along with how to contact the officers. The brochure is outdated and needs to include new and current information. Director Brennan submitted a tentative quote for the Commission to approve ordering new updated brochures/flyers and would like to request authorization up to \$800 for the editing and printing of the new brochure.

Commissioner Hanks moved to approve to approve \$800 for editing updates and printing of the LWMC new brochure/flyer. It was second by Commissioner Beers. There was no further discussion, the motion was approved unanimously.

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

The City of Belmont advises that a BRC board member agreed to donate enough additional funds to allow BRC

to pay the full amount of the cost for the engineering firm HDR to shepherd the FERC process through to completion. The funds the LWMC allocated last month to defray some of those costs are not needed at this time.

### **Idle Speed Regulations**

Reposted idle speed signs at Buster Boyd Access, Pier 49 Marina, Tailrace Marina, and the McLean Morningstar Marina that have the idle speed regulations for boats, wake surfing, and personal watercraft for both states. Subsequent to a September 2023 meeting with Representatives Torbett and Loftis, requested they introduce legislation to codify in state law the idle speed regulations that LWMC has enacted.

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

Gaston County is still evaluating existing erosion and stormwater control measures (E&SCMs) to determine if the county will require the additional measures the LWMC and the Catawba Riverkeeper petitioned the City of Belmont to impose on the Del Webb project. Simultaneously, presented these E&SCMs to the City of Belmont to consider for inclusion in their Land Development Code as requirements. Catawba River keeper is addressing the NC Homebuilders Association this week to encourage their support to protect the waterways more rigorously.

**Garibaldi Festival in Belmont on April 29.** Director Brennan registered on behalf of LWMC to participate in the festival. He gave the committee an option to cancel if they so desired.

### **Catawba Riverkeeper**

Attended the Catawba Riverkeeper Foundation 25th Anniversary celebration. Several LWMC commissioners also attended.

### **Item 12 – Buoy Tracking Follow Up**

The goal is to show a walkthrough of the database schema, which is in the first draft phase.

### **Item 13 - Buoys and Buoy Maintenance Update**

Commissioner Hanks reported that all the equipment is in place to locate buoys; the Commission should have a complete list of what they need.

Commissioner Thomas Indicated they the commission is aware that there are buoys that needs repairing. The following locations are already schedule for the week of Feb 27: McDowell Park and River Pointe and the CMPD Boathouse and Buster Boyd Bridge on the North Carolina side.

### **Item 14 - Treasurer's Report**

Secretary Treasurer Beers reviewed the financial reports included in the LWMC agenda packet and gave an update on fund of YTD income \$62,968.39, expense \$37,300.29. Budget remaining \$12,031.61. Any expense outstanding, please submit so they can get everything paid before next month's report.

### **Item 15 - Chairman's Report**

Chairman Wilson met with Commissioner Perkins regarding LWMC website and content management. Chairman Wilson will be rolling off the commission in September. He also mentioned from a public relations marketing standpoint, the monthly MailChimp fee has increased from \$59 to \$69. The biggest deficit of the website is not having the email marketing platform integrated with the website so people can sign up for the newsletter directly on the website. Commissioner Perkins said that he will be reaching out to the agency that builds the website to add this feature.

**Item 16 - Public Relations**

Commissioner Perkins mentioned that he reached out to Laura Rabell and they are working on scheduling a follow up meeting to discuss email integration. Commissioner Perkins has started updating addresses and phone numbers. The website's phone number should be changed the Centralina central office phone number.

**Item 17 – Administrator's Report**

No reports.

**Item 17 - Announcements**

Commissioner Hanks passed out "Paddle for the Cure" pamphlets announcing the event to support Alzheimer' Foundation's.

**Item 18 – Adjournment**

The meeting adjourned at 8:25 pm.