

Lake Wylie Marine Commission
July 24, 2023 Meeting
Red Fez – Mecklenburg County



- Commissioners Present:** Vice Chairman Ray Webber (York County)
Secretary Treasurer A.W. Bill Beers (York County)
Commissioner Brad Thomas (Gaston County)
Commissioner Dan Hartley (Gaston County)
Commissioner Quay Williford (York County)
Commissioner Sam Perkins, (Mecklenburg County)
- Commissioners Absent:** Chairman Wilson (Mecklenburg County), Commissioner Dan Mullane (Mecklenburg County)
- 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

Vice Chairman Webber asked if any changes need to be made to the June 26, 2023 minutes. The minutes were unanimously approved. There was no further discussion.

Item 3 – Approval of Agenda

Chairman Wilson asked if any changes need to be made to the **July 24, 2023** agenda. There was no further discussion, and the motion was approved unanimously.

Item 4 – Public Comment

Mr. Phillip Bryant from Steele Creek Fire Department (SCFD) reported on behalf of the department. They purchased a boat and are now evaluating the best location to store it. Mr. Bryant also reported that they are in the process of working with the NC Wildlife team to complete a boating safety course for their department. The goal next year is for the SCFD to implement their own boating safety course with the various agencies in the Lake Wylie area. It will be designed like the Lake Norman/Cornelius two-day safety training where local agencies come together to discuss the best ways to work together. Mr. Bryant mentioned that all local agencies in the Lake Wylie area are welcome to participate. More information is forthcoming. He also wanted to check on the status of the VHS radio order. Commissioner Thomas will contact Mr. Bryant to discuss the order.

Mr. Robbie Delaney, owner of Muddy River Distillery in Belmont, NC announced that his company will be opening a second headquartered location in Mount Holly on Dutchman’s Creek. They purchased five acres of property with about 800 feet of creek frontage, near where the old dam was. Their property will house a factory and they are planning to open a bar/restaurant there as well. The City of Mount Holly has been asking for donations to remove an old vessel near Dutchman’s Creek. He wanted to know if the LWMC has had any conversations about the removal of this vessel and the current status. Mr. Delaney inquired if this is something that should be handled by Duke Energy. TowBoatUS investigated the issue and has spoken with the mayor of Mount Holly. Everyone agrees that it needs to be removed but is not sure who is responsible for paying for the removal. Executive Director Brennen suggested that Duke Energy comment on the issue later in the meeting.

Item 5 - Stakeholder Reports

Charlotte-Mecklenburg Police Department CMPD – Officer Joye reported the Fourth of July events on the lake were eventful with the usual fireworks. An individual did jump off the bridge, but all is well, and no major issues to report on. The Coast Guard and ABC Unit partnered with them and there were no major incidents to report. Officer Joye mentioned that the CMPD is building a boat house to be completed around December. Jet ski rental continues to be a problem and they are looking forward to the implementation of the new Vessel Rental Regulations. Regulations is necessary to ensure more safety on the water and will help keep track of who is renting boats from the boat owners.

Gaston County Police Department GCPD – Officer Gardner representing on behalf of Sergeant Knupp. There were no major events to report, and thus far it has been an uneventful summer regarding problems on the lake.

York County Sheriff's Office (YCSO) – Lieutenant Clark reported that they too have had an uneventful Fourth of July on the lake, outside of a few tickets for some minor activities. He mentioned a Tiki party is scheduled to take place at the Sand Bar Club on July 29th. The YCSO along with other water enforcement officers will be out on the lake for the duration of the party. Lieutenant Clark also reported that starting in July through mid-August they will have limited reinforcement on the water due to the School Resource Officers returning to school.

Tega Cay Police Department (TCPD) – No report was given.

Mecklenburg County ABC Board Law Enforcement – No report was given.

Mecklenburg County Sheriff's Office – No report was given.

NC Wildlife Resources Commission (NCWRC) – Sergeant Laton mentioned that there were two fatalities and nearly two in the month of June. No major issues so far in the month of July outside of a few DWIs over the Fourth of July weekend.

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

US Coast Guard-Sector NC – No report was given.

US Coast Guard Auxiliary (USCGA) – No report was given.

Mecklenburg County Land Use Environmental Service (MCLUES) – Mr. Dave Ferguson reported on behalf of the Charlotte Mecklenburg Storm Water Services (CMSWS). He reported that Executive Director Brennan reached out to him to discuss the water quality on the lake. Mr. Ferguson said that his department sampled their bacterial run in June and July. He also provided a two-sided handout with the Lake Wylie Routine Sampling Sites and the Summer Special Bacteria Sites as of June 27, 2023. He reiterated that the sampling conducted after it rains causes higher bacteria numbers. They highly recommend that children should not go into the water when turbidity is high. They also put out a no swimming advisory when the numbers are high due to sewer failure and/or other bacteria causing issues.

Executive Director Brennan invited everyone to visit the LWMC website under the Environment tab to hear Mr. Ferguson explaining about the Lake Wylie Turbidity Study, "Why the Lake Water is Brown" and other informative environmental information. In general, for more information you can text MECKNOSWIM to 888777 to be automatically enrolled to receive No Swim Advisory notifications.

Duke Energy – Mr. John Bradley reported that the current lake level is 97.6 (target is 97) and there are no approved dredges this month. Mr. Bradley also addressed the removal of the vessel in Mount Holly near Dutchman's Creek and said that he and Mr. Delaney should connect to discuss the issues further. Mr. Bradley was asked about the status of cleats and lining at Buster Boyd. He will have to get back with the committee once he has more information. The LWMC discussed that there are only a few cleats that are serviceable, and they are

all on one side of the dock. Folks are stretching dock lines across the dock, and with it being dark in that area, someone could trip over the lines. There is also a need for more lighting in the parking lot area.

Catawba Riverkeeper – Ms. Ambar Torres Molinari reported on behalf of the Catawba Riverkeeper that Swim Guide results for Lake Wylie sites all passed last week. They sample every week, and the sample report comes out every Friday. She also reported that there is a hotline to call to listen to the results of sites that did not pass. Regarding Riversweep, they have up to seven sites that have been approved and confirmed. There are up to seven sites that are in the process of being confirmed.

TowBoatUS – Mr. Logan Thomas reported that they had a routine month since the last meeting. They had 94 calls on Lake Wylie, five sunken boats and 15 tows on the 4th of July. Vice Chairman asked what the process is for getting owners to remove their abandoned boat. The discussion was that there are no current regulations that allow law enforcement to charge an owner who refuses to remove an abandoned boat. It was agreed that this should be discussed in detail at a future meeting.

Item 6 – Vessel Rental Regulations

Executive Director Brennen mentioned the reason for such regulations is to create policy for the lake and to better manage private boat owners who rent their boats to other people, jet ski renters are briefed on safety rules, as well as other issues that are becoming troublesome on the water. The Vessel Rental Regulation will address these issues and will help avoid additional issues getting out of hand. There also needs to be regulations regarding abandoned vessels. All further discussion was tabled until the August meeting when Chairman Wilson is present to discuss in greater detail.

Item 7 - Buoys and Buoy Maintenance Update

Vice Chairman Webber inquired who needs to know when danger buoys and channel markers need attention. Points of contact are the South Carolina Department of Natural Resources and the North Carolina Wildlife Resources Commission (NCWRC).

Commissioner Hanks mentioned that he'd received a few calls regarding missing channel markers out near Highway 77. He inquired with NCWRC and was told that they had been removed due to the drilling for the new bridge. The channel markers will be put back in place once they can confirm the drilling is complete.

Item 8 - Buoy Tracking Follow Up

No updates currently.

Item 9 - Treasurer's Reports

Secretary Treasurer Beers reported on the June financials as follows:

Revenue and Expenses as of June 30, 2023		
	Actual	2022-23 Budget
Revenue		
County Support	\$75,000.00	\$75,000.00
Interest	<u>\$ 1,259.04</u>	<u>\$ 0.00</u>
Net Revenue	\$76,259.04	\$75,000.00

Amount over/Under Budget	\$ 1,259.04
Expenses	<u>\$74,802.96</u>
Net Income less Expenses	\$ 1,456.08

Item 10 - FY22-23 Budget Amendment

Secretary Treasurer Beers reported that the budget amendment was not passed at the last meeting because of confusion with respect to the Total Expense budget ‘Proposal Adjustment’ column entry of \$2,530 and the ‘Adjusted FY22-23’ column entry of \$77,530. These numbers reflect the additional projected interest of \$2,530 earned over the year as of June. Secretary Treasurer Beers moved to accept the budget amendment as presented at the June meeting effective as of June 26, 2023. Commissioner Hartley seconded the motion. There was no further discussion, and the motion was approved unanimously.

Item 11 - Fund Transfer from Truist to NCMT

Executive Director Brennan reported that Centralina Regional Council recommended that LWMC transfer its account from Truist to NCMT to maximize income potential. Executive Director Brennan suggested that the Officers contact the Centralina’s Finance Director to get started on the paperwork.

Secretary Treasurer Beers suggested that they should consider if the Commission wants the Treasurer to have the ability to write checks and make deposits. There is paperwork that needs to be prepared and signed by the chairman and can move forward from there.

Item 12 - Executive Director’s Report – July report

Executive Director Brennan reported that:

County Briefs

I provided the annual report to the York County Council on Monday, July 17th. The brief for the Gaston County Commission is scheduled for September 12 and Mecklenburg County Commission is scheduled for October 3rd.

Federal Energy Regulatory Commission (FERC) Application

HDR, the engineering firm shepherding the FERC application through the process for the City of Belmont, reports the Pre-Construction Notification has been sent to the City of Belmont for their review. Once approved, it’ll go to the U.S. Army Corps of Engineers, then to Duke for final review, then to FERC.

Enhanced Erosion and Stormwater Control Measures (E&SCMs)

The South Fork River Health Project subcommittee on Policy and Advocacy reported that HR511, a bill that would have allowed local governments to demand enhanced E&SCMs in *large redevelopments* failed; developer-lawmakers torpedoed the bill. But developer lawmakers passed HR579, a bill that would cap local government’s ability to cap stormwater fees. It’s now in the Senate but doesn’t appear to have traction.

South Point Swim Area

The Gaston County Commission is scheduled to vote on Thursday, July 27, whether to take responsibility for the new South Point Road Swim Area.

Mountain Island Lake Marine Commission (MILMC)

Spoke with Ms. Angie Burnikel, a resident of the Stonewater neighborhood on Mountain Island Lake, regarding the history of the disestablishment of the MILMC, the efforts in past years to re-establish the MILMC, and the contacts for her to consult in her efforts to re-establish the MILMC.

Item 13 – Administrator’s Report

No report given.

Item 14 – Public Relations

Commissioner Perkins is making updates to the website. He asked that the Commissioners and the stakeholders go through the “Who to Call” page to make sure all contact information is accurate. He also suggested that they look at other sections on the website and let him know if there are other areas that need updating.

Item 15 – Announcements

Vice Chairman Webber, Secretary Treasurer Beers, and Commissioner Williford will be attending the Boating Safety and Education Bill signing with Governor McMaster at Lake Murray on July 27.

Item 16 - Adjournment

The meeting adjourned at 7:53 pm.