

THE LAKE NORMAN MARINE COMMISSION

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MINUTES JUNE 14, 2004 MOORESVILLE MUNICIPAL BUILDING

Lake Norman Marine Commissioners Attending

Randy Reece	Iredell County
Terry Davis	Mecklenburg County
Rob Digh	Lincoln County
Earl Kiser	Catawba County
Mark Lancaster	Iredell County

Others Present

Bob Elliott, LNMC Consultant	Gus Gustafson, Consultant--NavAids
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Minutes

Chairman Reece requested a motion to approve the May 10, 2004 minutes. Commissioner Davis made the motion and it was seconded by Commissioner Kiser. The motion was passed.

Reports

Charlotte Mecklenburg Lake Patrol –

Officer Randy Eckerd reported 89 total calls for service, 94 boats inspected, 8 boats assisted, 50 citations issued, 41 boaters warned, 3 navigational hazards removed, 14 crime prevention programs, 7 arrests, 1 medical call, and 18 training hours.

Cornelius Police Dept.

It was reported that there was 1 jet ski accident.

Iredell County Sheriff

Deputy Phil Jones reported 140 man hours patrolling Lake Norman, 43 calls for service, 97 vessels inspected, 8 vessels assisted, 4 citations issued, and 44 warnings issued.

Catawba County Sheriff

Officer Al Minton reported 241 man hours patrolling land and 153 patrolling water, 156 calls for service, 69 boats inspected, 40 PWC's inspected, 8 vessels assisted, 17 citations issued, 54 warnings issued, 3 navigational hazards removed, 117 community contacts made, 251 property checks, and 178 training hours.

Lincoln County

Officer Darrell Hutchens reported 173 water hours, 81 boats, 16 calls for service, and 1 special event.

N.C. Wildlife Resources Commission

Sergeant D.C. Mehl reported 833 hours patrolling lake, 242 citations issued, 301 warnings written, 11 BWI cases, and 5 accidents.

Duke Power

Report not available.

Power Squadron

Dick Todd reported that over 2 weekends of training there were 31 exams issued, 31 passed, and 11 PWC students completed also. Next class is 9/9-10/7 at Davidson College.

Coast Guard Auxiliary

James R. Loftin of Division 17 reported 117 patrol hours with 15 patrols, 67 CG supports, 237 marine dealer visits, 157 public affairs, 596 public education, 705 vessel safety exams, 12 boating education classes, 257 boating education students. Current classes: BS&S being held June 19th and August 14th. Patrols are scheduled for June 26th, July 2nd-3rd-4th, and July 17th.

Jim Kiser of Flotilla made a summary report.

Mecklenburg County Parks and Rec

No report available.

Mecklenburg County Water Quality

No report available.

Lake Norman Lakekeepers

No report available.

Adopt-an-Island Program

No report available.

Hydrilla Committee

Bob Elliott reported that 6000 fish have been put in Lake Norman which completes the Hydrilla Management Plan for this year. The Carp were purchased cheaper than anticipated by the State and instead of the original estimate of \$20,000, the total cost was \$25,800 so that \$12,900 is LNMC's portion. It is illegal to catch grass carp and LNMC will be introducing an interim ordinance to be discussed in July. This Ordinance will be effective until the State law against catching grass carp is amended to include Lake Norman and this should take effect in July 2005. There will be a Hydrilla Sub-Committee meeting called to discuss the program for 2005 in the next few weeks. .

Comments from the Public

Other than Cocktail Cove

Jack West is a resident that has a problem with high-speed boats and the noise level. Inquired about a restriction for boats to help with noise level. Commissioner Davis responded that arrests are difficult to make because local agencies don't have noise measuring equipment. There is no law that covers this issue at this point in time. More comments from public mentioned the 86 decibel rule and came from California. According to conversations with Attorney General, this cannot be enforced the way the law is currently written.

Cocktail Cove

Chairman Reece opened this forum by stating that LNMC is trying to combat the problems and address the entire lake fairly and evenly, not just a particular cove. LNMC is discussing enforcing minimum distance from shore line, tying fewer numbers of boats together, and determining how far apart these boats need to be. Commissioner Davis addressed the public by stating that this is a time-consuming process and can't be rushed. It has to be a valid and enforceable law. Subcommittee will be meeting soon to discuss changes to the current Rafting Ordinance. The goal is to have a Public Hearing at the July Meeting with a Revised Ordinance approved at the July meeting with the Ordinance to be effective August 1, 2004.

Question came in from the public about amplified noise. Commissioner Davis echoed earlier statements about current law and mentioned that amplified noise issues as it relates to music are directed to each county, since each county has their own ordinances.

Commissioner Lancaster stated that on behalf of the organizers of the World Record Raft-Up he sent their apologies about Lake Norman's current rafting issues and said that they were eager to see this issue resolved.

Chairman Reece opened up the floor for comments.

Mrs. Nicholi has spent 40-50 hours in the past 2 weeks researching the issue of rafting and trying to find out who is responsible for what, with safety being the crux of the issue. Questioned why the issue hasn't been put to rest being that it was introduced at the sand bar several years ago. Mr. Nicholi echoed his wife's comments and stated that inactivity is intolerable and looks like the bad behaviors by the boaters is condoned.

Commissioner Davis pointed out that the ordinance being put into place would be effective in August, and that wasn't that far away. Also mentioned that LNMC's ordinances are mirrored in all the counties affected by Lake Norman.

Residents affected by rafting inquired what could be done by law enforcement between now and when the rafting ordinance goes into effect. They also recommended shutting down Cocktail Cove, so rafters didn't have access. Commissioner Chairman Reece responded that they could talk to local sheriff's departments directly to beef up patrols, but mentioned that it has a lot to do with the fact that the behaviors stop when the law enforcement arrives and also stated that banning rafting wasn't the answer, getting the problem out of people's backyards is the issue. He referenced that in other areas of the country rafting has been banned and in each case it has been overturned.

Mr. McKenzie stated that since Cocktail Cove has become a media issue, rafters are intentionally aggravating the residents, letting their boats run into docks, etc.

Iredell County Commissioner Sarah Haire Tice reported that her County has been working with LNMC and Crescent Resources to see what could be done for safety and decency and that she supports the LNMC in its efforts. Phil Jones confirmed that when the boat is present there isn't as much partying etc. The Sheriff is doing all he can at this time and stated that she was there to support the rafting ordinance.

Commissioner Kiser suggested LNMC write a letter to the sheriff to ask for more help in the interim.

Chairman Reece mentioned that this has already been done in Iredell County. He also stated that the problem is limited resources.

Committee Reports

Preservation & Safety Committee

Bob Elliott reported that at the last P&S Meeting, June 4th, that the following was reviewed: 1. The current suggested revisions to the Rafting Ordinance, 2. "Boaters right to Know" Proposed, 3. "illegal Boater Discharge" plus other Ordinances to go on Signage at all Marinas. At the bottom of the each sign will be a summary of the previous years accidents, deaths, etc. 4 have been placed, 5. No-Wake Buoy Issues and 6. Adopt-a-Navigational Aid Status.

Maintenance Committee

Commissioner Digh reported that there are 9 lights out

Adopt-A-Navigational Aid

No report available.

Light Up The Lake

July 2 Midtown Sundries is putting on this program which will go toward the Navigational Aid Program. A Boat parade will be held and the judging will be by children there in attendance.

Mecklenburg Parks & Rec

It was reported that the date previously reported for the Bass Master Tournament was incorrect. The event will be at Lake Wylie Freedom Park. Youth swimming event will go on that morning also. Additional buoys have been ordered. In addition, an effort will be made to upgrade buoys at Ramsey and Blythe Parks. Also, the access area signage needs to be upgraded at Ramsey and Blythe.

FERC Applications

Commissioner Lancaster made a motion that the FERC Application for Betty's Ford Access Area be approved. Commissioner Davis seconded the motion. The Motion was passed.

Commissioner Lancaster made a motion that the FERC Application for Shavender's Bluff be approved. Commissioner Davis seconded the motion. The Motion was passed.

Keziah Pier Variance

Commissioner Davis made a motion to deny the variance. Commissioner Kiser seconded. The Motion was passed.

Administrative Matters

Commissioner Davis made a motion to terminate the contractual arrangement with Centralina as administrative and financial agent for the LNMC effective June 30, 2004. Commissioner Lancaster seconded the motion. The motion was passed.

To replace Centralina, Chairman Reece reviewed the Service Agreements for Bob Elliott and Beth Wallace who would work for the LNMC as their administrative agents and would coordinate the financial requirements as outlined in the Service Agreement. Commissioner Davis made a Motion to approve these Agreements and Commissioner Lancaster seconded. The motion was passed.

Chairman Reece thanked all 4 counties for their recent input at a meeting he and Commissioner Davis attended, and reported that Mecklenburg County had agreed to act as Fiscal Agent for the LNMC. He said he hoped that one of the counties would volunteer to do the annual audit and Sarah Haire Tice said that she would follow through and ask Iredell County to consider. He gave special thanks to Bob Elliott for his continuing efforts on behalf of the LNMC. He also extended thanks to Catawba County for approving the full budget amount as requested. He commented that the LNMC would be most appreciative if the other counties would do the same thing and that he would follow through with a special request to the other 3 counties.

Chairman Reece requested a motion that for 2004-05 the LNMC accept the offer from Mecklenburg County to act as Fiscal Agent for the LNMC. Commissioner Lancaster made the Motion and it was seconded by Commissioner Davis. The Motion was passed.

Chairman Reece said that the 2003/2004 budget had been adjusted to account for the Revenues and Expenditures for the Hydrilla Program and would accept a Motion to approve the Revised Budget. Commissioner Davis made a motion to accept the amended budget and this was seconded by Commissioner Kiser. The Motion was passed.

Adjournment

There being no further business, Commissioner Davis made a motion to adjourn the meeting. Commissioner Lancaster seconded the motion and the motion was passed.

Respectfully submitted,

Bob Elliott