

# Mountain Island Lake Marine Commission



Charlotte Mecklenburg Utilities  
 5100 Brookshire Blvd  
 Charlotte, NC

August 5, 2009  
 Meeting Minutes

**Commissioners Present:** Chairman Pam Beck (Gaston County), Vice Chairman Alice Battle (Mecklenburg County), Commissioner Dan DuVall (Mecklenburg County), Commissioner Chris Watson (Lincoln County), Commissioner Tim Bishop (Mecklenburg County), Commissioner Tim Eldridge (Gaston County)

**Commissioners Absent:** Secretary/Treasurer Ann Danzi (Gaston County),

**MILMC Staff Present:** Executive Administrator Annette Demeny, Legal Counsel Chris Clark

Topic	Discussion Summary	Action
<b>Welcome &amp; Introductions</b>	Chairman Pam Beck called the meeting to order at 6:30 pm.	
<b>Approval of the August 5, 2009 Agenda</b>	The August 5, 2009 meeting agenda was approved as submitted	A motion was made by Commissioner DuVall to approve the August 5, 2009 agenda as submitted. Seconded by Commissioner Watson. The motion was approved.
<b>Approval of the July 1, 2009 Meeting Minutes</b>	The July 1, 2009 meeting minutes were approved as submitted	A motion was made by Commissioner DuVall to approve the July 1, 2009 meeting

Topic	Discussion Summary	Action
<b>Approval of the July 1, 2009 Meeting Minutes (continued)</b>		minutes. Seconded by Commissioner Eldridge. The motion was approved.
<b>Statement of Purpose</b>	Legal Counsel, Chris Clark read the Statement of Purpose	
<b>Public Comments</b>	<b>Public Comments</b> – None	
<b>Consent Agenda</b>	<b>Consent Agenda</b> – None	
<b>Request for Approval</b>	<p><b>Request for Approval</b> – Neck Access Cove request for installation of larger buoys. Skip Hudspeth, MI resident, reported</p> <p>As a follow up from the July 1, 2009 MILMC business meeting, Commissioner Dan DuVall and Executive Administrator Annette Demeny drafted a proposal outlining three configuration options for the Neck Cove residents addressing their buoy request.</p> <p>Skip Hudspeth, representative for the Neck Cove residents, reviewed the configuration options. After speaking with the residents, Scenario 3 was modified and approved. Scenario 3B is stated below:</p> <ul style="list-style-type: none"> <li>• Currently there are four buoys in Neck Cove (One at access ramp, one located midway in the cove and two buoys at mouth of cove near Dale Holland’s house)</li> <li>• One of the buoys at the mouth of the cove is low in the water and needs to be replaced.</li> <li>• Placement: The NCWRC can buoy at access cove will remain in place.</li> <li>• The buoy midway in the cove will be relocated to replace the defective buoy at the mouth.</li> <li>• A pontoon signage buoy will be placed in the mouth of the cove between the two can buoys that are currently there, providing a total of three buoys to mark the boundary of the no wake zone.</li> <li>• Cost: This scenario will require a new pontoon signage buoy and associated anchor blocks and rigging. The cost of the pontoon buoy and materials for installation will be incurred by the Neck Cove residents. The residents will also</li> </ul>	<p>A motion was made by Vice Chairman Battle to accept Scenario 3B as part of the configuration options and approve the purchase and installation of a new Pontoon buoy at the mouth of Neck Cove. The cost and maintenance will be the responsibility of the residents of Neck Cove. Seconded by Commissioner Watson. The motion was approved.</p>

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<p><b>Request for Approval (continued)</b></p>	<p>be responsible for the maintenance of this buoy.</p> <p><b>Request for Approval</b> – Nivens Cove, additional buoy at dock – Daniel Brantley presented request.</p> <p>At its October 2008 meeting, the MILMC approved a No Wake Zone in the Nivens Cove, Gaston County. Two buoys were installed to mark this no wake zone however, Mr. Brantley has witnessed boaters obeying the buoy markers at the mouth but then once they pass them, they speed up. Mr. Brantley would like to see another buoy be installed in the center of the cove to help alleviate this problem. The proposed location for this additional buoy is 100’ from the end of Mr. Brantley’s existing dock.</p>	<p>A motion was made by Commissioner DuVall to approve Mr. Brantley’s request for an additional can buoy to be installed 100’ from his existing dock. Seconded by Commissioner Eldridge. The motion was approved.</p>
<p><b>Public Safety Reports</b></p>	<p><b>Charlotte – Mecklenburg Police Department</b> – Officer Howard reported</p> <ul style="list-style-type: none"> <li>□ (20) Calls for service</li> <li>□ (5) Zone Checks</li> <li>□ (38) Inspections</li> <li>□ (21) Citations</li> <li>□ (12) Warnings</li> <li>□ (1) Boaters Assisted</li> <li>□ (1) Navigational Hazard Removed</li> <li>□ Investigated 2 jet skis that were stolen. They were later found at Stonewater in Gaston County</li> </ul> <p><b>Gaston County Police Department</b> – Officer Hord reported</p> <p>July numbers are a combined total from both Lake Wylie and Mountain Island Lake</p> <ul style="list-style-type: none"> <li>□ (31) Calls for Service</li> <li>□ (87) Special Checks</li> <li>□ (30) Boaters Assisted</li> <li>□ (137) Safety Checks</li> <li>□ (40) Verbal Warnings</li> <li>□ (18) Navigational Hazards Removed</li> <li>□ (23) Trespassing Violators</li> <li>□ Seeing an increase in stolen boats (3 on Lake Wylie)</li> </ul>	

Topic	Discussion Summary	Action
<b>Public Safety Reports (continued)</b>	<p><b>Lincoln County Sheriff's Office</b></p> <ul style="list-style-type: none"> <li>□ No one was present to give report</li> </ul> <p><b>N.C. Wildlife Resources Commission</b></p> <ul style="list-style-type: none"> <li>□ No one was present to give report</li> </ul> <p><b>Mecklenburg County Parks and Recreation</b></p> <ul style="list-style-type: none"> <li>□ No one was present to give report</li> </ul> <p><b>Duke Energy of the Carolinas</b> – Kermit Taylor reported</p> <ul style="list-style-type: none"> <li>□ (1) Pier Application – Replacement of old dock near Glen Tieg Rd.</li> <li>□ Lake level – 97.1'</li> </ul>	
<b>Environmental Reports</b>	<p><b>Mecklenburg County Land Use and Environmental Services</b> – Heather Davis reported</p> <ul style="list-style-type: none"> <li>□ Water Quality Conditions Report (June 2009) – Up 2 points from a year ago. Results are all in the Good – Good/Excellent range.</li> <li>□ Bacteriological Results (June 2009) – Results for all testing sites were well below the action number of &gt; =200.</li> <li>□ Beginning in July, the Lake Water Quality Index and Program Measures will change. One of these changes is the proposed new Lake Index – LUSI (Lake Use Support Index). LUSI is primarily a pass/fail index set on a 100 scale that is based on whether the water quality in the lake is meeting N.C. water quality standards. LUSI is based on five (5) categories of parameters called sub-indices. The five (5) sub-indices are: Human Health, Sediment, Eutrophication (Algae Growth), Physical / Chemical, and Metals. The proposed changes to the Program Measures for the lakes include; that the four (4) most impacted sites out of the eleven (11) testing sites be used to calculate the program measure for the lakes, including, McDowell Creek Cove, Paw Creek Cove, Browns Cove and Withers Cove. The data reporting will also change beginning in July. There will be a color coded map indicating LUSI scores and swimmable / fishable indicators.</li> <li>□ Big Sweep is scheduled for October 3<sup>rd</sup> from 9am – 1pm at Latta Plantation.</li> </ul>	

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<p><b>Environmental Reports (continued)</b></p>	<p><b>Lakekeepers Report</b> – Alice Battle reported</p> <ul style="list-style-type: none"> <li>❑ South Carolina has withdrawn their 401 Water Quality certification which is necessary for the FERC license. It was withdrawn on the advice of the SC Attorney General because of the pending lawsuit that South Carolina has against North Carolina on withdrawing water from the Catawba. Duke has another opportunity to respond but is unknown whether they will or not.</li> <li>❑ The Environmental Impact Statement has been issued. It looks as if FERC accepted most of Duke’s arguments.</li> <li>❑ The Catawba Riverkeeper Foundation is heading a project to monitor the coal ash produced by coal-fired plants on the Catawba River. Riverbend is the “poster child” for this project. It is on the water supply for Charlotte, Gastonia, and Mt Holly. Charlotte Mecklenburg Utilities has no contingency plans to get raw water to the Brookshire Treatment Plant if the ash ponds fail.</li> <li>❑ Hosted Youth Kayaking Program at Latta Plantation. Over 100 kids participated in this event. The Catawba Riverkeeper is looking to expand this program next year.</li> </ul> <p><b>Quality of Natural Resources (QNRC)</b> – Pam Beck reported</p> <ul style="list-style-type: none"> <li>❑ There was no meeting in July therefore, no news to report this month.</li> </ul> <p><b>MI Wildlife Stewards</b> – Alice Battle reported</p> <ul style="list-style-type: none"> <li>❑ Next meeting – August 25<sup>th</sup> at the MI Library on the old Hwy 16. Will be focusing on membership drive and filling board openings.</li> </ul>	
<p><b>Base Operating Plan</b></p>	<p><b>Update on the Base Operating Plan (BOP)</b></p> <ul style="list-style-type: none"> <li>• <b>Lake Management Plan</b> – Vice Chairman Battle and Chairman Beck met with Mecklenburg County Commission Chair, Jennifer Roberts on July 7, 2009 to discuss the Lake Management Plan. Boat size limitations, capacity limitations and boater registration must be passed by the MILMC before Chairman Roberts takes Plan to the County Lawyers, Committees, and Finance Departments. Chair Roberts recommended that the Commission notify the Parks and Rec Department as well. Chair Roberts also recommended that we notify Senator Clodfelter regarding our concerns on the Johnson Creek watershed. Senator Clodfelter is currently putting together a list of properties that will affect water quality. On July 16, 2009, Vice Chairman Battle, Chairman Beck, Commissioner Bishop met with Duke Energy representatives Kermit Taylor, Joe</li> </ul>	

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<b>Base Operating Plan (continued)</b>	<p>Hall and Jeff Lineberger to present the draft Lake Management Plan. Mr. Lineberger stated that the models of FERC lakes with similar regulations are those whose local governments control the lakes. Mountain Island Lake is not the same. Duke's contention is that FERC will look at these regulations differently on a multi-jurisdictional lake like Mountain Island. Duke assured the Commission that they were going to look very closely at the Lake Management Plan. They recommended that the Commission approach NC Wildlife Resource Commission for their feedback.</p> <ul style="list-style-type: none"> <li>□ <b>Blue Fin Award</b> – Will accept applications through September – October.</li> </ul>	
<b>Chairman's Report</b>	<p><b>Chairman's Report</b></p> <ul style="list-style-type: none"> <li>□ Chairman Beck met with the Mount Holly City Council to discuss the MILMC meeting location at the New City Hall. There are regulations on what organizations or boards can use the Council Chambers for meetings. Until this is resolved, the MILMC will meet at the old City Hall.</li> <li>□ Boat Noise (Follow up) – Motorboat manufacturers recommends mufflers to silence loud boats. Chairman Beck recommends that the Commission establish a regulation for out of water mufflers. Gaston County Police Officer Hord stated that water injected mufflers meet state statutes. Chairman Beck to continue her research on this issue and will revisit at the next meeting.</li> </ul>	
<b>Executive Administrator's Report</b>	<p><b>Executive Administrator's Report</b> – Annette Demeny reported</p> <ul style="list-style-type: none"> <li>□ <b>Finance Report</b> – the finance report for period ending June 2009 was distributed to the Commission prior to the meeting. There were no questions regarding these reports.</li> <li>□ <b>Regional Stormwater Partnership</b> – The next quarterly meeting is scheduled for August 21<sup>st</sup> at the Gaston Citizen Resource Center from 1pm – 3pm.</li> </ul>	
<b>Commission Counsel Report</b>	<p><b>Commission Counsel Report</b></p> <ul style="list-style-type: none"> <li>□ No report</li> </ul>	
<b>Commissioner's Comments</b>	<p><b>Commissioner's Comments</b></p> <ul style="list-style-type: none"> <li>□ Chairman Beck announced that Ron Mattix recently passed away. Mr. Maddox was a longtime resident who was always interested in the issues facing Mountain Island Lake. Mr. Maddox attended many of the MILMC business meetings.</li> </ul>	

<b>Topic</b>	<b>Discussion Summary</b>	<b>Action</b>
<b>Adjournment</b>	The meeting was adjourned at 7:58 pm.	
<b>Next Business Meeting Date and Location</b>	The next MILMC business meeting will be held on September 2, 2009 at 6:30 pm at the Old Mount Holly City Hall, 131 South Main Street, Mount Holly, NC.	

Annette Lawing, Executive Administrator