

Mountain Island Lake Marine Commission Minutes

July 11, 2012 - 6:30 p.m.

Mount Holly City Hall

Mount Holly, NC



Commissioners Present: Chairman Cathy Roche (Mecklenburg County), Vice-Chairman Skip Hudspeth (Mecklenburg County), Commissioner Craig Wyant (Lincoln County), Secretary/Treasurer Brian Weyeneth (Gaston County), Commissioner Tim Eldridge (Gaston County), Commissioner Meg Morgan (Mecklenburg County)

Commissioner Absent: Commissioner Jerry Campbell (Gaston County)

MILMC Staff Present: Diane Dil, Executive Administrator

Topic	Discussion Summary
Welcome & Introductions	Chairman Roche called the meeting to order.
Consideration of Agenda	<ul style="list-style-type: none">• The agenda was approved as submitted.• Consent Agenda – Chairman Roche stated that the appointment of Commissioner Weyeneth as Secretary/Treasurer needed to be formally ratified. Commissioner Weyeneth was ratified in a unanimous vote.
Approval of Meeting Minutes	<ul style="list-style-type: none">• The minutes of the June 2012 were approved as submitted.
Statement of Purpose	<ul style="list-style-type: none">• Chris Clark was not present to read the statement of purpose.
Public Comments	<ul style="list-style-type: none">• None.
Public Safety Reports	<ul style="list-style-type: none">• Officer Turner – Introduced CMPD Officer Charles Smith who will also be working on the lake. CMPD had 118 calls for service during the month of June. They did 41 boat inspections; issued 22 warnings and 16 citations and removed four navigational hazards. They assisted three boaters and logged in six volunteer hours. They carried out three zone checks on Neck Road and seven on Latta Plantation. There was one larceny of tag and one larceny from vehicle at Latta Plantation.• Officer Hord - Gaston County had 19 calls for service during the month of June. They did 47 boat inspections; issued nine verbal warnings and three written warnings, and removed five navigational

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	<p>hazards. They continue to have parking problems on the weekends at the access points. They had sonar training with Charlotte Fire Department. Commissioner Eldridge commended all of the law enforcement presence on the Lake on the Fourth through the following weekend.</p> <ul style="list-style-type: none"> • Mecklenburg County Parks and Recreation – Alice Battle read an email she received from Michael Kirschman. 1) Plans are still underway for the new canoe/kayak launch at Latta Plantation Nature Preserve at the North Shore. Still need a permit from Duke and final sign off from state water quality agency. 2) He has heard that CMPD lake patrol has some safety concerns with the canoe rentals at Gar Creek. He has not been contacted by the Marine Commission or CMPD regarding that issue. His staff will follow-up directly with CMPD to address their concerns. Canoes are rented weekends March through September. To date there have been 373 rentals on a total of 38 rental days, for an average of 10 rentals per day. Some days they rent 20+ canoes over a six hour time frame, other days fewer than 10. 3) Latta Plantation Nature Preserve visitation continues to increase. Fiscal year 11/12 visitation, based on car counters, was 372,569. This is up from 358,978 during the previous fiscal year or an almost 4% increase. Weather has a huge impact on the parks and preserves visitation. They continue to see increases in usage, including fishers and boaters (canoe/kayakers). 4) He spoke with Commissioner Hudspeth and the department will cover the cost to replace the buoys at the North Shore No Wake cove. 5) They continue to receive complaints about the growing issue of swimming from park property – which is against county ordinance. Please inform anyone to call CMPD when they witness illegal swimming occurring. They continue to work on developing future designated swimming areas. • Kermitt Taylor –The lake level is 97’ with current drought conditions supporting Stage Zero of the Low Inflow Protocol. Issued three pier permits – two replacements and one new one. They were at Horseshoe Bend Road, Mountain Island Harbor and Nance Cove.
<p>Environmental Reports</p>	<ul style="list-style-type: none"> • Heather Davis, Mecklenburg County reviewed the Bacteriological Results from June 2012. McDowell Creek sampling site was the only high number (yet still supporting). There was no source detected and it was most likely rain impacted. All sites will be sampled in July. She has no update from the state about the arsenic detected at Riverbend Plant. She announced the NC Lake Management Society fall annual meeting. It will be at the Whitewater Center on October 4th. The main topic will be fish advisory notices in the Carolinas. • Ron Smith, Gaston County – no news if there will be an appeal to the Board of Adjustment decision to deny the Mount Holly Charter School’s application for a variance. Commissioner Eldridge stated he heard they were looking for a new site. • Lakekeepers Report - Alice Battle reported. Catawba Riverkeeper Foundation will have its Annual meeting July 21st at Bartlett Tree Farm in southwest Charlotte. All are welcome to attend. She announced the addition of Sam Perkins to CRF staff. Ms. Battle announced some of the possible

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	<p>implications to closing the Riverbend Plant after the Duke Energy and Progress Energy merger.</p> <ul style="list-style-type: none"> • Mountain Island Wildlife Stewards – No news to report.
<p>Discussion of No Wake Zone Buoy Application and Fee Schedule</p>	<p>Commissioner Weyeneth stated that he has been investigating ways to raise revenue and he believes having a fee based application for buoy requests will allow the commission to re-coup costs. The Lake Norman Marine Commission has a \$150 non-refundable fee. He suggests a \$75 non-refundable fee for new buoys installed from now on. Commissioner Eldridge stated it was a good idea and the commission needs a way to sustain the buoy maintenance program. He believes the commission should get out of the business of handling buoys and hire a company to install them. Commissioner Hudspeth stated the commission agreed to have HOAs pay for the cost and installation of buoys. He stated this is not a significant source of revenue since there are few requests for new buoys. Since one of the Marine Commission’s goals is to promote safety on the lake through the placement of buoys. An application fee might inhibit applications and placement of needed buoys. Chairman Roche does not like the idea of a fee as it is could be a barrier to the homeowner. Commissioner Eldridge stated that Lake Norman will not allow an individual to request a buoy. It must be a group or association. The application fee could be used to offer financial assistance to those law enforcement officials needed to investigate the need for a buoy. <u>Commissioner Weyeneth made a motion that the buoy application and fee schedule discussion be given to the buoy committee to review and come forward at the next meeting with a recommendation. It was seconded by Commissioner Wyant and passed unanimously.</u> Commissioner Hudspeth recommended that we formally establish rules for maintaining buoys as part of the process.</p>
<p>Discussion of Buoy Installation Contract</p>	<p>Commissioner Weyeneth stated that currently the commission relies on its commissioners to install and maintain the buoys. He would like to discuss the idea of hiring a licensed and bonded company to install buoys on the lake. This would be a fee basis proposal. He contacted four companies requesting a proposal and bid for labor only to install buoys. He has received two. Commissioner Weyeneth reviewed the basics of the two proposals and recommended working out the details within a committee. <u>Commissioner Weyeneth made a motion to refer this item to the buoy committee for further review and a recommendation. The motion was seconded by Commissioner Morgan and approved unanimously.</u></p>
<p>Discussion of Partnership Social Event</p>	<p>Commissioner Weyeneth suggested that as an act of goodwill and open communications that the commission hold a barbeque this fall and invite all the partners which includes elected officials, law enforcement, Duke Energy, Wildlife and others similar to the attendee list for the December social event at the chairman’s house. This event could be on a Saturday afternoon this fall at a venue on the lake. Commissioners Weyeneth, Hudspeth and Eldridge agreed to work on the event.</p>
<p>Discussion of Legal Council</p>	<p>Commissioner Morgan spoke with Bob Elliot of the Lake Norman Marine Commission about their legal counsel. They pay \$500 for an annual retainer. Chairman Roche stated that Jan Winters, Gaston County Manager, had told her that it would be a conflict of interest if the county attorney represented the</p>

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	<p>commission. She stated that Mecklenburg County Attorney Tyrone Wade had also told her he would consider it a conflict of interest for one county to represent a multi-county board. She continued that there is still no definitive answer if legal counsel was required at each meeting. Commissioner Hudspeth stated that we could continue with our current arrangement for the period that the budget can cover a monthly retainer and in the meantime see if there is another alternative that can meet the commission's needs at a lower cost. Chairman Roche stated that commissioners should be aware that a commissioner could be put at personal risk if a bad decision was made without legal counsel present. Commissioner Hudspeth stated it is nice to have legal counsel in case there are unforeseen issues that might come up during a meeting. It's just hard to determine if it is worth the cost. <u>Commissioner Eldridge made a motion to continue with the existing relationship until January and have a plan in place by then. The motion was seconded by Commissioner Weyeneth and approved unanimously.</u></p>
Discussion of Joint Meeting	<p>Chairman Roche reported that she will contact Dave Hoyle Jr. to see if he is available to speak September 18th at the joint meeting with Lake Wylie Marine Commission. Commissioner Hudspeth asked if it was more important to have the best date for the commissioners or the best date for the speaker. Commissioner Eldridge stated that perhaps the executive director could attend if Mr. Hoyle is unavailable.</p>
Finance Report	<p>Commissioner Weyeneth reviewed the financial statements through the end of the year. Funds will be carried over again this year. He will bring forward next month ideas about which investment accounts the fund balances could be reallocated.</p>
Chairman's Report	<p>Chairman Roche reported that she attended the Lake Wylie Marine Commission regular meeting to see how they manage their meetings to find ways to make MILMC's meeting more efficient. She noted that the report outs are quicker and they utilize more committee work between meetings. They also have a pre meeting of the officers which this Commission has already implemented. She stated that a tighter ship makes meetings more efficient but she wants to ensure the meetings remain open. She recommended they dispense with the Pledge of Allegiance, reading the Statement of Purpose and the second public comment period. She also recommended they consider removing the commissioner comment item and have comments made during the operating plan report item.</p>
2012 Operating Plan	<ul style="list-style-type: none"> • Water Quality – Alice Battle reported that the secchi disk project continues. They need new thermometers that go to higher temperatures. Commissioner Weyeneth said he would get some. • Property – Commissioner Morgan reported that she held a meeting with Duke Energy and Mecklenburg County to discuss new ideas to encourage people to properly dispose of trash. They are working to identify the problem, identify the audience and ways to reach people. She is encouraged with the recent meeting and discussions. • Watershed – No report. • Safety – Commissioners Hudspeth reported that three buoys need replacement immediately.

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	<p>Mecklenburg County Park and Recreation agreed to pay for new buoys marking the no-wake zone for paddlers. Commissioner Eldridge recommended they wait and have the contractor take care of it.</p> <ul style="list-style-type: none"> • Communications – Chairman Roche stated a few changes and updates were made to the website. She commended Commissioner Weyeneth for his work to keep the Facebook page updated. Commissioner Weyeneth asked to be added to the Communications Committee. • TAC – Commissioner Wyant provided an update of the GIS maps. He continues to work with CPCC interns to edit the various layers of the current map. He pointed out that the nature preserves and other protected open spaces in Gaston County and Lincoln County are not included on the map like they are in Mecklenburg County. That information should be available and may just be a matter of locating it. For example, the State Education Forest land needs to be shown. Also new NCDOT improvements at the Highway 16 interchanges need to be added. Commissioner Wyant stated that some updates of the map can be completed using the interns, but some will need to be contracted through the Council of Governments. Chairman Roche asked if we have existing information for the nature preserves or do we need to get it. Commissioner Wyant believes it should be available. Commissioner Hudspeth would like to have the upper portion of the lake included. This can be on a separate map to maintain the current scale. Chairman Roche would like to have the whole map on one manageable piece of paper. Ms. Dil can reproduce the current map but it would require a separate contract to produce a new map. Chairman Roche requested Commissioner Wyant to work with Ms. Dil to determine how a new map can be created.
Executive Administrators Report	<ul style="list-style-type: none"> • Ms. Dil reviewed the report of tasks done by CCOG staff for the month of June 2012. Ms. Dil has received contracts from Mecklenburg and Gaston for FY12/13. Mecklenburg County is back to requiring quarterly reports and paying quarterly. Gaston County will again pay twice a year. Assistance may be necessary to report to Mecklenburg County how the funds are used. She will contact Lincoln County regarding their financial support.
Commission Counsel Report	<p>Legal Counsel Chris Clark was not present to report.</p>
Commissioner Comments	<ul style="list-style-type: none"> • Commissioner Weyeneth stated that the \$200 payment to CRF for FY 11/12 was not paid. He recommends that the Marine Commission simply pay this year's \$400. <u>Commissioner Weyeneth made a motion to pay the Catawba Riverkeeper Foundation \$400 as included in the budget. The motion was seconded by Commissioner Hudspeth.</u> During discussion Commissioner Eldridge stated that the money was for the gas used by the CRF boat while on the lake. The funding was not meant to be ongoing. It was meant to cover their specific boating expenses. <u>Commissioner Weyeneth withdrew his motion and recommended that CRF let the Commission know if they need assistance and what it is for.</u>

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	Commissioner Hudspeth stated the CRF is a valuable resource and he is happy to support their mission. Chairman Roche stated they certainly need the money and their mission is aligned with the Marine Commission. She would advocate that they continue to make this contribution. Commissioner Hudspeth suggested they be contacted to determine a specific need. Chairman Roche will do so.
Public Comment	<ul style="list-style-type: none"> • None.
Adjournment	There was no further business, and the meeting was adjourned at 8:45.
Next Business Meeting Date and Location	The next MILMC business meeting will be held on August 1, 2012 beginning at 6:30pm at the East Lincoln Fire Department.

Diane Dil, Executive Administrator