

# Mountain Island Lake Marine Commission Minutes

August 1, 2012, 2012 - 6:30 p.m.

East Lincoln Fire Department

Stanley, 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 Jerry Campbell (Gaston County)

**Commissioner Absent:** Commissioner Meg Morgan (Mecklenburg County)

**MILMC Staff Present:** Diane Dil, Executive Administrator

Topic	Discussion Summary
<b>Welcome &amp; Introductions</b>	Chairman Roche called the meeting to order.
<b>Consideration of Agenda</b>	<ul style="list-style-type: none"> <li>• <u>Chairman Roche made a motion to add a discussion of the partnership social event to the agenda. The motion was seconded by Commissioner Weyeneth and approved unanimously.</u> Commissioner Campbell asked to add a report from the Bi-State Meeting to the agenda. The agenda was approved with the additional items.</li> <li>• Consent Agenda - nothing</li> </ul>
<b>Approval of Meeting Minutes</b>	<ul style="list-style-type: none"> <li>• The minutes of the July 2012 meeting were approved as submitted.</li> </ul>
<b>Public Comments</b>	<ul style="list-style-type: none"> <li>• None.</li> </ul>
<b>Public Safety Reports</b>	<ul style="list-style-type: none"> <li>• Officer Turner – CMPD had 120 calls for service during the month of July. They did 48 boat inspections; issued 27 warnings and 35 citations. They logged in 20 hours of island patrols for Duke Energy. They carried out three zone checks at the Neck Road access. There was one hit and run with property damage and one stolen vehicle recovery at Neck Road. Four citizen contacts at Latta Plantation. Citations included overloaded jet skis, driving a boat under the age of 26 without boater education, not working fire extinguishers.</li> <li>• Officer Hord – Gaston County – they had 26 special checks, assisted four boats, conducted 35 safety inspections, issued one written warning and four verbal warnings. Removed six navigational hazards. They encountered 61 people trespassing, issued 15 real citations and 38 written warnings and 33 other</li> </ul>

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	<p>warnings for parking issues. They are still having a problem with trespassers and parking.</p> <ul style="list-style-type: none"> <li>• NC Wildlife – Commissioner Hudspeth spoke with Officer Arnold of NC Wildlife Resources who has recently been promoted. Officer Arnold provided two new contact names. Commissioner Hudspeth introduced himself to Officer O’Neal, one of the new officers, and stated he would be the liaison between the two organizations. NC Wildlife has started a new program which is a pre-launch boat inspection at the landings.</li> <li>• Mecklenburg County Parks and Recreation – Commissioner Hudspeth followed up with Latta Plantation regarding the location of the canoe/kayak rental location. Kevin Metcalf of Mecklenburg County Parks and Recreation met with the area sergeant to discuss this issue. Their plan is to continue with the current location until the end of the year and consider an alternate location for next year.</li> <li>• Duke Energy - Kermitt Taylor –The lake level is 96.7’ with current drought conditions supporting Stage Zero of the Low Inflow Protocol. Issued one new pier permit in the Nance Cove area. They appreciate the extra help from law enforcement for island patrol and trespassing. Still some work to establish a balance between the recreational use of the property and keeping things clean. They have hired additional contractors to pick up the trash to help keep the area clean.</li> </ul>
<b>Environmental Reports</b>	<ul style="list-style-type: none"> <li>• Heather Davis, Mecklenburg County reviewed the Bacteriological Results from July 2012. All sampling was done. Some results will not be available until the September meeting. The day before the scheduled sampling, the McDowell Creek watershed received 1”-2” of rain and they debated about waiting to sample. Consequently, there were some high numbers which were re-sampled. They were not able to locate a source of contamination and presumed the high numbers were a result of the rain event. The new sample results were not available. This year Big Sweep has been moved to Saturday September 29 at Latta Plantation Park. They are currently looking for volunteers. Lakekeepers Report - Alice Battle reported. Catawba Riverkeeper Foundation had its annual meeting July 21<sup>st</sup> at Bartlett Tree Research Farm in southwest Charlotte. Randy Miller received the volunteer of the year award. The three focus areas of the Catawba Riverkeeper Foundation are the quantity of water, the quality of water and water security. There will be a cove keeper class in September that will last one month and include field trips.</li> <li>• Mountain Island Wildlife Stewards – No news to report.</li> <li>• Catawba Riverkeeper Foundation – Chairman Roche requested that Mr. Richard Gaskins, Executive Director of CRF and Riverkeeper, attend the Marine Commission meeting to discuss funding provided to the CRF so that the Marine Commission could better understand the purpose of the funds paid in previous years. Mr. Gaskins provided a brief history of the origins of the foundation and its mission. It was formed from the Marine Commissions to be a more independent, grassroots organization that relies largely on volunteers. They use cove keepers regularly to remove trash and respond to specific</li> </ul>

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	<p>calls and complaints. They do some water testing as well. They escort many reporters, researchers, and environmentalist who are concerned with the coal ash ponds and other environmental issues on the lake. They provide comments on various Duke Energy FERC permits. Their mission has three components: education, protection and advocacy. The boat CRF previously used on MIL is not seaworthy but they use a different one and also rely on the use of volunteers. Last year the CFR spent \$3,000 on boat fuel system-wide and at least \$500 specifically on Mountain Island Lake.</p> <p><u>Commissioner Eldridge made a motion to donate \$500 to the Catawba Riverkeeper Foundation to help pay for fuel expenses. The motion was seconded by Commissioner Hudspeth and approved unanimously.</u></p>
<b>Johnson Creek Watershed Project</b>	<p>Randy Williams, Lincoln County Planner, reported on NC 16 and Woodcock Farms Small Area Plan. The plan has a 20 year time horizon. No development plans have been submitted to the County. The plan identifies development constraint areas such as steep slopes, poor soils and water protection areas. The plan envisions this area as an employment center for research and development, distribution and similar uses. More information and a meeting schedule are available on the Lincoln County website. Mr. Williams stated that a letter of support from the commission would be helpful. Chairman Roche stated that the Marine Commission is concerned about protecting the water quality but does not want to stop development. Commissioner Campbell recommended that we do not write a letter of support until additional information is available. However, attending the public hearing would be helpful.</p>
<b>Discussion of Social Event</b>	<p>Commissioner Weyeneth reported that the committee decided to have the partnership social on September 15<sup>th</sup> at Latta Plantation. The invitee list will include the people who attended the previous holiday socials and also our stakeholders. Commissioner Hudspeth stated Kevin Metcalf of Latta has agreed to provide a picnic site and an additional shelter if needed free of charge. Commissioner Weyeneth will cater the event. Chairman Roche requested Ms. Dil to email the existing invitation list to all commissioners to review and make additions and deletions. <u>Commissioner Hudspeth made a motion to continue with holding this social event. The motion was seconded by Commissioner Campbell and passed unanimously.</u></p>
<b>Bi-State Commission Meeting</b>	<p>Commissioner Campbell provided a report of the Catawba/Wateree River Basin Advisory Commission held on July 27, 2012.</p>
<b>Finance Report</b>	<p>Commissioner Weyeneth reviewed the financial statements and stated there was an overage in the budget from the previous year. He was asked to see where that excess money could be invested. It is difficult to find a good investment vehicle at this time. The stakeholder report identified as one of the long range goals development of a science- based lake management plan. While the commission does not have the funds to accomplish this, he recommends that the chairman establish a steering committee to investigate the establishment of a non-profit corporation that could use these funds as seed money. Such a corporation could raise additional money to fund a lake management plan or other opportunities that may come before</p>

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	<p>the commission in the future. Commissioner Weyeneth stated that in order for the MILMC to be an advocate for the lake we need other avenues to receive funds. If we could use some of the money to establish a non-profit group that can receive grants and monetary donations then that organization can take on opportunities and plans to go forward and meet some long term opportunities. Mr. Clark stated that LWMC formed a non-profit and received tax exempt status to offer a tax deduction for those who want to contribute. It is no longer active. The Marine Commission can currently accept donations but cannot offer the tax deduction. The political nature of the Marine Commission as a quasi-governmental agency can create some confusion. Mr. Clark said LWMC never made good use of the non-profit. It is a big commitment of additional time. Commissioner Weyeneth recommends that the chairman appoint a steering committee to study the formation of a non-profit and if it is found reasonable that up to \$5,000 of the excess funds from this year be allocated as seed money. Chairman Roche believes this is a good idea and requested Commissioner Weyeneth to gather additional information to study the possibility of establishing a committee to learn more about forming a non-profit group. <u>Commissioner Wyant made a motion to deposit the excess funds of \$9,298.44 into the NC Cash Management Trust savings account. The motion was seconded by Commissioner Hudspeth and approved unanimously.</u></p>
<b>Chairman's Report</b>	<p>Chairman Roche reported that the two dates available for the joint meeting with the Lake Wylie Marine Commission are October 4<sup>th</sup> and 11<sup>th</sup>. These are the only two dates that both the club and Dave Hoyle, Jr. are available. Both commissions will move forward with determining the best date.</p>
<b>2012 Operating Plan</b>	<ul style="list-style-type: none"> <li>• Water Quality – Alice Battle reported that the transparency at the lake has decreased. It could be contributed to brown algae which are related to higher water temperatures. It could be a turnover of the lake and the color could be caused by dead animal materials.</li> <li>• Property – Commissioner Morgan was not present to report.</li> <li>• Watershed – No report.</li> <li>• Safety – Commissioner Hudspeth had a meeting with the buoy committee to discuss comments from the last meeting which included reviewing the application process and adding an application fee. They have updated the application. They discussed grandfathering in homeowners who agreed to pay for maintenance. <u>Commissioner Eldridge made a motion to require a \$75 application fee. The motion was seconded by Commissioner Hudspeth.</u> Chairman Roche asked if the application fee could go towards the cost of the buoy if approved. Commissioner Eldridge stated that the fee might go to compensate an individual or agency who reviews the application. Commissioner Hudspeth likes the idea of applying the money towards the cost of an approved buoy. Commissioner Wyant asked if the applicant could have a pre-application meeting before any costs are incurred. Commissioner Eldridge said that the applicant is free to contact any law enforcement agency to gather their opinion. <u>The motion did not pass (Eldridge, Weyeneth and Campbell for and Hudspeth, Roche and Wyant against).</u> Commissioner</li> </ul>

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	<p>Hudspeth stated the committee also discussed the use of a contractor but will explore this idea further and they are not ready to make a motion. Commissioner Eldridge stated the committee had three items to discuss: should there be an application fee, should the committee hire someone to install buoys, and determine who pays for the expenses and what components. <u>Commissioner Eldridge made a motion that the commission contract with someone to handle the installation of the buoy. The motion was seconded by Commissioner Weyeneth. After discussion the motion was amended to state that all costs to install new buoys will be paid to the contractor by the applicant at the time of approval. These costs include the buoy, hardware materials and installation. Commissioner Weyeneth seconded the amended motion. The motion was approved unanimously.</u> Commissioner Hudspeth thinks the plan to make this revenue neutral works fine for new buoys. However, this would not be the case for maintaining existing buoys. Hiring a contractor to replace buoys would be much more expensive than utilizing commissioners to do the work. Commissioner Hudspeth stated that there was not a risk of waiting to work this part of the process through. He recommends waiting to work out the details. Commissioner Eldridge stated a decision needs to be made regarding the maintenance because the problem will continue to grow. Commissioner Eldridge stated the commission needs to get out of the buoy business. Chairman Roche agreed the commission needs to move away from unpaid volunteers putting out buoys. Commissioner Eldridge stated that during the buoy committee meeting it was determined that with regard to the maintenance of existing buoys, all the commission can do is ask the applicant if they would be willing to pay for the cost of installing a new buoy. The Commission would be required to determine how it gets installed. Commissioner Eldridge stated the committee can come back at a future meeting with a new application and policy of how to handle maintenance of existing buoys.</p> <ul style="list-style-type: none"> <li>• Communications – Chairman Roche had no report.</li> <li>• TAC – Commissioner Wyant stated there is money in the budget for mapping. He reviewed the existing maps and the missing layers. At some point it needs to be determined what actual maps the commission wants and see what we can get for the money available. It was agreed to take this discussion offline and Commissioner Hudspeth agreed to participate.</li> </ul>
<b>Executive Administrators Report</b>	Ms. Dil reviewed the report of tasks done by CCOG staff for the month of July 2012. The hours spent this month were slightly larger than the previous month as it included preparation for two meetings during the month of July. It also included processing new contracts for Gaston and Mecklenburg Counties.
<b>Commission Counsel Report</b>	Legal Counsel Chris Clark had no formal report. He received a phone call about a legal question about the lake, but has not been unable to get ahold of him. Other people have been able to speak with him to satisfy his concerns.
<b>Adjournment</b>	There was no further business, and the meeting was adjourned at 9:00.

<b>Topic</b>	<b>Discussion Summary</b>
<b>Next Business Meeting Date and Location</b>	The next MILMC business meeting will be held on September 4, 2012 beginning at 6:30pm at the Charlotte Mecklenburg Utilities.

Diane Dil, Executive Administrator