

# Mountain Island Lake Marine Commission Minutes (*revised*)

April 3, 2013 · 6:30 pm  
 Mount Holly Municipal Complex  
 Mount Holly, North Carolina



**Commissioners Present:** Chairman Kari Lanning (Lincoln County),  
 Vice Chairman Skip Hudspeth (Mecklenburg County)  
 Secretary Treasurer Brian Weyeneth (Gaston County)  
 Commissioner Jerry Campbell (Gaston County)  
 Commissioner Murray Nixon (Gaston County)  
 Commissioner Cathy Roche (Mecklenburg County)

**Commissioner Absent:** Commissioner Meg Morgan (Mecklenburg County)  
**MILMC Staff Present:** Emily Parker, Executive Administrator; *Chris Clark, Legal Counsel*

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<b>Welcome &amp; Introductions</b>	Chairman Lanning called the meeting to order and welcomed everyone present.
<b>Consideration of Agenda</b>	<u>Chairman Lanning made a motion to amend the agenda to include 'Comments from Legal Counsel' in between 'Approval of Meeting Minutes' and 'Public Comments.'</u> This motion was seconded by Commissioner Hudspeth and approved unanimously.
<b>Approval of Meeting Minutes</b>	<u>Commissioner Campbell made a motion to approve the minutes of the March 6, 2013 meeting as submitted.</u> The motion was seconded by Commissioner Weyeneth and approved unanimously.
<b><i>Comments from Legal Counsel</i></b>	Chairman Lanning welcomed Mr. Chris Clark and he thanked the marine commission. Mr. Clark recounted recent events related to his status as MILMC legal counsel. After conversations with commissioners and time for reflection, Mr. Clark decided to accept the invitation of the MILMC to reconsider his resignation. He is officially back serving as legal counsel and looks forward to supporting the MILMC moving forward. Mr. Clark noted that he is available – in person, by email or phone – to the commission as needed.
<b>Public Comments</b>	None.

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<p><b>Public Safety Reports</b></p>	<ul style="list-style-type: none"> <li>• Officer Turner of the Charlotte Mecklenburg Police Department reported that in March there were 6 zone checks at Latta Plantation Park and 7 zone checks at Neck Road Access. Officer Turner noted that starting at this time in early April, as the weather gets warmer, he expects to see more activity on the lake and landings. Chairman Lanning asked when CMPD will return to the lake. Officer Turner replied that one seasonal officer will start in mid-April, and then hopefully starting in the third week of April, CMPD can be on the lake at least one day a week. CMPD's second lake officer is also a field training officer who will be occupied until mid-May. Until then, CMPD may likely only be on the lake one day per week, due to limited supply of law enforcement personnel. After mid-May CMPD will try to be on the lake 3 days per week – Saturday, Sunday, and one weekday.</li> <li>• Officer Hord of the Gaston County Police Department reported that GCPD has ordered their new patrol boat and he thanked the commission for its support. Officer Hord reported on a productive visit to San Antonio for the International Boating and Water Safety Summit. GCPD will be back on the lake on Memorial Day weekend, and then back full time starting June 8. GCPD's goal is to be on the lake 2 or 3 days per week after June 8.</li> </ul> <p>Chairman Lanning asked Officers Hord and Turner first, about the difference in number of citations at Mountain Island Lake and Lake Wylie and second, what can the MILMC do differently to support law enforcement.</p> <ol style="list-style-type: none"> <li>1) Most of the citations were trespassing issues. However, Officer Hord anticipates a drop in trespassing related citations this season.</li> <li>2) Officer Turner testified about diminished law enforcement coverage on Lake Norman and Mountain Island Lake due to personnel being taken off of lake patrol to serve other areas. Officer Turner asked if the MILMC could send a letter to his captain requesting two more officers for better coverage on the lake. He noted that while Mountain Island Lake may not be as big as other nearby lakes, it deserves increased law enforcement coverage due to its unique identity and popularity. Chairman Lanning asked if they have interaction with the Lincoln County Police Department (LCPD). Lincoln County has ~2.3 miles of shoreline. Chairman Lanning will send letters to Lincoln, Mecklenburg and Gaston counties requesting additional law enforcement personnel. She will send drafts of each letter to the other commissioners to review before they are sent to respective county police departments. Commissioner Campbell noted that it is time again to work with local TV stations to arrange coverage on boating safety education offered on the lake. Commissioner Roche commented</li> </ol>

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	<p>on the importance of getting press coverage before other lakes in the area.</p> <ul style="list-style-type: none"> <li>• Kermitt Taylor of Duke Energy reported. <ul style="list-style-type: none"> <li>○ 1 new pier permit was issued last month.</li> <li>○ Low Inflow Protocol remains in Stage 0.</li> <li>○ Current lake level is 96.6.</li> </ul> </li> </ul>
<b>Environmental Reports</b>	<ul style="list-style-type: none"> <li>• Heather Davis with Mecklenburg County LUESA reported that there is no formal report this month because not all data was back in time to report. LUESA sampled on March 19, 2013 but the night before received ~1” of rain, thus received a few “high hits.” Ms. Davis will have all maps with all sampling numbers at next month’s meeting.</li> </ul> <p>Chairman Lanning brought up the NCDENR meeting and related press release about the fish advisory for blue catfish. Ms. Davis noted that the press release will come out the week of April 8. As soon as it does, she will forward it to the MILMC. Representatives of Lake Norman are not pleased about this fish advisory (the lake’s first experience with this) and have asked for public hearings. Due to this advisory, commissioners may want to be prepared to answer related questions.</p> <ul style="list-style-type: none"> <li>• Sam Perkins with the Catawba Riverkeeper Foundation noted that largemouth bass in Lake Norman will also be included in the fish advisory. Mr. Perkins referred to the Riverbend lawsuit filing and let the group know that he is available if anyone has questions. Commissioner Roche asked about next steps on the lawsuit. Sam explained that per the Clean Water Act (CWA) one can file a 60 day Notice of Intent before filing the actual lawsuit. A goal of CWA is for citizens to be able to bring forth lawsuits. The Catawba Riverkeeper Foundation and the Southern Environmental Law Center are bringing this suit forward. Commissioner Nixon asked a question about sequencing related to the decommissioning plan for Riverbend and the lawsuit. Mr. Perkins noted that whether Riverbend was closing or not, a main issue is seepage. Commissioner Roche asked if other plants Mr. Perkins referred to are still operating and Mr. Perkins noted that there is not a plant comparable to Riverbend.</li> <li>• Alice Battle provided the Lakekeepers Report. Ms. Battle noted that Mr. Perkins gave a presentation on his findings on the coal ash ponds at their last meeting. There are 14 seeps that he has found without going onto Duke Energy's property. The outflow has been tested for heavy metals and iron oxide was found at the outflow of these seeps. Heavy metals have been found in exceeding quantities. He has also accessed Duke Energy's reports to NCDENR and NCDWQ.</li> </ul>

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	<p>These include water testing at the wells. The wells are not drilled down to the same distance, so different ground waters are tested. The worst well is well number 8 which is near the coal ash berm off Horseshoe Bend Road. It had the highest readings exceeding the EPA standards.</p> <p>The annual hike on Kay Killian's property took place on March 16 – a beautiful day for walking in the woods. Ms. Battle noted that Spider Lily Kayak Tour will be held on Saturday, May 25.</p>
<b>Finance Report</b>	<p>Secretary Treasurer Weyeneth provided the finance report. To date, MILMC has received 91% of the revenue budgeted for FY 12-13. <u>A motion was made by Secretary Treasurer Weyeneth for the commissioners to consider the FY 13-14 budget and submit any suggestions to him by email for budgetary items going forward, assuming no funding increases from the counties. Commissioner Roche seconded the motion. Commissioner Hudspeth asked a clarifying question about process and the motion was approved unanimously.</u> Commissioner Nixon asked a budget process question about specific line items relevant to programmatic efforts of certain committees – whether committee leads can expend those budgeted funds, and what to do if further funds beyond what was budgeted are needed. Secretary Treasurer Weyeneth answered that the committee lead would need to bring the budget item before the commission to be voted on.</p> <p>Secretary Treasurer Weyeneth brought up legal services and needing a plan for paying for these services through June 2013. The MILMC owes Mr. Clark for his time billed in the month of January 2013 and also for time billed in February 2013, plus April, May, and June 2013 for a total of \$3,335.00. Secretary Treasurer Weyeneth proposed that funds could come from the existing budget items:</p> <ul style="list-style-type: none"> <li>• \$935.00 from Mapping</li> <li>• \$1,400.00 from Safety Markers, Buoys, and Hardware</li> <li>• \$500.00 from Public Notification and Information</li> <li>• \$500.00 from Litter Prevention and Remediation</li> </ul> <p>Commissioner Hudspeth commented that he is in agreement with funds coming out of Safety Markers, Buoys, and Hardware, but had concern about funds coming out of Mapping. A brief discussion followed about mapping buoys and what needs to happen to get this accomplished (sharing coordinates with CCOG and staff time required using GIS to update the map). It is likely that this mapping project will not be finished before June 30, 2013. <u>A motion was made by Secretary</u></p>

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	<p><u>Treasurer Weyeneth to take \$935.00 from Mapping, \$1,400.00 from Safety Markers, Buoys, and Hardware, \$500.00 from Public Notification and Information, and \$500.00 from Litter Prevention and Remediation and move that money to Legal Retainer to cover Chris Clark’s cost of \$3,335.00 through June 30, 2013. The motion was seconded by Commissioner Campbell and approved unanimously.</u></p> <p><i>[Please note: During discussion and conclusion to reallocate funds from budget sources to pay for MILMC legal services through June 30, 2013, \$535.50 was unintentionally counted twice. This amount represents the time Tillman Wright billed for Chris Clark in February 2013 and a check for payment had already been authorized in that amount which was inadvertently overlooked. As a result, Secretary Treasurer Weyeneth has reduced the amount of funds we would borrow from Mapping, from \$935.00 as stated in the above motion, to the correct amount is \$399.50. The other allocations remain the same and we are on point to be able to pay \$2,799.50 for legal services thru June 30, 2013.]</i></p>
<p><b>"Kids Don't Float" Loaner Life jacket Program</b></p>	<p>Commissioner Nixon presented on the "Kids Don't Float, So Give Them Something that Does" Loaner Life Jacket Program and provided supplemental materials for those present to review. The following points were made about the life jacket program:</p> <ul style="list-style-type: none"> <li>• In March 2013, Commissioner Nixon and Chairman Lanning met with Kermit Taylor and Scott Jolley, both with Duke Energy, to starting planning implementation of the "Kids Don't Float" Loaner Life Jacket Program.</li> <li>• The objective of the program is to educate boaters and lake users on the importance of wearing personal flotation devices. “Kids Don't Float” will meet this objective and will be implemented at several Mountain Island Lake access areas.</li> <li>• Commissioner Nixon provided background about the “Kids Don’t Float” program. It recently started on Lake Keowee (SC). The plan is to adopt the program “as is” and customize it for Mountain Island Lake.</li> <li>• Commissioner Nixon and Chairman Lanning are in the process of contacting MIL counties to get permission to use county parks and recreation, NC Wildlife Commission and law enforcement logos. Commissioner Nixon is working with Mr. Jolley to contract the building of boards – a centerpiece of the program.</li> <li>• Commissioner Nixon noted that she will ask for donations for the life jackets. However, if donations do not come in, she plans to come back to the MILMC to ask for funds to purchase life jackets. She will approach Doug Smith of Awards Express, and MIL resident, and ask about screen printing the MIL logo on the program life jackets. If the life jackets are donated,</li> </ul>

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	<p>a “donated by” line can be included.</p> <ul style="list-style-type: none"> <li>• Cost: \$500.00 for one (1) board (with life jackets hanging below).</li> <li>• A goal would be to get the board(s) printed before mid-May and get “Kids Don’t Float” program information added into the Friday take home packets of the three (3) schools closest to the lake.</li> <li>• One option for spreading the word about this program is to order trinkets such as imprintable floating key chains in the shape of a life jacket. They are \$0.99 apiece for 1,000+ (assuming ~3,000 would be ordered).</li> <li>• Another option is to order educational coloring books on boater safety for children. A coloring book option was identified for \$0.80 apiece.</li> <li>• Printing educational flyers is also an option.</li> </ul> <p><u>Commissioner Nixon made a motion to fund \$500.00 for three (3) boards that would be placed at Latta Plantation, Neck and Riverbend, for a total of \$1,500.00. Another \$1,000.00 is needed for printing and getting materials ready for kids’ take home packets (at minimum a flyer).</u></p> <ul style="list-style-type: none"> <li>• Chairman Lanning interjected about the possible press release and news coverage opportunities around this program. With planning now, it is possible to leverage boater safety week and the national loaner life jacket database to further publicize this program. She commented that this is a win-win, low hanging fruit opportunity, and that Duke Energy already has the program planned out – the MILMC just needs to provide funding to make it happen.</li> </ul> <p><u>Commissioner Campbell seconded Commissioner Nixon’s motion.</u></p> <ul style="list-style-type: none"> <li>• Commissioner Campbell asked about checking with lake-bordering counties about using parks and recreation logos. Chairman Lanning commented that permission has been granted from Lincoln County. Mr. Jolley was working with Mecklenburg County, and Commissioner Campbell offered assistance, if needed, with Gaston County. Lincoln County has committed to funding a small number of life jackets.</li> <li>• Ideally, there would be 12 life jackets per site x 3 sites = 36 life jackets. Type II life jackets come in three sizes: <ul style="list-style-type: none"> <li>○ 0-30 lbs</li> <li>○ 30-90 lbs</li> <li>○ 90+ lbs</li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li>• Adult life jackets are \$25 for 4 life jackets. Smaller sizes are \$8 - \$10 apiece. Chairman Lanning is having a harder time finding smaller life jackets.</li> <li>• Commissioner Campbell requested that the MILMC be sent an email including aforementioned details on sizes and cost. Commissioner Campbell noted that this would be a good thing to communicate to county commissioners and others. Secretary Treasurer Weyeneth asked for clarification on which logos are needed. County parks and recreation, MILMC, NC Wildlife, Duke Energy, and possibly area law enforcement. Commissioner Campbell will check with Chuck Moore.</li> <li>• Commissioner Roche asked about Commissioner Nixon’s motion and why the key chain trinkets were not included (too cost prohibitive?). Commissioner Nixon recommended, at a minimum, look at ordering the coloring books and trinkets.</li> <li>• Three closest schools are Mountain Island Elementary (~600 kids); Pinewood Elementary (~600 kids); Mountain Island Lake Charter School (~300) = ~1,500 kids. However, could extend the range and include other nearby schools.</li> <li>• Coloring books are \$0.80 a piece. Discussion about <i>Sidekicks</i> coloring book on boater safety that includes web module. If book is to be handed out, it would need to be approved by the school district(s). Officer Hord will check to see if GCPD has extra coloring books in storage.</li> <li>• Possible materials needed and possible associated costs: <ul style="list-style-type: none"> <li>○ 1,500 flyers x \$0.10 per page = \$150.00</li> <li>○ Floating key chains @ \$0.99 per x 1,500 students = \$1,485.00</li> <li>○ Coloring books @ \$0.80 per x 1,500 students = \$1,200.00</li> <li>○ 3 boards @ \$500 per = \$1,500.00</li> <li>○ Total: \$4,335.00</li> </ul> </li> </ul> <p>Commissioner Hudspeth noted that another option – to reach more students – is removing the key chains and then add another few schools (e.g., Mount Holly Elementary, Long Creek Elementary). Chairman Lanning added that another option could be to keep the additional schools and but also get something that officers could hand out to kids while patrolling on the lake. Officers Hord and Turner are amenable to this idea; it brings people <i>to</i> law enforcement while on the lake.</p> <p>Secretary Treasurer Weyeneth wants to see “more bang for the buck” – he would like to see more books and/or flyers in more schools, and maybe add key chains later. <u>Commissioner Nixon made a motion to fund \$1,500.00 for 3 boards and go into 6 area schools –</u></p>

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	<p>Long Creek Elementary, Mount Holly Elementary, Pinewood Elementary, Mountain Island Elementary, River Oaks Academy, and possibly the Charter School. 5 elementary schools with ~600 students apiece, plus ~300 students at the charter school = ~3,300 students. Need to print 3,500 flyers and obtain 3,500 coloring books. May need to purchase ~2,000 coloring books to add to what GCPD may already have on hand.</p> <ul style="list-style-type: none"> <li>○ 3,500 flyers x \$0.10 per page = \$350.00</li> <li>○ 2,000 coloring books x \$0.80 per = \$1,600.00</li> <li>○ 3 boards @ \$500.00 per = \$1,500.00</li> <li>○ Revised total: \$3,450.00</li> </ul> <p>Commissioner Roche suggested that Commissioner Nixon restate the motion to say “...up to \$4,000...” so to hopefully negate having to come back before the MILMC to request additional funding.</p> <p><u>Commissioner Nixon amended her motion to allocate up to \$4,000.00 for implementation of the “Kids Don’t Float” Loaner Life Jacket program, as described. Secretary Treasurer Weyeneth seconded the motion.</u></p> <ul style="list-style-type: none"> <li>• Commissioner Campbell mentioned running something on Gaston County Channel 16 on the “Kids Don’t Float” program. The commissioners agreed that this was a great idea.</li> </ul> <p><u>The motion was approved unanimously.</u></p> <p><u>A motion was made to grant permission to Chairman Lanning and Commissioner Nixon to approach the two county school systems in order to get “Kids Don’t Float” Loaner Life Jacket program information into schools. Secretary Treasurer Weyeneth seconded the motion and it was approved unanimously.</u></p>
<p><b>Chairman’s Report</b></p>	<p>Chairman Lanning provided the monthly Chairman’s Report.</p> <ul style="list-style-type: none"> <li>• A presentation was made to the Gaston County Commissioners on March 28, 2013. Chairman Lanning thanked Commissioners Campbell and Nixon for accompanying her. The Gaston County Commissioners were attentive and had many comments concerning the Lake Management Plan and their expectations of the MILMC. They were vocal about the lawsuit</li> </ul>



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	<p>against Duke Energy. We have a long way to go to improve our image with this commission and need to keep that in mind when pursuing new initiatives. Discussion ensued about how to continue to express the MILMC's value to Gaston County Commissioners and develop the relationship between these groups and individuals in a proactive, intentional manner. Secretary Treasurer Weyeneth recommended that Commissioner Nixon speak with Gaston County Manager Jan Winters.</p> <ul style="list-style-type: none"> <li>• Chairman Lanning received the free boating supplies which we ordered and given to Commissioner Nixon.</li> <li>• The QNRC meeting scheduled for 4/4 has been cancelled.</li> <li>• Reminder that Duke Energy will be meeting with the Gaston County Commissioners on April 11. Commissioner Campbell provided hard copy maps to the meeting to the group, and will email the agenda to group. Mecklenburg County should be the same dialogue with Duke Energy. Commissioner Roche agreed to arrange for that to happen.</li> </ul>
<b>Committee Reports</b>	<ul style="list-style-type: none"> <li>• Buoys – Commissioner Hudspeth’s report was emailed to the group in advance of the meeting. He added that they partnered with Parks and Rec to install four (4) new buoys in North Latta Cove. Meeting with Commissioner Nixon and Scott Jolley and Kermitt Taylor next week to review No Wake Zone plan, and also sharing the plan with law enforcement. Commissioner Hudspeth will ask about whether or not Parks and Rec needs to be reimbursed for gas used while on the lake doing MILMC work.</li> <li>• Communications – Commissioner Roche’s report was emailed to the group in advance of the meeting. Additional tasks have emerged out of this meeting, particularly related to the “Kids Don’t Float” program.</li> <li>• Shoreline Protection (Commissioner Morgan) – Nothing to report at this time.</li> <li>• Watershed/Water Quality (Commissioner Campbell) – Nothing to report at this time.</li> <li>• Public Safety – Commissioner Nixon added that the Cook’s Memorial Church Men are holding 10<sup>th</sup> Annual Take a Kid Fishing Day on Saturday May 4 for kids from Barium Springs orphanage.</li> <li>• TAC (Commissioner Weyeneth) – Nothing to report at this time.</li> </ul>
<b>Executive Administrator’s Report</b>	<ul style="list-style-type: none"> <li>• Ms. Parker updated the group on the status of the 6-12”x18” pennant flags to be screen printed with the MILMC logo and ordered from Conder Flag Company. Ms. Parker will follow up with Conder Flag to get a proof ready to review. Once this proof is ready, Ms. Parker will share with Commissioner Roche. The goal would be to have the flags ready before mid-May.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Ms. Parker stated that each month she will prepare an Executive Administrator's activities report to share with the Commissioners. Executive Administrator reports from February and March 2013 are forthcoming.</li> </ul>
<b>Commission Counsel Report</b>	None.
<b>Public Comment (limited to 3 minutes)</b>	None.
<b>Commissioner Comments</b>	<ul style="list-style-type: none"> <li>• Commissioner Campbell – Happy to have Brian back.</li> <li>• Commissioner Roche – Happy to have Chris back and looking forward to working with him.</li> <li>• Commissioner Morgan – None.</li> <li>• Commissioner Hudspeth – Happy to have Chris back and looking forward to working with him.</li> <li>• Commission Nixon – None.</li> <li>• Secretary Treasurer Weyeneth – None.</li> <li>• Chairman Lanning – Good stuff tonight!</li> </ul>
<b>Adjournment</b>	The meeting was adjourned at 8:10 pm.
<b>Next Business Meeting Date and Location</b>	The next MILMC business meeting will be held on May 1, 2013 at 6:30 pm at the East Lincoln Fire Department (416 S. Pilot Road, Stanley, NC).

Emily Parker, Executive Administrator