

Mountain Island Lake Marine Commission Minutes

May 1, 2013 · 6:30 pm
 East Lincoln Fire Department
 Stanley, 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)
 Vacant (Mecklenburg County)

MILMC Staff Present: Emily Parker, Executive Administrator; Chris Clark, Legal Counsel

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Welcome & Introductions	Chairman Lanning called the meeting to order and welcomed everyone present.
Consideration of Agenda	<ul style="list-style-type: none"> • It was decided that Boater Safety Week would be discussed during the Committee Reports segment of the agenda. • There were no items for the Consent Agenda.
Approval of Meeting Minutes	Chairman Lanning asked if any changes needed to be made to the April 3, 2013 meeting minutes. Legal Counsel Chris Clark noted that he was actually present during the April meeting, while the minutes state that he was absent. <u>Chairman Lanning made a motion to approve the April minutes as corrected. Commissioner Nixon seconded the motion and it was approved unanimously.</u>
Public Comments	None.
Public Safety Reports	<ul style="list-style-type: none"> • Officer Turner of the Charlotte Mecklenburg Police Department reported that: <ul style="list-style-type: none"> ○ At Neck Road Boat Access, there were 4 zone checks and 4 citizen contacts. There was also 1 larceny from auto report (fingerprints obtained and warrants signed against suspect) and 1 attempted larceny from an auto reported. ○ At Latta Plantation Park, there were 5 zone checks and 15 citizen contacts. ○ There was a boating accident on April 13, 2013. NC Wildlife responded to the hospital to

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	<p>speaking with the boat operator. The smell of alcohol was apparent when officers investigated the boat. A blood sample was taken from the boat operator to be tested for alcohol concentration.</p> <ul style="list-style-type: none"> • Officer Hord of the Gaston County Police Department reported about sonar training that occurred in April. He also reported that the GCPD's new boat is in the process of being built. Courtesy of the GCPD, Officer Hord brought the MILMC ~1,000 free <i>SideKick</i> coloring books, stickers, and whistles. • Kermitt Taylor of Duke Energy reported. <ul style="list-style-type: none"> ○ 2 new dock permits were issued for the Stonewater subdivision. ○ Low Inflow Protocol remains in Stage 0. ○ Current lake level is 96.6.
Environmental Reports	<ul style="list-style-type: none"> • Heather Davis with Mecklenburg County LUESA provided the March 2013 report. On LUSI scores – every score is supporting plus and overall the scores are great. Ms. Davis had no further reports on fish advisories. Ms. Davis reported that in June she should have the bacteriological report for the MILMC to review. No lake monitoring occurred in April. Summer monitoring starts in May and additional sites for fecal coliform testing will be added. The two Riverbend sites were tested for metals in March, and no elevated levels were found. The Riverbend sites will be tested each month. More information about fish advisories is forthcoming. • Alice Battle provided the Lakekeepers Report via email before the meeting. Chairman Lanning highlighted the following sections of Ms. Battle's report: <ul style="list-style-type: none"> ○ Mecklenburg County Park and Recreation has a contract to purchase the ~4.5 acre mobile home park on MIL next to Highway 16. The contract stipulates that the owners must clear the mobile homes off of the lot prior to purchase. Mecklenburg County Park and Recreation has approached Rusty Rozzelle about establishing an historic site. The Rozzelle Ferry operated from this site before the bridge was built. ○ Mecklenburg County Park and Recreation are also in talks with the owners of the Hubie's Bubble Up site next to the Haymarket Nature Preserve. The Hubie's site is being considered for a canoe and kayak launch site. ○ Tom Waters has plans to develop the property on Horseshoe Bend Road that was once considered as the site for the Mountain Island Charter School. His development will consist of "high-end" homes. The development will include a water front parcel, which was not part of the school purchase.

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	<ul style="list-style-type: none"> ○ The great Secchi Dip-In is between June 29 and July 21. Measurements are to be taken on one day in that time frame and entered into the www.secchidipin.org web site. Mountain Island Lake is already listed (7364). Each individual must establish an ID and password in order to enter data. If people have data for the same time period last year, it can be entered. The quality of the water results need five years of measurement for measuring the change in water quality. Data from other times outside the Dip-in dates can also be entered. Commissioner Nixon noted that she would be happy to gather data during the Dip-in and that she would need to get a disk that holds existing data from a former MIL marine commissioner.
Finance Report	<p>Secretary Treasurer Weyeneth provided the finance report. He reviewed the balance sheet and how much funding has been received from the three counties. The MILMC has received 89% of the total budgeted revenue planned on through the end of March 2013. \$4,820.00 is left to be received from Mecklenburg County. Secretary Treasurer Weyeneth concluded his report and there were no questions from the commission.</p>
FY 13-14 Budget Discussion	<p>Secretary Treasurer Weyeneth reminded commissioners that last month he had asked commissioners to submit budget requests for different committees. He received budget request information from several commissioners, but the others are outstanding. At the 6/5 meeting, the commission must finalize the FY 13-14 MILMC budget so it can be adopted by the end of June. If you have not already done so, please submit your budget request information to Secretary Treasurer Weyeneth at your earliest convenience, and assume the same amount of money will be granted as in FY 12-13.</p> <p>Secretary Treasurer Weyeneth also announced that the commission has received a solicited bid to continue providing administrative/management services from Centralina COG, and has also received an unsolicited bid from Green Moose Consulting. Secretary Treasurer Weyeneth distributed hard copies of each bid to the group. Commissioner Roche asked if Secretary Treasurer Weyeneth knew who Green Moose Consulting is, and it was stated that Green Moose Consulting is owned by Edna Chirico. Chairman Lanning noted she also received an 'Options for Service' spreadsheet from Centralina COG. This spreadsheet will be distributed to commissioners via email. Secretary Treasurer Weyeneth suggested that before any discussion, commissioners should carefully read through and think about the proposals. The MILMC will discuss each proposal and possible options</p>

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	<p>at the June meeting. He noted that Green Moose Consulting had been in touch with Centralina COG.</p> <p>Commissioner Roche asked about the rules on putting a public hearing notice in the newspaper. The commission may want to budget for a couple of ads in the <i>Charlotte Observer</i>. Chairman Lanning asked about the <i>Charlotte Observer</i> being the only paper that an ad needs to go in. Legal Counsel Clark noted that he thinks the <i>Charlotte Observer</i> is considered a paper of record in all three counties. Commissioner Roche asked why and how it was decided that the <i>Charlotte Observer</i> was sufficient. Mr. Clark noted that he was not sure. Executive Administrator Emily Parker said she would check as to why the <i>Charlotte Observer</i> is the only paper that the public hearing notice must go in.</p>
Chairman's Report	<p>Chairman Lanning provided the monthly Chairman's Report. Chairman Lanning updated the group on Commissioner Morgan's status, having recently been removed from the MILMC by Mecklenburg County due to not meeting the County's attendance policy (must attend 75% of meetings). Mecklenburg County is not willing to move on their ruling. Commissioner Morgan could possibly be reappointed if a letter of appeal is submitted on her behalf from another member of the MILMC. However, Commissioner Morgan has decided to exercise her right to not seek reappointment. Thus, there is a Mecklenburg County position open on the MILMC. Chairman Lanning has asked Ms. Parker to order an acknowledgement of service award for Commissioner Morgan, if at all possible by the June meeting. The idea would be to invite Commissioner Morgan to the June meeting and formally thank her for her service to the MILMC.</p> <p>Secretary Treasurer Weyeneth asked a question about attendance rules (MILMC policy vs. different county policies) and which attendance rules are to be adhered to. Legal Counsel Clark asked if he could discuss bylaws, attendance policies, and other related matters. Mr. Clark noted that the MILMC attendance policy does run contrary to the Mecklenburg County attendance policy. Because of this contradiction, Mr. Clark proposed that the MILMC bylaws be amended. He suggested keeping the MILMC's current attendance policy as is, but adding in language that says the MILMC policy will apply or, the appointing county's attendance policy – whichever attendance policy is stricter. That way, if a county did not have an attendance policy, there would still be a policy – the MILMC's – in place. Mr. Clark then addressed the bylaws in general and suggested changes that he would recommend. Such as, in Section 2.2, it incorrectly refers to the first meeting of the fiscal year is in October – it should say July instead. There are points in the bylaws about voting being done by ballot. This is actually not true due to open meetings law – all votes must be taken by a show of</p>

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	<p>hands or voice vote. Mr. Clark would like to update the bylaws – including the attendance policy – and bring an updated version to the June meeting. He invited marine commissioners to review bylaws as well and provide any input.</p> <p>Chairman Lanning asked to think through scenarios about attendance policy. Commissioner Nixon said that attendance requirements for Gaston County are, except for medical reasons, that a commissioner can be removed if s/he misses 3 consecutive meetings or 60% annually. In this situation, Gaston County’s rules are less stringent than the MILMC’s bylaws. Chairman Lanning questioned the need to assign a number or percentage in the attendance paragraph of the MILMC bylaws. After brief discussion, Mr. Clark stated that the MILMC needs to decide if an attendance policy is important or not. The commissioners generally answered that yes, an attendance policy is important. If this is the case, Mr. Clark thinks that the attendance rules should be left in the bylaws. Vice Chairman Hudspeth spoke up in favor of leaving the MILMC attendance policy in, as it speaks to how the commission operates and the value placed on regular attendance at meetings. Commissioner Campbell said that commissioners should get any relevant information to Mr. Clark in advance of the June meeting so he can compile comments.</p> <p>Chairman Lanning noted that she had not yet sent letters of support for additional personnel to area law enforcement, as discussed at the April meeting.</p> <p>Chairman Lanning ordered 3,000 coloring books that will be distributed to area schools. The distribution process for coloring books and other items will be discussed further during Commissioner Nixon’s portion of the agenda. In order to get a discount on the books, it was decided that the MILMC should become a member of the National Safe Boating Council for \$50.00. By joining, ~\$600.00 was saved on the books. This savings allowed the purchase of 700 extra books. At the end of the day ~\$2,050.00 was spent on books, which is within budget, and 3,000 books were ordered.</p> <p>Chairman Lanning ordered 12 life jackets – 4 adult, 4 medium, and 4 small – from Amazon. Dick’s Sporting Goods sent Chairman Lanning a letter, a \$20.00 certificate to be used as a prize, and several community appreciation packages including coupons. It was decided that the \$20.00 from Dick’s will be used to purchase two (2) additional life jackets. Chairman Lanning also noted that she spoke with the schools and had been approved to distribute books.</p>

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<p>Committee Reports</p>	<ul style="list-style-type: none"> • Buoy – Vice Chairman Hudspeth talked about use of Latta’s boat and reimbursement for fuel. A Latta representative said for work on the buoys, no reimbursement for fuel is needed. If use of Latta’s boat increases, then perhaps reimbursement could be discussed. Vice Chairman Hudspeth noted the importance of having a presence on MIL. He brought up ordering more reflective vests. Another idea is to order inflatable life jackets like what law enforcement wears. These inflatable vests cost between \$60.00 - \$300.00 apiece. A mid-range inflatable vest costs between \$100.00 - \$150.00. <p>A motion was made by Vice Chairman Hudspeth to purchase self-inflating life jackets to include the MILMC logo, instead of ordering more reflective vests. The motion was seconded by Secretary Treasurer Weyeneth. Commissioner Roche noted that there is unspent money in the budget that could be considered for purchasing life jackets. There is a good amount of money in the public information line item (items like brochures and booklets could come out of the public information budget). Purchase of life jackets could come out of the Safety line item. Chairman Lanning noted that according to Amazon, the self-inflating life jacket in question sells for \$149.00 apiece. Commissioner Nixon said to please buy multiple sizes. Vice Chairman Hudspeth says buying 2 or 4 of these life jackets. Chairman Lanning was not sure about spending hundreds of dollars on these life jackets. Vice Chairman Hudspeth noted that when marine commissioners do perform buoy work on the lake, they oftentimes lean over the side of a boat. Chairman Lanning was more inclined to support the purchase of reflective vests and was not inclined to support the purchase of inflatable life jackets, and that a commissioner should supply their own if they want this kind of inflatable vest. Commissioner Roche is in favor of the inflatable jackets, as work being done installing buoys involves leaning over the side of a boat. Secretary Treasurer Weyeneth withdrew his second of the motion.</p> <p>Vice Chairman Hudspeth amended his motion to specify purchasing two (2) inflatable life jackets including the MILMC logo. No second was given and the motion died. <u>A motion was made by Commissioner Roche to replace reflective vests with the vests saying ‘Mountain Island Lake Marine Commission’ and order them in multiple sizes. Commissioner Nixon seconded the motion. It was noted that it is customary for reflective vests to be passed down from commissioner to commissioner. The motion was approved unanimously.</u> Chairman Lanning asked Ms. Parker to get a quote to order more vests and check on getting them screen printed.</p>

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	<p>Commissioner Nixon and Vice Chairman Hudspeth met with Duke Energy’s Kermitt Taylor and Scott Jolley to solicit Duke Energy’s support with the enactment of a 150’ no wake buffer and placement of MILMC no wake zones into NC Administrative Code. The commissioners presented a review of existing MILMC no wake zones. Mr. Jolley indicated that Duke Energy would support the 150’ no wake buffer because this would provide consistency with the no wake buffer on Lake Norman and Lake Wylie. Mr. Jolley offered to set up a meeting with NCWRC engineering staff to review the MILMC’s no wake/buffer goals and to enlist support. This meeting will also provide an opportunity to discuss possible fixed markers for shallow water areas near McDowell Creek. The next step is for Duke Energy to set up the meeting with NCWRC. However, due to busy spring schedules, there is no word yet as to when this meeting will occur.</p> <p>Vice Chairman Hudspeth received an update from Kevin Metcalf with Mecklenburg County Park and Recreation that starting on May 19 citizens will be able to rent canoes on MIL at Latta. He also noted that an ADA accessible launch ramp will be open to the public at North Latta Cove for kayaks and canoes.</p> <ul style="list-style-type: none"> • Communications – Commissioner Roche reported that she has been working on getting the <i>Mountain Island Monitor</i> to cover litter campaign information and other initiatives. She has spoken with the <i>MIM</i> editor about a new safety initiative in May (Boater Safety Week). Commissioner Roche will follow up with the editor soon. She also spoke with <i>Charlotte Observer</i> writer Bruce Henderson. It is worth noting that the other marine commissions are putting out boater safety publicity as well. In order to increase chances of being covered, it is important to have messaging ready first. • Shoreline Protection (Commissioner Morgan) – Nothing to report at this time. • Watershed/Water Quality – Commissioner Campbell distributed his report from the Bi-State Commission before the meeting. He noted that there were no North Carolina representatives at the meeting as they were still in session. Thus, there was minimal reporting on North Carolina-specific activities or issues. The next meeting will hopefully be held in September or October and reports related to North Carolina can resume. Chairman Lanning asked about the whether the Catawba River being on the endangered rivers list was addressed.

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	<p>Apparently the Catawba River is on endangered rivers list every year. It was noted that Rick Gaskins was scheduled to make a presentation to the QNRC on May 2 at the Citizens Resource Center at 7:00 pm. Secretary Treasurer Weyeneth will attend the QNRC meeting.</p> <ul style="list-style-type: none"> Public Safety – Commissioner Nixon reported on Boater Safety Week (May 17–May 24; Friday to Friday). She has been working with Mr. Jolley from Duke Energy. He has ordered the kiosk and Commissioner Nixon has ordered the metal signs for the kiosk. She is talking with people about donating screen printing for the life jackets. The life jackets could say, <i>Mountain Island Lake Marine Commission</i> or if donated, <i>Mountain Island Lake Marine Commission donated by...</i> The screen printing company can be acknowledged in the press release. Commissioner Nixon spoke with Mr. Jolley about the press release on the program. Commissioner Roche asked if Commissioner Nixon can forward her the press release. <p>The coloring books for area schools arrived, but before being distributed, they need to be stamped (or labeled) with the MILMC logo. The flyers can be printed for \$0.09 by Kinko's. Commissioner Nixon noted that we have permission to use logos from the MILMC, Duke Energy, and the NCWRC via Duke Energy. Gaston County denied the use of their logo. Lincoln County would like their logo to be used and, they would like to provide some funding for life jackets. The Mecklenburg County Park and Recreation's logo may not be included, due to timing issues around gaining permission to use it. Ms. Parker will send the MILMC logo to SignHere. Commissioner Nixon is not sure that all three kiosks will be ready by May 17, the start of Boater Safety Week. However, one kiosk at Riverbend will be the target by May 17. There was discussion about what date during Boater Safety Week should be targeted for TV cameras and other publicity. Commissioner Nixon asked about other things could be done on the day that TV cameras are on site. Officer Hord noted that in the past, TV cameras would get on a law enforcement boat with a marine commissioner and ride around the lake, shooting footage. He added that Channel 9 (WSOC) usually comes out. It was suggested that Saturday, May 18 might be best day. Commissioner Roche suggested talking about scheduling offline so officers can check their schedules. Secretary Treasurer Weyeneth noted that there is a NASCAR race and Race Week during Boater Safety Week. He suggested just picking a date and proceeding with it.</p>

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	<p>Secretary Treasurer Weyeneth mentioned the quote requested from Sir Speedy for stickers in various diameters, in black and white and color, in quantities of 3,000 and 5,000. The cost range was between \$89 – \$309, depending on size and color or black and white. He added that Chairman Lanning suggested getting adhesive labels and then printing the MILMC logo on to the labels. Using a copier would be the more economical option. Commissioner Roche asked how many more life jackets would be needed once all three kiosks are in place, and the answer was 24. Commissioner Nixon added that she approached Wal-Mart about providing life jackets but was asked to come back. She planned to approach Awards Express later in the week to see if they would like to purchase life jackets. Erma Dean Hoyle with Lincoln County said they could contribute at least two life jackets and possibly the difference, depending on what the difference is.</p> <p>There was a brief review of how many life jackets are needed for each kiosk and how much the different sizes cost. Commissioner Roche questioned why the commission continues to go back and forth about a few hundred dollars for the purchase of life jackets when there are unspent funds in the budget that could be used to buy them. Chairman Lanning answered that she did not disagree, but was hoping that the community would get involved and buy into the program. Vice Chairman Hudspeth suggested that perhaps the commission should go ahead and use budgeted funds to purchase life jackets. Secretary Treasurer Weyeneth reviewed what funds were moved in April to keep legal retainer through June 30. He listed what remains in different line items:</p> <p style="padding-left: 40px;">\$1,050.50 in Mapping \$1,300.00 in Public Information \$800.00 in Litter Prevention \$5,250.00 in Safety Markers, Buoys, and Hardware</p> <p>Approximately \$500.00 will be spent out of the Public Relations line item to put the legal notice in the <i>Charlotte Observer</i>. Ms. Parker said she would look up the cost of putting the legal notice in the <i>Charlotte Observer</i>. The remaining life jackets would cost ~\$256.00. <u>A motion was made by Commissioner Roche to take funds from MILMC budget, as directed by Secretary Treasurer Weyeneth, to purchase remaining life jackets for the loaner life jacket program. The motion was seconded by Vice Chairman Hudspeth. Chairman Lanning, Vice</u></p>

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	<p><u>Chairman Hudspeth, Secretary Treasure Weyeneth, and Commissioner Roche voted in favor of the motion and the motion carried.</u> Commissioner Nixon will order the remaining life jackets. She will follow up with Mr. Jolley about the kiosk. The coloring books need to have MILMC labels affixed. It was decided that this would be done in phases. Chairman Lanning received approval in three schools thus far, totaling 1,580 students. So, 1,580 labels need to be put on 1,580 books in the first phase. Commissioner Nixon can get the labels printed when she goes to Kinko's to get the flyers printed. A box of 2"x3" labels would suffice. Chairman Lanning will prepare the template and send it to Commissioner Nixon.</p> <ul style="list-style-type: none"> • Technical Advisory Committee (TAC) – Secretary Treasurer Weyeneth did not have a report, but Craig Wyant noted that he will have more to report at the June meeting. Mr. Wyant is to send Secretary Treasurer Weyeneth the contact information of the student who was to present at previous meeting.
Executive Administrator's Report	<ul style="list-style-type: none"> • Ms. Parker updated the group that the 6-12"x18" pennant flags screen printed with the MILMC logo from Conder Flag Company had arrived. She stated that each month she will prepare an Executive Administrator's activities report to share with the commissioners. The Executive Administrator report from April 2013 is forthcoming.
Legal Counsel Report	None.
Public Comment (limited to 3 minutes)	None.
Commissioner Comments	<ul style="list-style-type: none"> • Commissioner Campbell – Correction: Commissioner Nixon also attended the Gaston County Commissioners meeting. • Commissioner Roche – None. • Commissioner Morgan – n/a • Vice Chairman Hudspeth – None. • Commissioner Nixon – Are we going to replace Commissioner Morgan on Shoreline Protection? Chairman Lanning noted that she would fill in on this committee. Commissioner Roche said that she could also help with Shoreline Protection efforts. Chairman Lanning will bring Adopt-A-Highway literature to the June meeting for consideration and it will be added to the June agenda. • Secretary Treasurer Weyeneth – None.

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	<ul style="list-style-type: none"> Chairman Lanning – Thanked everyone for attending the meeting. Legal Counsel Clark added clarification, per the enabling legislation, about legal notice for public hearing and how it relates to the <i>Charlotte Observer</i>. The enabling legislation says that a public hearing has to be noticed in “a newspaper of general circulation in the three counties.” Legal Counsel Clark thinks that the <i>Charlotte Observer</i> is the only newspaper that qualifies under this definition, which is why the MILMC uses it for publishing public hearing notices.
Adjournment	The meeting was adjourned at 8:11 pm.
Next Business Meeting Date and Location	The next MILMC business meeting will be held on June 5, 2013 at 6:30 pm at the Charlotte Mecklenburg Utilities Department (5100 Brookshire Boulevard, Charlotte, North Carolina).

Emily Parker, Executive Administrator