

Mountain Island Lake Marine Commission Minutes

August 7, 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)
Commissioner Daniel DuVall (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 at 6:30 pm and welcomed everyone present. The marine commissioners introduced themselves.
Consideration of Agenda	Commissioner Campbell wanted to add an item to the agenda, but first he made the following comments: Earlier in the week he was contacted by someone outside of the MILMC regarding a meeting that was to take place in Raleigh on August 13 between the NC Wildlife Resources Commission (NCWRC), Duke Energy, and members of the MILMC. He was informed that MILMC representatives were going to request that a 150' no wake zone for the whole lake be added to the NC Administrative Code. Commissioner Campbell stated that the marine commission as a whole did not discuss or take a vote to authorize anyone on the commission to discuss this with NCWRC and/or Duke Energy. He commented that some commissioners did not know this meeting was scheduled to occur. Commissioner Campbell went on to say that because this action was pursued by some of the marine commissioners, it appears that the rule of the full vote of the commission was disobeyed and, it may have resurrected the Mountain Island Lake Management Plan (LMP) that was "put aside" last year. In Commissioner Campbell's opinion, by proceeding with this meeting in Raleigh and resurrecting the LMP, a violation was made against the MILMC's counties, cities, and partners to continue the LMP without advising the counties, cities, partners, and full MILMC. Commissioner Campbell requested that the proposed 150' no wake zone discussion be added to the agenda. Commissioner Roche stated that the August 13 meeting with NCWRC and Duke Energy is

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	<p>the very meeting that Commissioner Campbell has been urging the MILMC to have for approximately 2 years. Commissioner Campbell stated that that does not have anything to do with his request, because the MILMC did not vote to send representatives to Raleigh. Commissioner DuVall suggested that this item go under the Buoys Committee section of the agenda.</p> <p>Vice Chairman Hudspeth also wanted to add an item to the agenda. He proposed that the MILMC submit a recommendation to NC Department of Environment and Natural Resources (NCDENR) regarding the proposed Duke Energy–NCDENR coal ash settlement. This item was added under the Commissioner Comments section.</p> <p><u>A motion was made by Secretary Treasurer Weyeneth to approve the August 7 agenda as amended. Commissioner Nixon seconded the motion and it was approved unanimously.</u></p> <p>There were no items for the Consent Agenda.</p>
<p>Approval of Meeting Minutes</p>	<ul style="list-style-type: none"> Chairman Lanning asked if any changes needed to be made to the July 3, 2013 meeting minutes. Commissioner Campbell said that he made comments at the July meeting that were not reflected in the July 3 minutes, and those comments should be added. He restated that he would talk to Gaston County and Mt. Holly when Mr. Tom Waters, Bechtler property developer, submits the application to Mt. Holly to rezone the property. Commissioner Campbell would keep the MILMC up to date on the process. <u>Commissioner DuVall made a motion to accept the July 3 minutes, including changes outlined by Commissioner Campbell. The motion was seconded by Secretary Treasurer Weyeneth and approved unanimously.</u>
<p>Public Comments (3 minutes per person)</p>	<ul style="list-style-type: none"> Mr. James Lee thanked the MILMC for re-installing the hazard buoy near his property. Mr. Lee then asked about “personal orange buoys” that some lake residents have in front of their docks. He asked if there is a limit on how many of these buoys someone can have in the water, how far they can go out into the lake, and so on. This topic will be addressed further at the September MILMC meeting.
<p>Public Safety Reports</p>	<ul style="list-style-type: none"> Officer Turner of the Charlotte Mecklenburg Police Department reported that the CMPD had 41 calls for service, conducted 15 boats inspections, issued 2 warnings and 7 citations, assisted 2 boaters, had 1 incident of boating while impaired, and 1 medical situation. Commissioner DuVall inquired about the medical issue. Officer Turner said that it was a sprained ankle that possibly occurred at Neck Road Access ramp. That area falls under NCWRC’s domain.

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	<ul style="list-style-type: none"> • Officer Hord of the Gaston County Police Department was not present at the meeting. GCPD will send their report to Ms. Parker. • Kermitt Taylor of Duke Energy reported: <ul style="list-style-type: none"> ○ Current lake level was 97.0 ○ Low Inflow drought stage – Normal ○ Lakes above MIL are full and more rain is forecasted. Please watch the weather over the weekend. ○ 1 pier permit was issued in the Mountain Point subdivision.
Environmental Reports	<p>Alice Battle provided the Covekeepers Report.</p> <ul style="list-style-type: none"> • There was no regular meeting in August, but there were two big events: <ul style="list-style-type: none"> ○ The first was the press conference on the coal ash ponds at the Riverbend access on Tuesday, July 23. Bobby Kennedy was the main speaker. In addition, Eric Schaeffer, Executive Director of the Environmental Integrity Project, and Mary Anne Hitt, Sierra Club’s Beyond Coal Campaign Director, gave compelling testimonies for the elimination of the coal ash ponds on Mountain Island Lake. All speakers said that a grass roots movement was needed to press this issue forward. The Mountain Island Covekeepers provided transportation to the seepage site. ○ The next event was the fund raiser and annual meeting at Freedom Park on Saturday, August 23. All the ducks were sold and 20 prizes were awarded. • The Catawba Riverkeeper Foundation and Clean Air Carolina are looking for office space to share. • The annual medicine drop will take place at the end of October (possibly October 26). Last year 4,000 pounds of drugs were collected. Mecklenburg County does not have year round drop boxes at police stations. • The Catawba River is number 5 on the 2013 Most Endangered Rivers list. There are 5 power plants in a 37 mile span. The coal ash ponds were impounded in the 1950s. Charlotte Mecklenburg Utilities Department is 1.5 miles from the out take point. • Concentrated Animal Feeding Operation (CAFO) – There are 600 poultry houses in the basin. Many leave the waste uncovered for more than 15 days. • Fish will be tested for PCBs at the end of the summer. • Mr. Tom Waters will be the guest speaker at the August 19 Covekeepers meeting at Cook’s Presbyterian Church on Mt. Holly-Huntersville Road at 7:00 pm. He will present plans for the development of the Bechtler property. It is an open meeting; all are invited to attend.

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	<p>Heather Davis with Mecklenburg County LUESA reported that monitoring was conducted in mid-July. She shared a bacteriological (fecal coliform) results map. Most results were under the NC standard – good results overall. In addition, Ms. Davis explained the map of MIL that shows where Riverbend monitoring is conducted, as well as a graph that shows arsenic levels at monitoring sites near Riverbend since 2009. Ms. Davis thought the MILMC would be interested in seeing the map and graph. Commissioner Roche had a question about why some results were so far above the NC standard. Ms. Davis responded that all levels that exceeded the NC standard were reported to Division of Water Quality and no action had been taken by DWQ thus far. Chairman Lanning commented that the chart was helpful.</p>
<p>An Update on Emergency Management in Gaston County</p>	<p>Mr. Tommy Almond, Gaston County Emergency Management Director, spoke to the MILMC and those present about the scope and responsibilities of Gaston County’s Emergency Management (GCEM) office. The main purposes of the GCEM office are to prepare for, respond to, and recover from both natural and man-made disasters, including acts of terrorism. GCEM will partner with neighboring counties and other EM departments all over the State. GCEM coordinates responses and resources for natural (e.g., sandbags for Cramerton) and man-made incidents. GCEM does not take command of incidents; they serve in a supporting, coordinating capacity. GCEM will get emails ahead of time from Duke Energy and the National Weather Service. As GCEM receives information, they forward it on to other response agencies. Mr. Almond monitors the news media to be aware of any possible conflicting weather and related reports. Commissioner Roche asked about the best way for Duke Energy to notify lake front home owners of coming high water. Duke Energy says that county EM handles that notification, not Duke Energy. Whose responsibility is it? Mr. Almond stated that there is a plan in place for certain emergency scenarios. For example, if GCEM gets a call that a dam going to breach, there is a plan in place to handle that situation. However, if Duke Energy makes a controlled release over several hours, they do not necessarily tell the public ahead of time (emergency breach vs. controlled release). However, the existing notification system has limitations. Commissioner Campbell asked Mr. Almond what the best method is for better communication going forward. One ongoing challenge is that as the population increases, the number of land lines decrease and the number of cell phones increase.</p> <p>Mr. Almond stated that one inch of water off of Lake Norman can equal ~one foot of water on Mountain Island Lake. He mentioned this to illustrate the delicate balance between the lakes and keeping water flowing between them. Mr. Ron Smith (Gaston County) commented that FEMA</p>

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	<p>expects a potential flood elevation of 109' for Mountain Island Lake. Therefore, lake residents could expect to deal with 9' over full pond. Chairman Lanning mentioned Florida's advanced communication system where notices and warnings are delivered via cell phone.</p> <p>Commissioner DuVall asked Kermitt Taylor about the accuracy of lake levels reported on Duke Energy's website. Mr. Taylor stated that they update the lake level reports every 20 minutes. Commissioner DuVall went on to say that it is a good idea to check the levels of the lakes above MIL. He suggested that people familiarize themselves with Duke Energy's webpage on lake levels (found here www.duke-energy.com/lakes/levels.asp). Mr. Almond suggested checking the USGS Real Time Water Data for Catawba Watershed (found here http://nc.water.usgs.gov/realtime/real_time_catawba.html). Commissioner DuVall reiterated that people should check the site(s) to be better prepared for possible high water events. Mr. Almond concluded by saying to let him know if there is any way that GCEM can be of assistance.</p>
<p>Update on Huntersville's New Storm Water Ordinance</p>	<p>Mr. Rusty Rozzelle, Mecklenburg County Water Quality Program Manager, presented "Update on Huntersville's Post-Construction Ordinance Adopted in 2003." Ms. Parker will send Mr. Rozzelle's presentation to the marine commissioners after the meeting.</p>
<p>5 Minute Recess</p>	<p>Chairman Lanning called for a 5 minute recess.</p>
<p>Presentation on the proposed Bechtler Property Development</p>	<p>Mr. Tom Waters of Provident Development Group, Inc. spoke to the MILMC and those present about the proposed development of the Bechtler property. The following are the main points from his presentation:</p> <ul style="list-style-type: none"> • Mr. Waters gave an overview of the property and what the development could entail. • Mr. Ron Smith (Gaston County) added that this property is part of what Mt. Holly annexed in 2000, effective date – June 2014. Provident will likely deal more with Mt. Holly than with Gaston County on zoning issues. • The proposed development is planned to be a walkable community of ~380 single family home sites. • Most of the proposed homes on the water are 120' wide. There are ~3 miles of water front property. In coordination with Duke Energy, they have identified the habitat-sensitive areas on the property. The property is being surveyed now. Mr. Bechtler wants to be a good steward of the land. • There will be areas designated for trail systems. A 10 year period would likely be needed to

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	<p>absorb home sites. The intention is to not develop the whole site at one time. There would be ~8 phases of development over 10 years.</p> <ul style="list-style-type: none"> • The plan is to have a 100' buffer between homes and the lake shore. Provident is planning for 24% impervious cover, meaning that no more than 24% of the site will be covered with impervious surfaces (e.g., asphalt). • Mr. Waters talked about different measures to keep sediment out of the lake. Provident will apply to FERC via Duke Energy regarding possible community dock areas. • Docks can go no further than 120' into the lake. Boaters could be forced into the very shallow area. Provident will do an assessment of shallow areas in the lake. • Mr. Waters reminded the group that this is a concept plan, meaning that this site has not yet been fully engineered. • They are planning several access points for folks to view the lake. • They will likely need to do road widenings/improvements. This will be a pump station community. • Provident wants to work with Mt. Holly to include environmentally friendly design features. • Mr. Waters invited questions from the MILMC and those present: <ul style="list-style-type: none"> ○ Commissioner Nixon asked how many water front homes are proposed. Mr. Waters stated 64-65. ○ How many additional boat slips do you anticipate? Mr. Waters guessed that there could be 88 slips. There also may be a partially gated section in the development. ○ Secretary Treasurer Weyeneth asked if there is any excess land with the development. Mr. Waters said no, there is not. He also asked about the current zoning. It is R1 (Gaston County zoning code). Provident will seek a re-zoning to MX-2 (Mt. Holly zoning code). Secretary Treasurer Weyeneth asked if there is any chance of commercial development. The answer was no. He then asked about price points for the homes. Mr. Waters said that was hard to say at the present time, but perhaps \$200,000+ for a lot/parcel only. ○ Chairman Lanning asked if Mr. Bechtler will remain on the property. Mr. Waters said perhaps. The development will likely be built around him. ○ Commissioner Campbell asked when Mr. Waters anticipated submitting the application to Mt. Holly. Mr. Waters said possibly in late September or October. Commissioner Campbell asked Mr. Waters to keep the Watershed/Water Quality Committee and the MILMC informed. ○ Commissioner DuVall confirmed that at this point, this development is a concept. He went on to confirm that once the application is approved by Mt. Holly, then Mr. Waters has the

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	<p>authority to move dirt on the site. Mr. Waters said that it could possibly be ~14 months before that happens. Vice Chairman Hudspeth asked if Mr. Waters could share the slide of the proposed development. Yes, he could share this slide. Ms. Parker will send it to the MILMC. Chairman Lanning asked Mr. Waters about the option of including additional amenities for law enforcement. He stated that this idea is still being considered.</p>
Finance Report	<p>Secretary Treasurer Weyeneth reviewed the finance report. The MILMC wrapped up the end of the fiscal year on June 30. <u>Secretary Treasurer Weyeneth made a motion that the marine commission move \$7,500.00 from the SunTrust checking account to the NCCMT savings account for future expenses, as needed. Commissioner Roche seconded the motion. Discussion: Commissioner DuVall asked a clarifying question about this transfer and asked about the NCCMT savings account. The vote was taken and the motion was approved unanimously.</u> Commissioner Roche stated that she is troubled that year after year, the MILMC has a large cash balance, yet the MILMC says we do not have enough money. It was decided that this topic and the question, ‘why are we not spending our budget?’ will be discussed at the September meeting.</p>
Audit Update	<p>Chairman Lanning prompted discussion about the audit situation.</p> <ul style="list-style-type: none"> • Paying the auditor: Secretary Treasurer Weyeneth advised that the MILMC should pay the auditor for the FY11-12 audit and proceed. <u>Secretary Treasurer Weyeneth made a motion to spend the money budgeted for the audit to pay the auditor for work that was completed. Commissioner Nixon seconded the motion and it was approved unanimously.</u> • Selecting an auditor to conduct the FY12-13 audit: The MILMC needs to secure an auditor no later than October 1. Commissioner DuVall commented that there are two different kinds of audits – one that is the absolute truth and one that is an estimate (less expensive). The MILMC needs an audit that is an estimate. Commissioner DuVall’s recommendation is that Secretary Treasurer Weyeneth and Centralina COG staff get together on this issue and decide on a suitable auditor. Legal Counsel Chris Clark thought that the Local Government Commission (LGC) prescribed what kind of audit the MILMC has to have. Commissioner DuVall recalled that the MILMC used to pay ~\$6,200.00 for an estimate audit. <u>A motion was made by Commissioner DuVall to request that Chairman Lanning create an ad hoc committee comprised of Secretary Treasurer Weyeneth and Centralina COG staff to select the auditor with an increased audit budget of up to \$5,000.00. Commissioner Campbell seconded the motion. Discussion: Commissioner Campbell asked the Secretary Treasurer if \$5,000.00 is unreasonable. He answered, no, it is not unreasonable. It was clarified that there are no</u>

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	<p><u>restrictions on using the current auditor. The vote was taken and approved unanimously.</u></p>
<p>Chairman's Report</p>	<p>Chairman Lanning opted to forgo the monthly Chairman's Report.</p>
<p>Committee Reports</p>	<ul style="list-style-type: none"> • Buoy – Vice Chairman Hudspeth provided the Buoy Committee update: <p>Vice Chairman Hudspeth replaced the danger buoy at Lakehaven Road Point (near Mr. Lee's property). Commissioner DuVall commented that installing buoys is hard, dangerous work. Vice Chairman Hudspeth went on to say that several buoys and related hardware need to be replaced, repositioned, repaired, and/or reinstalled. He also researched the buoy maintenance agreement as recorded in the October 1, 2008 MILMC meeting minutes: "A motion was made by Secretary Treasurer Danzi to approve the existing danger buoy in this cove and to be a shared expense (homeowners-buoy, MILMC-equipment) for any replacement buoys. Seconded by Commissioner Eldridge. The motion was approved." Vice Chairman Hudspeth said that MILMC will send an invoice to Mr. Lee.</p> <p>Vice Chairman Hudspeth brought up Mr. Makres' buoy maintenance contract. The Buoy Committee worked with Legal Counsel Clark to prepare a contract for buoy maintenance assistance and a best practices document. The contract includes a yearly minimum compensation amount of \$2,600.00 to allow the contractor to recoup his liability insurance expense. The current buoy maintenance work will require all or most of the minimum expense with additional buoy maintenance to be required for the remainder of the year. <u>Vice Chairman Hudspeth made a motion to move forward with the buoy maintenance contract that includes minimum compensation of \$2,600.00 per year. Commissioner Roche seconded the motion. Discussion: Commissioner Campbell had three questions on the contract. Each question was answered satisfactorily. A vote was taken and the motion was approved unanimously.</u></p> <p><i>Agenda Addition: 150' No Wake Zone issue.</i> Vice Chairman Hudspeth addressed the upcoming meeting with NCWRC and Duke Energy. He provided background information on this situation, including the proposed 150' no wake zone. Vice Chairman Hudspeth reported that two weeks ago, Scott Jolly (Duke Energy) called about setting up a meeting with NCWRC in Raleigh. Since then, the Buoy Committee and Chairman Lanning have been busy researching the current no wake zones, and looking at possibility of a 100' and 150' buffer. They want to</p>

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	<p>meet with Duke Energy and NCWRC to review MILMC's goals regarding no wake zones and buffers and to identify paths for achieving these goals. In preparation for this meeting, Chairman Lanning and the Buoy Committee reviewed existing MILMC no wake zones and buoys, created a map showing the proposed 150' no wake buffer, and prepared meeting goals and a proposed meeting agenda. Once reviewed by the MILMC, the proposed meeting agenda would be submitted to Duke Energy.</p> <p>Commissioner Nixon referenced Commissioner Campbell's comment earlier in the meeting about the full MILMC not knowing about the potential for the meeting with Duke Energy, NCWRC, and MILMC. She referred to the May 20, 2013 MILMC meeting minutes (see top of page 7; also excerpted below) where it specifically references a meeting with Duke Energy and a desired meeting with Duke Energy and NCWRC. This is the excerpt from the May 20 minutes:</p> <p><i>"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."</i></p> <p>Vice Chairman Hudspeth outlined the process moving forward. He saw no issue with transparency with regard to this process. This situation presents an opportunity for the MILMC to work together and promote cooperation as a marine commission. Commissioner Campbell clarified that the only reason he brought it up at the beginning of the meeting was that he does not want this situation to be misconstrued as anything coming out of the Lake Management Plan. Commissioner Roche asked how anyone would have made that connection. He said there are several people that are making that connection. Chairman Lanning called an end to not disclosing who has concerns and which people are making those</p>

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	<p>connections related to the Lake Management Plan. She said if there are people that the MILMC needs to talk to, then those conversations need to happen. Nothing has been done in the past several months that has not been completely transparent. Chairman Lanning requested that if Commissioner Campbell receives comments or complaints, that he share that information so the MILMC can address the issue(s) in an open, efficient manner. Commissioner Nixon commented that a Gaston County Commissioner contacted her and that she ended up clarifying the nature and intent of the Raleigh meeting, as the Gaston County Commissioner may have been misinformed. Commissioner Nixon said that she has committed to keeping that County Commissioner informed henceforth. Chairman Lanning reiterated that she is not going to micro-manage the MILMC's subcommittees. Commissioner DuVall added that as a marine commissioner he believes that it is his responsibility to act in the best interest of Mecklenburg County (or whichever county a commissioner represents) first. He continued that it is the marine commissioner's/committee member's duty to report committee status to the commission Chairman.</p> <p>Commissioner DuVall spoke about what had been done in the past, as far as trying to get items added to the NC Administrative Code. He commented that the 150' buffer conversation came up long before the Lake Management Plan. Commissioner DuVall's point was that the MILMC brought this – the 150' buffer conversation – up years ago and decided not to pursue it. Commissioner DuVall said that this has been going on for ~10 years. He confirmed with Officer Turner that there have only been ~2 incidents on the lake in the past years that having this kind of code in place in the NC Administrative Code would have helped the situation. It was reiterated that this situation does not have anything to do with the Lake Management Plan. Vice Chairman Hudspeth suggested that there may be misinformation related to Gaston County. Commissioner DuVall asked if there has been a document – “one final notice in time” – that states that the Lake Management Plan is dead. He thought that a letter should be signed by the MILMC officers and sent out to all county commissioners stating that the Lake Management Plan is no longer relevant/a non-issue.</p> <p>Legal Counsel Chris Clark weighed in with several points: In the response letter that NCWRC sent to MILMC, they were incorrect on the law in several places. It is up to the marine commission to decide how much to make of this. According to the enabling legislation, the marine commission has the authority to declare no wake zone zones and place no wake buoys. Whether law enforcement will write tickets and whether judges will hear them – that</p>

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	<p>is another conversation. It is possible that NCWRC is asking the MILMC to hold an excessive amount of public hearings that may have already been held. Mr. Clark added that rules have changed – there is now an emphasis on fiscal impact. He also commented on the Lake Wylie Marine Commission’s stance on no wake zones. The LWMC is essentially out of the no wake zone business. They usually pass along no wake zone requests to NCWRC, after due diligence/research. Boaters will choose – or not – to observe a no wake zone buoy.</p> <p>Vice Chairman Hudspeth requested feedback on proposed meeting goals and the proposed agenda. Commissioner Roche said that they are right on the mark. Officer Turner (GCPD) would provide input as needed.</p> <p><u>Proposed Meeting Goals</u></p> <ol style="list-style-type: none"> 1) Explore opportunities to enhance trust and foster improved working relationships with NCWRC and Duke Energy 2) Identify strategies to work together toward common goals (such as boating safety) 3) Review MILMC initiatives: <ul style="list-style-type: none"> • Add 150’ no wake zone buffer to NCAC • Add Neck Cove and Nance Cove no wake zones to NCAC • Update NCAC 10F .0353 to designate MILMC as suitable agency for placement and maintenance of markers (consistent with NCAC 10F .0333 for Lake Wylie). • Add MILMC contacts to NCWRC no wake zone website information 4) Determine if NCWRC and Duke will support these initiatives. 5) Identify paths and resources for achieving the supported initiatives <p><u>Proposed Agenda</u></p> <ol style="list-style-type: none"> 1) Introduction <ol style="list-style-type: none"> a. MILMC’s goal to partner with NCWRC and Duke Energy to promote safety on MIL b. Review existing MILMC no wake zones and buoys c. Review process for establishing no wake zones 2) Review NC no wake laws and enforcement 3) Review MILMC safety initiatives: <ol style="list-style-type: none"> a. Add 150’ no wake zone buffer to NCAC b. Add Neck Cove and Nance Cove no wake zones to NCAC c. Update NCAC 10F .0353 to designate MILMC as suitable agency for placement and

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	<p style="text-align: center;">maintenance of markers (consistent with NCAC 10F .0333 for Lake Wylie).</p> <p>d. Add MILMC contacts to NCWRC no wake zone website: http://www.ncwildlife.org/Boating/LawsSafety/NavigationWakeZoneInfo.aspx</p> <ol style="list-style-type: none"> 4) Determine how we can work together to support the above initiatives. 5) Identify timeline and tasks for accomplishing the initiatives. 6) Review potential impact of proposed Bechtler Property development on boating navigation and safety. <p>Commissioner Nixon added that Gaston County Commissioner Brown would like to remind the MILMC that this is a public lake. The MILMC should try to balance lake safety without being too restrictive. Secretary Treasurer Weyeneth stated the most important part of the Raleigh meeting goals is the section to “explore opportunities to enhance trust and foster improved working relationships.” <u>Secretary Treasurer Weyeneth made a motion that up to three members of the MILMC travel to Raleigh and meet with Duke Energy and NCWRC to enhance trust and foster improved working relationships with those two entities, to add Nance Cove and Neck Cove no wake zones to the NC Administrative Code, to learn from NCWRC and Duke Energy as to other initiatives and other laws that could be enforced by NCWRC and law enforcement on Mountain Island Lake. Commissioner Roche seconded the motion. There was no further discussion. The motion was approved unanimously.</u></p> <ul style="list-style-type: none"> • Communications – Commissioner Roche submitted her report before the meeting. • Shoreline Protection – Chairman Lanning followed up on Mecklenburg County’s Adopt-a-Cove program. She has requested calling Shaky Cove, Haymarket Cove instead. Mountain Island Lake Harbor Cove is sometimes called Whispering Cove. The MILMC may also need to suggest a name for Mountain Island Lake Cove 4. Chairman Lanning looked for support from the marine commissioners for the Adopt-a-Cove program. Mecklenburg County would likely look for the MILMC to adopt at least one cove. They would also like to align the roll out with Big Sweep (9/28/13). Chairman Lanning wants to begin building buy in from HOAs. At a later meeting, the MILMC can decide which cove to adopt. <u>A motion was made by Commissioner DuVall to support the Adopt-a-Cove program, to move forward with contacting Mecklenburg County, and to request that Chairman Lanning create an ad hoc committee to address naming coves. The motion was seconded by Secretary Treasurer Weyeneth and approved unanimously.</u> Chairman Lanning and Commissioner Roche will lead the cove

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	<p>naming subcommittee.</p> <ul style="list-style-type: none"> • Watershed/Water Quality – Commissioner Campbell commented that there were no issues or applications to report from any county or city at that time. • Public Safety – Commissioner Nixon emailed her report before the meeting. • Technical Advisory Committee (TAC) – Secretary Treasurer Weyeneth said that Mr. Craig Wyant submitted a TAC report/handout. Commissioner DuVall asked for an explanation of the TAC. Mr. Wyant helped answer the question. The TAC is a technical resource “Rolodex.” The MILMC would contact people on the TAC only when needed, on an ad hoc basis.
Executive Administrator’s Report	<ul style="list-style-type: none"> • Ms. Parker reminded those gathered that nominations for the Blue Fin Award are due at the end of August. Please email, mail, fax, or hand deliver nominations to Ms. Parker by the end of the month. She noted that payment (\$250.00) had been received from the Stonewater HOA for buoy-related expenses.
Public Comment (limited to 3 minutes)	<p>Alice Battle provided clarification on a few items:</p> <ul style="list-style-type: none"> • She commented on the aforementioned red/orange buoys. There were 13 red/orange buoys in Nance Cove. Ms. Battle asked Duke Energy if they could be removed. Duke Energy said that it is the MILMC’s responsibility to put buoys on the lake. • Ms. Battle wrote the Lake Management Plan. There is nothing about buffers in that plan. • Ms. Battle also introduced buffers around docks and piers.
Commissioner Comments	<ul style="list-style-type: none"> • Commissioner Campbell – none. • Commissioner Roche – none. • Commissioner Nixon – none. • Commissioner DuVall – <u>A motion was made by Commissioner DuVall to remove to the second ‘Public Comment’ section from the MILMC meeting agendas. Commissioner Campbell seconded the motion. Discussion: It was noted that Commissioner Campbell is the one who put this in place to begin with. A vote was taken and the motion was approved unanimously.</u> • Vice Chairman Hudspeth – <u>Agenda Addition regarding letter to NCDENR: Vice Chairman Hudspeth made a motion that in alignment with the MILMC’s mission</u>

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	<p><u>statement, our Communications Committee should submit a letter to NCDENR by the August 14 deadline recommending that Duke Energy be required to remove coal ash from Mountain Island Lake and store it in a dry state in a lined landfill. Commissioner Roche seconded the motion. Discussion: Chairman Lanning is not in support of the MILMC taking a stand on this issue. She said that marine commissioners can send individual letters if they feel compelled. She feels like there could be other viable solutions to consider. Commissioner DuVall thought that there is no other solution than to remove the coal ash from the coal ash ponds. However, he supported Chairman Lanning’s approach that each marine commissioner should send their own letter(s), copying respective county commissioners. He advised that it would be prudent to save the avenue of taking a stance as a united body – as the MILMC – for a future time. Vice Chairman Hudspeth saw no reason that the MILMC could not write letters individually, including siting the MILMC mission statement. Commissioner DuVall reiterated that a wise strategy would be to start with individual letters, then amp up to making a declaration as a united marine commission when needed and when appropriate. A letter from an individual would be from the standpoint as a marine commissioner representing xyz county. It was decided that Commissioners Roche and DuVall and Vice Chairman Hudspeth would work together to draft a letter. The vote was taken. Commissioner Roche and Vice Chairman Hudspeth voted in favor of the motion and Chairman Lanning, Secretary Treasurer Weyeneth, and Commissioners DuVall, Nixon, and Campbell voted to not support the motion. The motion did not carry.</u></p> <ul style="list-style-type: none"> • Chairman Lanning – none. • Secretary Treasurer Weyeneth – He asked that the group consider the September/October BBQ and decide if the MILMC is going to have it, who will attend, and so on. This will be discussed at the September meeting.
Legal Counsel Report	N/A
Adjournment	The meeting was adjourned at 10:05 pm.
Next Business Meeting Date and Location	The next MILMC business meeting will be held on September 4, 2013 at 6:30 pm at the Charlotte Mecklenburg Utilities Department offices (5100 Brookshire Blvd, Charlotte, North Carolina).

Emily Parker, Executive Administrator