

Mountain Island Lake Marine Commission



Charlotte Mecklenburg Utilities
 5100 Brookshire Blvd.
 Charlotte, NC

February 7, 2007 Minutes

Commissioners Present: Chairman Dan DuVall (Mecklenburg County), Secretary/Treasurer Ann Danzi (Gaston County), Commissioner Pam Beck (Gaston County), Commissioner Tim Eldridge (Gaston County), Vice Chairman Alice Battle (Mecklenburg County),
Commissioner Absent: Commissioner Chris Watson (Lincoln County)
MILMC Staff Present: Mike McLaurin, Executive Director, Chris Clark, Legal Counsel, Annette Lawing, Clerk

Topic	Discussion Summary	Action
Welcome & Introductions	Chairman Dan DuVall called the meeting to order at 6:34pm.	
Pledge of Allegiance to the Flag	Chairman DuVall asked everyone present to join in to Pledge Allegiance to the Flag	
Approval of the February 7, 2007 Agenda	There were no revisions to the agenda.	February 7, 2007 agenda was approved as submitted.
Approval of the January 3, 2007 Meeting Minutes	There were no revisions to the minutes.	The January 3, 2007 meeting minutes stand as submitted.
Statement of Purpose	Legal Counsel, Chris Clark read the Statement of Purpose into the record.	

Topic	Discussion Summary	Action
<p>Public Comments</p>	<p>Public Comments –</p> <ul style="list-style-type: none"> <li data-bbox="548 253 1619 467">□ Mr. Gary Keith – Mr. Keith spoke to the Commission regarding a concern of overcrowding on the lake during the summer months. To help control this overcrowding, Mr. Keith suggests a possibility of an immediate moratorium for any issuance of permits to build or expand any community boat docks for non-waterfront property owners. If a moratorium is not put into place to stop these community docks from increasing, then 1,000 boats could be added to the lake. <li data-bbox="548 475 1619 829">□ Commissioner Beck stated that she too shares the same concern. These permits for boat docks are actually approved through Duke Energy. The multi-slip boat pods are approved through the Federal Energy Regulatory Commission to whom Duke has to apply to get the permit. Commissioner Beck added that she has always felt that Mountain Island Lake had special circumstances because there is no means to gas up the boats except for owners bringing gas in 5-gallon containers. Many times these containers are found floating in the lake. FERC claims that if you can document enough abuse of on water multi-slip boat pods and document a way where it is detrimental to the water that there may be some recourse. <li data-bbox="548 837 1619 1089">□ Executive Director Mike McLaurin commented that as the developments come into Mountain Island Lake, the Commission has the ability to make official standing comments on how you feel about a particular development, including community docks. If the Commission does decide to take a position for a moratorium on all community docks, you have to identify why you are doing the moratorium and what conditions will allow that moratorium to be lifted (i.e. lake study). <li data-bbox="548 1097 1619 1195">□ Secretary Treasurer Danzi read that at the Sanctuary on Lake Wylie that they are imposing community docks in lieu of individual docks because from an environmental standpoint, they are better for the lake. <li data-bbox="548 1203 1619 1300">□ Mr. Gary Keith wanted to clarify his opposition to the Commission. He is specifically opposed to docks that are provided to homes that are not waterfront homes. <li data-bbox="548 1308 1619 1406">□ Chairman DuVall requested that Executive Director Mike McLaurin research to see what the laws are in reference to gassing boats up while they are still in the water. 	

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Consent Agenda	Approval of the MILMC Strategic Plan Workshop Minutes – Several Commissioners did not receive a copy of these minutes therefore, approval of these minutes will be deferred until the March MILMC business meeting.	
Public Safety Reports	<p>Charlotte – Mecklenburg Police Department – Officer Howard reported</p> <ul style="list-style-type: none"> <input type="checkbox"/> No activity on the lake <input type="checkbox"/> Will be at the upcoming boat show in Charlotte <p>Gaston County Police Department – Officer Hord reported</p> <ul style="list-style-type: none"> <input type="checkbox"/> No activity on the lake for the month of January 2007 <input type="checkbox"/> Request that the Commission help fund a supply of Chem Sticks. Chairman DuVall asked that Officer Hamrick state this request in writing. <p>Lincoln County Sheriff’s Office</p> <ul style="list-style-type: none"> <input type="checkbox"/> No Report <p>N.C. Wildlife Resources Commission</p> <ul style="list-style-type: none"> <input type="checkbox"/> No report <p>Mecklenburg County Parks and Recreation – Jeff Presson reported</p> <ul style="list-style-type: none"> <input type="checkbox"/> Jeff Presson introduced Milton Bowen who will be taking the full time position at the Division Stewardship Services at Latta Plantation. <input type="checkbox"/> Two (2) missing buoys detected – One at Hwy 16 and one at Whispering Cove <input type="checkbox"/> Staff is continuing to pick up trash at Haymarket Street <p>Duke Energy of the Carolinas – Kermitt Taylor reported</p> <ul style="list-style-type: none"> <input type="checkbox"/> One (1) pier approved <input type="checkbox"/> Lake level is 96.9 	
Environmental Reports	<p>Mecklenburg County Land Use and Environmental Services – David Buetow reported</p> <ul style="list-style-type: none"> <input type="checkbox"/> David Buetow distributed the Water Quality Conditions and Bacteriological Results for the months of November 2006 and January 2007. <input type="checkbox"/> The Water Quality Conditions for both November and January were in the Good/Excellent range. 	

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<p>Environmental Reports (continued)</p>	<ul style="list-style-type: none"> ❑ Bacteriological Results for November and January – all testing sites were at 0-200 (Units are Fecal Coliform Colonies/100ml). ❑ Both the Water Quality Conditions and the Bacteriological results were very similar in comparison to the results from 2005. ❑ Commissioner Beck asked David if he had received any reports of several barrels on the shoreline at Garr Creek. Mr. Buetow did confirm that he received a call regarding these barrels. The maintenance department at Latta Plantation was contacted and has planned to remove the barrels within the next couple of days. <p>Lakekeepers Report – Alice Battle reported</p> <ul style="list-style-type: none"> ❑ Catawba Riverkeeper, Donna Lisenby has taken a month leave to be with her father who is battling cancer. ❑ An event to celebrate the 10th anniversary of the Catawba Riverkeeper Foundation is being planned for April. The date has yet to be confirmed. ❑ IBT has been turned over to the Southern Environmental Law Center. They have agreed to take the case for the Catawba Riverkeeper Foundation and suit will be filed for procedural problems and substances concerns. ❑ McDowell Creek has been designated as a critical area as of January 1, 2007. This means that developers will have very strict guidelines to prevent sediment entering the creek. There are 8 additional guidelines that apply to McDowell Creek as well as Goose Creek, which has also been named a critical area. ❑ Boat Access at Hwy 73 – Joe Carriker, with Duke Energy, has not yet been able to talk with Susan Spates, Lincoln County Director of the Emergency Management in regards to signing the MOU concerning the boat access at Hwy 73. Ms. Spates must inspect the project before there is an agreement to sign. Once she has agreed to sign, a set of keys will be provided for this access. ❑ Secretary Treasurer Danzi asked if Commissioner Battle would clarify what the MOU actually covers. Commissioner Battle replied that the MOU covers law enforcement access to a boat access on Duke Energy property near Highway 73. The law enforcement agencies wanted to have access to this portion of the lake without having to go down to Neck Road. Signing the Memorandum of Understanding will allow law enforcement agencies to have keys to this access. 	

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Environmental Reports (continued)	<p>Quality of Natural Resources (QNRC) – Pam Beck reported</p> <ul style="list-style-type: none"> ❑ There was no February 2007 QNRC meeting due to the increment weather. ❑ Water Quality Team met in December. Topics discussed included, providing stormwater education for the County and municipal employees, to create an adoptive stream program for the County and to complete installation of stream monitoring equipment. This team was also asked to vote on who they thought should monitor holding ponds and sediment basins. Pam recommended that the County should handle monitoring of sedimentation basins and holding ponds because if the Homeowner’s Association is ever faced with choosing to fund cleaning out a sediment pond or to put a new roof on the clubhouse, they normally will fund the new roof. Simply because that is a structure that the homeowners will visually see everyday. ❑ 15 million dollars from the General Assembly has been granted to North Carolina to purchase land. This may hinder any other monies being granted for other projects such as the State Educational Forest. The MILMC needs to continue to pursue this request for funds. ❑ Jerry Campbell reported that the Soil Erosion Control Ordinance was approved at the last Lincoln County Commission meeting. This means that now all three counties that fund the Mountain Island Lake Marine Commission have a Soil Erosion Control Program. 	
Base Operating Plan	<p>Base Operating Plan (BOP) – Chairman DuVall updated the BOP</p> <ul style="list-style-type: none"> ❑ Project 07-01 Blue Fin Award (Beck) – Will present award towards the end of the summer. ❑ Project 06-09 Post Boating Safety Rules (Battle) – Vice Chairman Battle sent a draft of the Lake regulations to Joe Carriker of Duke Energy. Duke is in the process of changing their main signs that mark the entrances to the access areas. They haven’t done anything in regards to the information signs at this point. Vice Chairman Battle created the Lake regulations so they are reader friendly. ❑ Project 06-18 Support Educational Forest (Beck/Watson/Danzi) – Commissioner Beck plans to possibly meet with Senator Hoyle while in Raleigh next week to discuss this issue. Secretary Treasurer Danzi informed the Commission that Laura Shidal would be a guest speaker at the upcoming Green Transformation Conference that will be held at the Pine Island Country Club on May 17th. Ms. Shidal will be speaking on support of this 300-acre State Educational Forest. 	

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<p>Base Operating Plan (continued)</p>	<ul style="list-style-type: none"> <li data-bbox="548 220 1623 467">□ Project 06-20 Buoys (DuVall) – Two missing buoys; one at Hwy 16 and one at Whispering Cove. Vice Chairman Alice Battle stated that Nance Cove was made a No Wake Zone as of January 1, 2007 but still does not have the needed buoys positioned in that area. Jeff Presson with the Mecklenburg Parks and Rec suggested that the buoys in the No Wake part of the old cove be reposition in Nance Cove. The Chairman gave the approval for Jeff to reposition these buoys. <li data-bbox="548 475 1623 1490">□ Project 06-28 Clean Lake Management (Battle) – <ul style="list-style-type: none"> <li data-bbox="642 513 1623 833">• Mount Holly Property - Vice Chairman Battle met with Captain Benfield of the Mount Holly Police Department on January 18th to discuss posting proper signage on the Mount Holly property. Pictures were brought showing past problems in the area and examples of signs that would be effective. Captain Benfield was told that the property must be posted for lake enforcement. Captain Benfield was unaware that Mount Holly had any property that was lakefront. Captain Benfield volunteered to be the Mount Holly representative for the Clean Lake Management Committee. <li data-bbox="642 841 1623 1490">• Haymarket Road - Michael Kirschman with Mecklenburg County Parks and Rec met with the Haymarket Road neighborhood on January 30 and reported that 232 individuals and 52 cars were asked to leave the property during March 2006 – October 2006. The property is currently land-banked which means there are no development plans. This means that the property gets no funding for maintenance service, improvements, personnel, etc. It may also be used by the County for a use other than a nature preserve. The limiting factor is that it was partially purchased with Clean Water Trust Fund money. The Mecklenburg County Parks and Rec wants to make this area a local nature preserve. Funding for the 2008 budget has already been approved and this property was not included. Parks and Rec wants this included in the 2009 budget request. There will be trails through the woods, a small parking lot and a few picnic tables. No swimming will be allowed. Fishing will be allowed under the new state laws. With growth being projected in the adjacent property owned by Mr. Tom Waters, this property needs to be managed. The property will stay as a no trespassing area for this year. 	

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Base Operating Plan (continued)	<ul style="list-style-type: none"> • Hydrilla – 3000 grass carp were stocked into Mountains Island Lake in 2005, 600 in 2006, and a request for 500 additional fish be stocked in 2007 has been made. The lake has an in access of 1000 acres of tuber beds. Tubers can lie dormant for many years and sprouting at irregular intervals. Ken Manual with Duke Energy would like to attack these tubers as soon as they sprout. □ Project 06-30 150' No Wake Zone (Battle) – Vice Chairman Battle surveyed several Charlotte Mecklenburg Police Department officers regarding the proposed 150' No Wake Zone. Since Mountain Island Lake is such a small lake, they were more in favor of a 100' No Wake Buffer. This project will be readdressed at the MILMC March business meeting. □ Project 06-32 Stonewater Bay (Battle/Danzi) – Volunteers at Stonewater Bay will monitor construction while it is in progress. This monitoring will hopefully help with erosion control in the area. Danon Lawson with DENR was asked to come talk with the volunteers, possibly at the end of February, on what is acceptable and what is not. Thus far, one concern of Secretary Treasurer Danzi is that the streets are being washed but were not swept first therefore; the runoff is being washed into the stormwater drains. This issue will be addressed. 	
Confirmation of Budget Committee	<p>Confirmation of Budget Committee – Executive Director Mike McLaurin</p> <ul style="list-style-type: none"> □ Vice Chairman Alice Battle and Secretary Treasurer Ann Danzi has agreed to serve on the Budget Committee 	
Chairman's Report	<p>Chairman's Report – Chairman DuVall reported</p> <ul style="list-style-type: none"> □ Chairman DuVall requested that each of the Commissioners view the Strategic Planning Workshop minutes and try to meet the April 4th deadline to gather the needed information. 	
Executive Director's Report	<p>Executive Director's Report - Executive Director Mike McLaurin reported</p> <ul style="list-style-type: none"> □ Finance and Activity Reports were distributed to the Commissioners □ Lincoln County has requested that the commission provide them with budget information by February 28th, Gaston County by March 3rd, and Mecklenburg County has not yet set the deadline. The approach this year will be to put together some projected numbers and use the Budget Committee as a sounding board. The Commission will submit the numbers to the Counties and typically 	

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Executive Director's Report (continued)	<p>in March or April the Commission will hold a public hearing and formally approve the budget at that time. If the County funding level is not what the Commission requested, then the Commission can go back and adjust the budget to reflect these numbers. Commissioner Beck asked if the Commission should meet with the three funding counties to give their bi-annual report. Executive Director Mike McLaurin recommended that they meet with the funding Counties every six (6) months, but not during budget process.</p> <ul style="list-style-type: none"> □ One item that the funding counties did want to see the Commission accomplish was to hold joint Marine Commission meetings. This item will be added to the March agenda for further discussion. 	
Commission Counsel Report	<p>Commission Counsel Report</p> <ul style="list-style-type: none"> □ No Report 	
Commissioner's Comments	<p>Commissioner's Comments</p> <ul style="list-style-type: none"> □ Secretary Treasurer Ann Danzi informed the Commission on the upcoming Green Transformation Conference that has been scheduled for May 17 at the Pine Island Country Club. The idea of this conference is to bring some of the area elected officials and people interested in conservation to Mountain Island Lake and show them the water intakes, the Duke Power Plant and the land in conservancy. A short history will be presented as well as several guest speakers during the morning session. The tour of Mountain Island Lake will take place at 1:30. This will be a very interesting and important conference and everyone is encouraged to attend! 	
Adjournment	The meeting was adjourned at 7:30 pm.	
Next Business Meeting Date and Location	The next MILMC business meeting will be held on March 7, 2007 at 6:30 pm at Mount Holly City Hall, 131 South Main Street, Mount Holly, NC	

Annette Lawing, Clerk