

# Mountain Island Lake Marine Commission



Charlotte Mecklenburg Utilities  
 5100 Brookshire Blvd.  
 Charlotte, NC

## March 7, 2007 Minutes

**Commissioners Present:** Chairman Dan DuVall (Mecklenburg County), Commissioner Pam Beck (Gaston County), Commissioner Tim Eldridge (Gaston County), Vice Chairman Alice Battle (Mecklenburg County), Commissioner Chris Watson (Lincoln County)

**Commissioner Absent:** Secretary/Treasurer Ann Danzi (Gaston County),

**MILMC Staff Present:** Mike McLaurin, Executive Director, Chris Clark, Legal Counsel, Annette Lawing, Clerk

Topic	Discussion Summary	Action
<b>Welcome &amp; Introductions</b>	Chairman Dan DuVall called the meeting to order at 6:35pm.	
<b>Pledge of Allegiance to the Flag</b>	Chairman DuVall asked everyone present to join in to Pledge Allegiance to the Flag	
<b>Approval of the March 7, 2007 Agenda</b>	There were no revisions to the agenda.	The March 7, 2007 agenda was approved as submitted.
<b>Approval of the February 7, 2007 Meeting Minutes</b>	There were no revisions to the minutes.	The February 7, 2007 meeting minutes stand as submitted.
<b>Statement of Purpose</b>	Legal Counsel, Chris Clark read the Statement of Purpose into the record.	

Topic	Discussion Summary	Action
<b>Public Comments</b>	<b>Public Comments</b> – None	
<b>Consent Agenda</b>	<b>Approval of the MILMC Strategic Plan Workshop Minutes</b> – There were no revisions to the minutes.	A motion was made by Vice Chairman Battle to approve the January 4, 2007 MILMC Strategic Plan Workshop minutes. Seconded by Commissioner Beck. The motion was approved.
<b>Public Safety Reports</b>	<p><b>Charlotte – Mecklenburg Police Department</b> – Officer Turner reported</p> <ul style="list-style-type: none"> <li>□ No activity on the lake</li> <li>□ Will be back at full staff by the end of April 2007. A rotation of officers has been implemented so more officers will be available to patrol on weekends.</li> </ul> <p>Executive Director, Mike McLaurin informed the law enforcement agencies that were present of the upcoming Green Transformation Conference that will be held at Mountain Island Lake on May 17, 2007. Informing the law enforcement agencies early will allow each agency to plan ahead for a potential large crowd on the lake.</p> <p><b>Gaston County Police Department</b> – Officer Hord reported</p> <ul style="list-style-type: none"> <li>□ Patrolling lake on the weekends and on an as needed basis only</li> <li>□ Will be installing new radar system, similar to CMPD.</li> <li>□ Navigational Chemlites – as requested from the MILMC, Officer Hord provided the commission with a written request for financial assistance to purchase navigational chemlites for the Gaston County Marine Enforcement Unit. These sticks come in bags of 25 at a cost of \$19.50 per bag.</li> </ul> <p><b>Lincoln County Sheriff’s Office</b></p> <ul style="list-style-type: none"> <li>□ No Report</li> </ul> <p><b>N.C. Wildlife Resources Commission</b></p> <ul style="list-style-type: none"> <li>□ No report</li> </ul>	<p>A motion was made by Commissioner Beck to approve to financially support purchasing six bags of 25 chemlites for the Gaston County Marine Enforcement Unit. Seconded by Vice Chairman Battle.</p> <p>The motion was amended by Commissioner Beck to approve financially supporting the Gaston County Marine Enforcement Unit with the purchase of six bags of chemlites at the cost of approximately \$19.95 per bag. Funding not</p>

<b>Topic</b>	<b>Discussion Summary</b>	<b>Action</b>
<b>Public Safety Reports (continued)</b>	<p><b>Mecklenburg County Parks and Recreation</b> – Jeff Presson and Milton Bowen reported</p> <ul style="list-style-type: none"> <li>□ Two (2) missing buoys were replaced – One at Hwy 16 and one at Whispering Cove</li> <li>□ Repositioned buoys at Nance Cove</li> </ul> <p>Vice Chairman Battle stated that the buoys are working properly. She can view from her lakefront home the boaters slowing down when they see the buoys.</p> <p>Commissioner Beck asked Jeff Presson if the water flow causes a lot of movement of the buoys. Jeff stated that for the most part, they are staying in place. Commissioner Beck wanted to know why the buoys near Hwy 16 get missing. Most of the time, the cable holding the buoys come unbolting, stated Jeff.</p> <p><b>Duke Energy of the Carolinas</b> – Kermitt Taylor reported</p> <ul style="list-style-type: none"> <li>□ Two (2) docks approved</li> <li>□ Lake level is 97.4</li> </ul> <p>Chairman DuVall asked Kermitt if Duke Energy gives authority to remove vegetation, such as Button Bushes, during approval and construction of a dock. Kermitt replied that Duke does not give anyone authority to remove any vegetation that is on the property of the homeowner. If it were to happen, Duke Energy would replace or reimburse homeowner for the cost of the particular vegetation.</p>	to exceed \$120.00. Seconded by Vice Chairman Battle. Motion was approved.
<b>Environmental Reports</b>	<p><b>Mecklenburg County Land Use and Environmental Services</b> – No report</p> <p><b>Lakekeepers Report</b> – Alice Battle reported</p> <ul style="list-style-type: none"> <li>□ Polo Club at Mountain Island (property behind Wal-Mart), this property is in the process of being developed into a gated community for persons 55 years of age or older. The proposed units have changed from 88 – 108 units. Initially, there were six (6) commercial establishments included in this plan. These have since been decreased by 2 ½ establishments since the developers decided that this site is not good for commercial property.</li> <li>□ The Catawba Land Conservancy hosted a hike on Mountain Island Lake on Sunday, March 4<sup>th</sup>. Kay Killian offered her property for everyone to hike on. Mecklenburg County Commissioner Chairman, Jennifer Roberts was invited in</li> </ul>	

Topic	Discussion Summary	Action
<p><b>Environmental Reports (continued)</b></p>	<p>order to introduce her to the Johnson Creek Watershed. She and her family attended and hopefully will return to explore more of Mountain Island Lake.</p> <p><b>Quality of Natural Resources (QNRC) – Pam Beck reported</b></p> <ul style="list-style-type: none"> <li>❑ QNRC will be partnering with the area school system on the Community Environmental Action Team. The goal would be to start a program in the fall of next year with existing environmental clubs in the Gaston County Schools. This is an educational outreach program.</li> <li>❑ IBT – Gaston County QNRC discussed if they should make any recommendations to the County Commission whether to join in the law suits with North and South Carolina. It was decided that there was nothing much to gain by joining the law suits. They will instead support the regional commission to evaluate future IBT requests.</li> <li>❑ Centralina Council of Governments has proposed to partner with area counties and municipalities in cooperation on stormwater education. COG is applying for grants from the Clean Water Management Trust Fund. The QNRC Water Quality Team is recommending including money for this effort in next years Gaston County budget. Gaston County may not be able to fulfill this request every budget year but would like to contribute to the effort.</li> <li>❑ An effort has begun to monitor non-rated streams throughout Gaston County. It was determined that the most effective and easiest way is to monitor for Bio-Chem characteristics as opposed to Macro-Invertebra. Chairman DuVall asked Pam to expand on the Bio-Chem monitoring. Pam replied that when conducting Macro-Invertebra monitoring, leaf packets are submerged and after a few weeks in the water they are brought to the surface to examine what crawls out of the packs. Different creatures will determine different environmental factors. Bio-Chem characteristic studies monitor the water itself.</li> <li>❑ Jerry Campbell added to the report by stating that the Smokestack legislation, federal and state, resolutions have been prepared and will go to the Gaston County Commission. If approved by the Commission, the resolutions will then be forwarded to the state and federal level. These resolutions are to encourage and continue in education on keeping the Smokestack legislation where it is currently and not let it get out of hand.</li> <li>❑ QNRC endorsed the task force recommendations on Stormwater Phase II. This recommendation will be sent to the Gaston County Commission by the end of April or the first of May.</li> </ul>	

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<p><b>Request for No Wake Zone</b></p>	<p><b>Request for No Wake Zone</b> – Glenden Fetterolf and Brad Tadlock, representatives of the Board of Directors at Mt. Isle Harbor Boat Slip Association, presented the request</p> <p>Executive Director explained the request procedures to the commission and the applicants. A copy of the No Wake Zone request has been forwarded to the Lake Enforcement agencies for their recommendations. Copies have also been distributed to each of the Mountain Island Lake Marine Commissioners for their review. After the applicant presents their request, recommendations from the Lake Enforcement agencies have been gathered, and the Commission have reviewed and made their recommendations, the request will be decided upon. The Commission can decide to approve, deny, or modify the application.</p> <p>Brad Tadlock summarized the application as a request to expand the No Wake Zone in Whispering Cove, in which the Mt. Isle Harbor Boat Slip Association is located. Ideally, they will ask that the buoys be moved as close to the main channel as possible. This cove is very dense and there are erosion and safety problems. Glenden Fetterolf added that there are approximately thirty (30) boat slips out side of the current No Wake Zones therefore; there is a lot of high-speed traffic in this area.</p> <p>Commissioner Beck commented that she is aware of this said area. She would like to see traffic slow down in this area not only for safety reasons but also to minimize wake action since people tend to gas up their boats from the docks. This will help lessen potential spillages. As far as long term erosion control, there will be a continuous problem due to the location is on the high-flow side of the lake. Even with no boats there, the flow of the water bound for the dam cannot be held back.</p> <p>Vice Chairman Battle too is aware of the safety problems. Boaters pulling skiers tend to make a loop on the cove and usually come very close to these docks. Since this area is so dense, these actions become very dangerous.</p> <p>Chairman DuVall asked what has been done up to this point to communicate with persons around this area that there is a problem. Brad Tadlock stated that they have polled area neighbors to get their thoughts and concerns. Glenden Fetterolf wanted to add that recently, \$30,000 has been spent to add riprap on the shoreline at Pod A of the Mt. Isle Harbor Boat Slip to help on the erosion control.</p>	

Topic	Discussion Summary	Action
<p><b>Request for No Wake Zone (continued)</b></p>	<p>Executive Director, Mike McLaurin requested clarity on what relationship does Mt. Isle Harbor Boat Slip Association have with Cline and Company. Both organizations were on the initial request application. Brad Tadlock stated that Cline and Company is a management group for the Mt. Isle Harbor Boat Slip and the Homeowner's Association. Mike also asked if this request for submitting a No Wake Zone application was approved as a motion during a HOA or Board meeting. This request was approved at a recent Board meeting, stated Glenden Fetterolf. He will email Mike McLaurin with the exact meeting date that this approval occurred.</p> <p>Chairman DuVall informed the applicants that a recommendation would be presented at the April 4, 2007 MILMC business meeting.</p>	
<p><b>Base Operating Plan</b></p>	<p><b>Base Operating Plan (BOP)</b> – Chairman DuVall updated the BOP</p> <ul style="list-style-type: none"> <li>❑ <b>Project 06-09 Post Boating Safety Rules</b> (Battle) – Duke Energy is still working on the signs going into the access areas.</li> <li>❑ <b>Project 06-14 FERC/Duke Relicensing</b> (Battle) – Hwy 73 Emergency Access. Approval has been made to provide Gaston County Police and Charlotte Mecklenburg Police with keys to the emergency access area at Hwy 73.</li> <li>❑ <b>Project 06-18 Support Educational Forest</b> (Beck/Watson/Danzi) – Commissioner Beck met with Senator Hoyle in Raleigh. He is in the process of drafting a bill to appropriate 2.78 million dollars to support the State Educational Forest at Mountain Island Lake. Senator Clodfelter has agreed to sign on as a cosponsor and other sponsors are expected to sign on as well. Martha Alexander has agreed to carry the bill forward in the House. Once the bill comes out of the draft stage, it will have a reference number. Then once it has been approved as a bill in the House and the Senate, an assigned number will be issued. At this time, it would be helpful for the Marine Commission to start a letter writing campaign to contact legislators, senators, and representatives of other areas of the state to ask them to sign on in support of this bill. Mike McLaurin suggested that the Marine Commission have a point of contact person with the bill sponsors in both the House and the Senate because they will be able to give us the best advice with who the commission should contact. Commissioner Beck will email each of the commissioners once this letter writing campaign should begin. She will also send a “sample” letter with</li> </ul>	

Topic	Discussion Summary	Action
<p><b>Base Operating Plan (continued)</b></p>	<p>all of the pertinent points that each commissioner should include in their letters.</p> <ul style="list-style-type: none"> <li>□ <b>Project 06-20 Buoys</b> (DuVall) – the two missing buoys; one at Hwy 16 and one at Whispering Cove have been replaced. Jeff Presson with Mecklenburg Parks and Rec repositioned buoys in Nance Cove.</li> <li>□ <b>Project 06-28 Clean Lake Management</b> (Battle) – <ul style="list-style-type: none"> <li>• <b>Property on MI Lake</b> – there is only one piece of property on MI Lake in which Commissioner Battle has been unable to get posted with proper signage. Initially, Vice Chairman Battle thought this property was owned by the City of Mt. Holly but later was told by Chief Benfield of the Mt. Holly Police that they do not own the land. After doing more research, it was discovered that Duke Energy actually owns this property. Battle is now communicating with Duke Energy to get this property posted with rules and regulations on the lake (i.e. no trespassing, no camping, etc.)</li> <li>• <b>Hydrilla</b> – 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.</li> </ul> </li> <li>□ <b>Project 06-30 150' No Wake Zone</b> (Battle) – Vice Chairman Battle distributed information to each of the commissioners regarding the <i>Effects of Motorized Watercraft on Aquatic Ecosystems</i>. The purpose of this document is to educate the members of the commission of the effects to the lake due to the increase amount of motorized watercrafts. Battle moved to Nance Cove nine (9) years ago. There were 36 boat slips in Nance Cove at that time. There are now at least 145 boat slips. That is an increase of 400%! Development has exploded on Mountain Island Lake over the past few years. Not only are we seeing an increase of boaters from this development but also from outside of the lake. Mountain Island will be easily assessable from I485 in a month or two, which will bring even more traffic. We as a commission need to deal with this growth. Up to this point, the commission has only “put out fires” but more needs to be done. The commission is the first to really know what is happening on the lake and it is up to the commission to keep the lake safe and protect the environment. The first step is to educate the commission of the harm that</li> </ul>	

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<p><b>Base Operating Plan (continued)</b></p>	<p>motorized watercraft do to the lake. The next step is to propose a No Wake Buffer. This proposal will be presented to the commission at the April 4, 2007 MILMC business meeting. Until then, Vice Chairman Battle request that commissioners read the information that was provided to them before the April meeting.</p> <ul style="list-style-type: none"> <li>□ <b>Project 06-32 Stonewater Bay</b> (Battle/Danzi) – Danon Lawson with DENR come to talk with volunteers at Stonewater Bay regarding stormwater control on February 20<sup>th</sup>. Mr. Lawson provided a PowerPoint presentation, which included photos of erosion problems in Stonewater Bay. In Gaston County, there are 80 developments under construction and only 6 inspectors for all 80 developments. There are 6 more in the process of being hired. Hunter Construction is in charge of doing the roads in Stonewater and they have prior violations. Some of the complaints involve the erosion sacks under the storm drains. The sacks are designed to be filled to the top but must be emptied as soon as possible. Erosion fences should be trenched in 6 – 8” and packed with soil or stones on any slop greater than 2 to 1. There are 10’ setbacks in blue line streams and creeks in Gaston County. The most common violation is the construction entrance to a site. There should be gravel approximately 20’ in length and 15’ wide at these entrances. The purpose of this gravel is to scrape the mud off of the tires of the construction vehicles before they go out onto the road. Mr. Lawson was very pleased to have volunteers to monitor these issues. Some other items to watch for are improperly maintained BMP’s and any signs of off site sediment flowing into the lake. There is a big problem at lot #51. Initially, there were woods above the house but now there are houses, roads and driveways. This change has increased the amount of water flowing down the hillside. Consequently, the property owner now has little rivers flowing through his yard. Danon Lawson has someone who specializes in Stormwater runoff to come inspect this area. Commissioner Beck asked if this lot was located in Phase I or Phase II of Stonewater Bay. Battle replied that it is located in Phase I. If anyone does see any of these problems listed, email Danon with the information and pictures, if possible. Executive Director Mike McLaurin informed the commission that the tools the County has for these violators is being able to impose a fine or even in some cases, hold CO (compliance of occupancy) until the problem is fixed. Craig Wyatt with Carolina Wetlands has volunteered to speak at the joint marine commission meeting, stated Pam Beck. </li></ul>	

Topic	Discussion Summary	Action
<b>Base Operating Plan (continued)</b>	He has a passion for control of sediment and runoff and would be happy to speak on these and other topics.	
<b>Chairman's Report</b>	<p><b>Chairman's Report</b> – Chairman DuVall reported</p> <ul style="list-style-type: none"> <li>□ Reminder – assigned information from the Strategic Planning Workshop is due by the April 4<sup>th</sup> MILMC business meeting. Commissioner Beck asked if she needed to provide existing regulations on land and water from all three funding counties. Chairman DuVall requested that both land and water regulations for all three counties be provided. This information is important to see the effects on Mountain Island Lake. He suggested that Commissioner Beck contact Rusty Rozzelle with Mecklenburg County Land Use and Environmental Services to get some of this information. Vice Chairman Battle suggested Commissioner Beck to approach the law enforcement agencies for the regulations on the water. Executive Director Mike McLaurin stated that Centralina Council of Governments would be willing to provide population projections, if necessary. Mike suggested that the boundaries around MI Lake be defined whether it's census tract or a certain radius and from that, using the existing zoning codes, you can model what the build out would be.</li> <li>□ Green Transformation Conference – this conference will be held on Thursday, May 17, 2007 from 9am – 1pm at Pine Island Country Club. Commissioners are invited to attend and volunteers are needed to be boat guides. Former MILMC Chairman Jerry Campbell added that some of the logistics are still being ironed out. One such logistic is the transportation from Pine Island Country Club to the River Bend Access area for the boat tour. Jerry and Mike McLaurin are working on a few leads that may be able to provide two buses. With having two buses, the first 80 persons to RSVP for the event will get to ride these buses. The remaining attendees will have to provide their own ride to and from the access area. More information on this event will be provided at the April 4<sup>th</sup> MILMC business meeting. Chairman DuVall asked Mr. Campbell what would be expected if any of the commissioners volunteer to be a boat</li> </ul>	

Topic	Discussion Summary	Action
<b>Chairman's Report (continued)</b>	<p>guide. Jerry replied that Rusty Rozzelle (LUESA) would be providing to each guide a "history script" for the areas that will be toured on the lake. Chairman Dan DuVall, Vice Chairman Alice Battle and Commissioner Pam Beck all volunteered to be boat guides. Any other commissioners that would like to volunteer can email Jerry Campbell at <a href="mailto:jc@newhopemortgage.com">jc@newhopemortgage.com</a>. Chairman DuVall closed his report by stating that this program is sorely needed in the upper reaches of Lake Wylie and it's effects on Mountain Island Lake. He is pleased to hear about this effort to bring a focus on these areas of water and approaching it in an eco-sensitive manner.</p>	
<b>Executive Director's Report</b>	<p><b>Executive Director's Report</b> - Executive Director Mike McLaurin reported</p> <ul style="list-style-type: none"> <li>❑ Finance and Activity Reports were distributed to the Commissioners</li> <li>❑ FY07-08 Budget – has been drafted with a 5% adjustment. Will be presenting a detailed budget by the April 4<sup>th</sup> MILMC business meeting. At this April meeting, a public hearing will need to be scheduled in consideration of the budget ordinance.</li> <li>❑ Email Distribution Proposal – every month MILMC sends out over 200 agenda packets via the US Mail. This form of notices can get costly, in addition to, use of a lot of paper. Parker Web Developers, the marine commission web provider, has a distribution option called "constant contact". This software allows the commission to email the public regarding access to meeting notes, meeting agendas or any additional information that you might want to distribute. More research will be done on this and other options. A proposal will be brought to the commission at the April 4<sup>th</sup> business meeting.</li> </ul>	
<b>Election of Vice Chairman</b>	<p><b>Election of Vice Chairman</b> – Counsel Chris Clark conducted the election of Vice Chairman.</p> <p>Currently, Alice Battle is serving as Interim Vice Chairman.</p> <p>Counsel Chris Clark opened the floor for nominations for the Vice Chairman position. Commissioner Pam Beck nominated Alice Battle. With no other nominations, Alice Battle is the new Vice Chairman of the Mountain Island Lake Marine Commission.</p>	

<b>Topic</b>	<b>Discussion Summary</b>	<b>Action</b>
<b>Commission Counsel Report</b>	<b>Commission Counsel Report</b> <input type="checkbox"/> No Report	
<b>Commissioner's Comments</b>	<b>Commissioner's Comments</b> <input type="checkbox"/> Congrats to Commissioner Chris Watson! He and his wife are expecting a baby. <input type="checkbox"/> Vice Chairman Alice Battle wanted to clarify that one of the items that were discussed at the MILMC Strategic Planning meeting in January was a piece of property that could possibly be developed is NOT owned Crescent but is owned by Duke Energy. The chances of it being developed are very slim since it belongs to the steam plant. Also, the Beckler property is actually 6 parcels of property; 4 owned by Mountain Island #2, LLC and 2 owned by Little Italy, LLC.	
<b>Adjournment</b>	The meeting was adjourned at 7:56 pm.	
<b>Next Business Meeting Date and Location</b>	The next MILMC business meeting will be held on April 4, 2007 at 6:30 pm at East Lincoln High School, 6471 Highway 73, Lincolnton, NC	

Annette Lawing, Clerk