

Mountain Island Lake Marine Commission



Charlotte Mecklenburg Utilities
 5100 Brookshire Blvd.
 Charlotte, NC

May 3, 2006 Minutes

Commissioners Present: Chairman Jerry Campbell (Gaston County), Vice Chairman Dan DuVall (Mecklenburg County), Secretary/Treasurer Alice Battle (Mecklenburg County), Commissioner Pam Beck (Gaston County), Commissioner Ann Danzi (Gaston County),

Commissioners Absent: Commissioner Chris Watson (Lincoln County), Commissioner Greg Shelton (Mecklenburg County)

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

Topic	Discussion Summary	Action
Welcome & Introductions	Chairman Jerry Campbell called the meeting to order at 6:33 pm. Commissioners and staff introduced themselves.	
Pledge of Allegiance to the Flag	Chairman Campbell asked everyone present to join in to Pledge Allegiance to the Flag	
Approval of the May 3, 2006 Agenda	The agenda for the May 3, 2006 was approved	A motion was made by Vice-Chairman DuVall to approve the May 3, 2006 agenda. Seconded by Commissioner Beck. The motion was approved.

Topic	Discussion Summary	Action
Statement of Purpose	Legal Counsel, Chris Clark read the Statement of Purpose into the record.	
Approval of the April 5, 2006 Meeting Minutes	<p>The minutes from the April 5, 2006 meeting were approved with the following revisions:</p> <ol style="list-style-type: none"> 1. Environmental Report – Lakekeepers Report, pg.3 – Second sentence should read, <i>Metal No Trespassing from sunset to sunrise signs are now installed on Big Island.</i> 2. Environmental Report – Lakekeepers Report, pg. 3 – Third sentence should read, <i>it is against the law to build fires in Mecklenburg County and in the City of Mt. Holly but not in Gaston County where the island is located.</i> 3. Base Operating Plan – Project 28- Clean Lake Management, pg. 11 – Sentence in bullet 3 should read, <i>The neighborhood voted and decided to make the property No Trespassing at this time.</i> 	A motion was made by Commissioner Danzi to approve the April 5, 2006 meeting minutes with revisions. Seconded by Commissioner Beck. The motion was approved.
Public Comments	<p>The following Mountain Island Lake residents spoke regarding the proposed 150' No Wake Zone:</p> <ul style="list-style-type: none"> • Mrs. Frances Surgenor of 3512 Mt. Cove Drive stated that she has witnessed an increase in activities on the lake. One main concern is boaters or Jet Ski operators taking off full throttle from the boat docks. Such activities cause severe soil erosion. Ms. Surgenor had taken pictures of the damage that the soil erosion has caused to the area and distributed them to the commissioners to view. In conclusion, Ms. Surgenor supports a No Wake Zone would like the commission to consider conservation issues when discussing the 150' No Wake Zone. • Mr. Russell Sasnett of 3508 Mt. Cove Drive also has witnessed boaters at high rates of speed near boat docks. He too, is experiencing soil erosion and supports the 150' No Wake Zone. • Tom Blomquist of 3520 Mt. Cove Drive is the President of the Overlook Homeowner's Association. Mr. Blomquist supports extending the no wake zone through Nance Cove. Safety and erosion are issues of concern. Boaters and water skiers are traveling at a high rate of speed near docks, in addition, skiers are launching off of the boat docks in Overlook. The 410 members of the Overlook Homeowner's Association encourages the commission to consider extending the no wake zone through Nance Cove. 	

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	<ul style="list-style-type: none"> • Commissioner Pam Beck requested that the previous motion to “table” the No Wake Zone be clarified. Executive Director Mike McLaurin read from the April 5, 2006 MILMC meeting minutes. <i>A motion was made by Commissioner Shelton to receive the information given to the No Wake Zone Committee and take no further action with the 150’ No Wake Zone proposal. Seconded by Commissioner DuVall. Commissioner Shelton amended his previous motion to state postponing indefinitely the discussion of the 150’ No Wake Zone proposal. Seconded by Commissioner DuVall. Motion failed. Commissioners Campbell, DuVall, and Shelton approved motion. Commissioners Danzi, Battle and Beck opposed motion.</i> • Vice-Chairman Dan DuVall asked Mr. Blomquist if there are any restrictions as members of the Overlook Homeowner’s Association to install signs at the boat docks letting boater and skiers know the regulations. Mr. Blomquist stated that there are no restrictions to signage and most homeowner’s have signs at each individual slips. Those signs mainly pertain to restrictions such as no swimming or no fishing. Vice-Chair DuVall also asked Mr. Blomquist how the Overlook HOA educated area boaters on signage and safety matters. Mr. Blomquist stated that they distribute newsletters and sends info via email. • Chairman Campbell concluded the discussion by saying that a type of educational program needs to be implemented to educate boaters about safety issues and regulations. The Mountain Island Lake Marine Commission will continue to address this issue by forming committees and will report back at a later date. • Commissioner Danzi asked Mr. Blomquist if he feels that having a 150’ No Wake Zone would be a safety issue being that all of the boaters will be channeled to the center of the lake. Mr. Blomquist replied that he does not see it as a safety issue. Some areas of this cove are at 300’ in width. That would basically make the cove no wake entirely. 	
Consent Agenda	None	
Public Safety Reports	<p>Charlotte – Mecklenburg Police Department Officer Scott Howard reported</p> <ul style="list-style-type: none"> ▪ Charlotte-Meck Police Department was called out on April 21st to recover a vehicle which had been stripped and pushed into the lake. 	

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Public Safety Reports (continued)	<ul style="list-style-type: none"> ▪ Will have three (3) new seasonal officers. Two (2) will start in May, one officer will not be reporting to the lake until November ▪ Full shift will be on the lake by the middle of May ▪ Commissioner Beck asked Officer Howard if there was a noise ordinance prohibiting above water exhaust on boats? Officer Howard stated that yes there is a noise ordinance on the books prohibiting above water exhaust. Previous judges were not supporting citations written for the offense. Hopefully, in the future law enforcement can educate the District Attorneys and the Judges that there needs to be stricter laws regarding this noise ordinance. ▪ Commissioner Beck asked that when writing a citation in another county, does the officer have to go to that particular county to appear in court. Officer Howard stated that the Mecklenburg County courts handle all of the citations he writes. ▪ <p>Gaston County Police Department Officer Douglas Hord reported</p> <ul style="list-style-type: none"> ▪ The No Trespassing signs have been installed on Big Island and the Lake Unit will be utilizing two (2) jet skis to enforce these regulations ▪ The Lake Unit is on the lake full time on weekends only. Will increase to 7 days a week by June 9th. <p>Lincoln County Sheriff's Office</p> <ul style="list-style-type: none"> ▪ No report <p>N.C. Wildlife Resources Commission</p> <ul style="list-style-type: none"> ▪ No report <p>Mecklenburg County Parks and Recreation Woody Woodward reported</p> <ul style="list-style-type: none"> ▪ Annual BBQ Round-Up at Latta Plantation will be Thursday, May 4th from 4pm – 8pm ▪ Mr. Woodward briefly discussed the importance of nature preserves to water quality. ▪ Latta Plantation Triathlon – to be held on June 30th. There are 790 registered participants. Of these 790 participants, 280 are non-county residents. 	<p>A motion was made Commissioner Danzi to have Executive Director, Mike McLaurin draft a letter to Mecklenburg County of the value of</p>

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<p>Public Safety Reports (continued)</p>	<ul style="list-style-type: none"> ▪ National Wake Boarding Competition – Gar Creek, June 17th ▪ The buoys at Gar Creek have been replaced ▪ Latta Launch Canoe/Kayak Race – June 24th, 20 – 25 boats participating ▪ Dammed Catawba River Challenge (3 part series) <ol style="list-style-type: none"> 1. McDowell Nature Preserve – May 13th 2. Mountain Island – July 22 3. Ramsey Creek Park – August 12th ▪ Mr. Woodward is currently working on an 83 mile Middle Catawba Canoe and Kayak Trail and needs to have a map of Mountain Island Lake. Woody requests that the commission work with Mike Aldridge of the Mountain Island Pilot to create a map to distribute and sale around the Mountain Island Lake area. Executive Director, Mike McLaurin suggests that we approach that request during item #XIII (BOP) on the agenda. <p>Duke Energy of the Carolinas Kelvin Reagan reported</p> <ul style="list-style-type: none"> ▪ Duke Energy Lake Management is now named Duke Energy Lake Services ▪ Two (2) dock approvals ▪ Lake level at 97 feet. ▪ Kelvin introduced Ronnie Lawson and Kermit Taylor as two of the newest additions to Duke Energy Lake Services. Ronnie Lawson has been with Duke Energy for about 26 years and Kermit Taylor has been with Duke for 12 years. Both will be rotating between Mountain Island Lake and Lake Wylie. ▪ Chairman Campbell asked Kelvin Reagan who would be coordinating the Developer’s Workshop? Kelvin stated that he would like to assist Ronnie Lawson with that project. 	<p>open space. Seconded by Commissioner Beck. The motion was approved.</p>
<p>Environmental Reports</p>	<p>Mecklenburg County Land Use and Environmental Services David Buetow reported</p> <ul style="list-style-type: none"> ▪ Mr. Buetow distributed the Bacteriological Results and Water Quality Conditions results for March 2006. ▪ Lake Water Quality Index was unusually good for this time of year. Cowan’s Ford Dam had unusually higher amount of Phosphorus. ▪ Bacteriological results were very good. <p>▪ Will begin summer schedule of sampling in May. From May through September, sampling will take place monthly at all of the reservoirs.</p>	
<p>Environmental Reports</p>		

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(continued)	<p>Charlotte Engineering and Property Management</p> <ul style="list-style-type: none"> ▪ No report <p>Lakekeepers Report Pam Beck reported</p> <ul style="list-style-type: none"> ▪ Not a lot of activity on the lake at this time ▪ Had a successful annual Lakekeepers meeting at the Stonewater Club House ▪ Lakekeepers have created a brochure for distribution to new homeowners moving into the lake area on how to be good stewards of their waterfront and of the lake in general. 	
2006-2007 Budget Ordinance	Discussion of the 2006-2007 Budget Ordinance and Consideration of Contracting Centralina COG for Administrative Services for the FY06-07 will be deferred to the June 2006 meeting.	A motion was made by Vice-Chairman DuVall to defer the public hearing for agenda items X & XI to the June 7 MILMC business meeting. Seconded by Secretary/Treasurer Battle. Motion was approved.
Blue Fin Award	<p>Blue Fin Award Presentation</p> <p>Commissioner Beck explained the history of the Blue Fin Award. This award was developed as a commemorative opportunity to notice person(s) that strive to improve Mountain Island Lake. This award acknowledges those who are involved and who dedicate their time and efforts to improve the environment around Mountain Island Lake. The Mountain Island Lake Marine Commission presented the 2005-2006 Blue Fin Award to Fred and Pat Hutchinson for their dedication and constant enthusiasm for the better good of Mountain Island Lake. Congratulations to Fred and Pat Hutchinson.</p>	

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<p>Base Operating Plan (BOP)</p>	<p>Base Operating Plan Vice-Chairman DuVall updated the BOP</p> <ul style="list-style-type: none"> ▪ Project 1 – Blue Fin Award (Beck) – Completed ▪ Project 2 – Annual BOP Workshop (BOP Sub Committee) – Fall 2006 ▪ Project 4 – River Trip for Elected Officials (Beck, Campbell) – Chairman Campbell had conversations with Bob Morgan of the Charlotte Chamber of Commerce and Elyse Hillegass of the Gaston County Chamber of Commerce regarding a river tour for elected officials. Gaston County Chamber is currently planning a river tour so MILMC could possibly coordinate with the Gaston/Charlotte Chamber. The idea of scheduling the trip in August following the Bi-State Committee Meeting was discussed with Mr. Morgan. Chairman Campbell and Commissioner Beck will coordinate with both Chambers and attend upcoming meetings. ▪ Project 6 – Law Enforcement Workshop (Danzi) – Will be held with Charlotte Mecklenburg Police Department. Date and location to be determined. ▪ Project 14 – FERC Relicensing (Battle) – Secretary/Treasurer Battle and Commissioner Beck have a meeting on May 4th to discuss the signing of the final agreement. Final agreement will be distributed on June 1st, a signing ceremony on July 26th with the final signing date on August 1st. ▪ Project 15 – Post Construction Stakeholders (DuVall) – Vice-Chairman DuVall distributed an email from Rusty Rozzelle giving an update regarding the post-construction ordinance development process. The City of Charlotte will be performing a cost analysis for compliance with ordinance requirements as well as the proposed Urban Street Design Standards and the Environmental Chapter of the General Development Process. The City has selected LandDesign teamed with US Infrastructure to do this analysis. Hopefully, this will be completed and ready to go to City Council by the end of 2006 or early in 2007. The City and County are partnering on the development of the BMP Design Manual. ▪ Project 20 – Buoys (DuVall) – Buoys at Gap Creek have been installed ▪ Project 27 – Inter Basin Transfer (Campbell) – Campbell reported that the Water Allocation Committee met in Raleigh on May 10th. A revised EIS will be forthcoming. ▪ Project 28 – Clean Lake Management (Battle) – Signage on Haymarket and Big Island have been installed. Next Clean Lake Management meeting will be May 16 at 10:00 at Centralina Council of Governments office. 	

Topic	Discussion Summary	Action
Base Operating Plan (BOP) (continued)	<p>After Vice-Chairman DuVall updated the Attachment C, the commission had discussions.</p> <ul style="list-style-type: none"> • Vice-Chairman DuVall suggested that the commission copyright Mountain Island Lake Marine Commission’s name or seal. Executive Director Mike McLaurin added that the commission could create a map and market it with area companies to have their logo or advertisement on the map. This would help pay for printing costs. Mike Aldridge of the Mountain Island Pilot would be responsible for the distribution. Could also promote these maps on the MILMC website. • Legal Counsel, Chris Clark defined public domain as not being copyright and anyone is free to use it. When you create a “work of authorship”, such as the MILMC seal, as soon as you fix it in a tangible medium (like on a computer screen) copyright protection attaches to it at that moment. However, the Library of Congress has a mechanism where you can register your copyright. It is in your best interest to do that. This will help prevent anyone to use or copy the MILMC seal. Mr. Clark is to research how much it would cost to register the copyright and report back to the commission at the June business meeting. 	<p>A motion was made by Secretary/Treasurer Battle to add exploring the possibility of creating a Mountain Island Lake map to Attachment C on one time basis. Seconded by Commissioner Danzi. The motion was approved.</p>
Chairman’s Report	<p>Chairman’s Report Chairman Jerry Campbell reported</p> <ul style="list-style-type: none"> • Inter Basin Transfer – whether you are for or against the Concord/Kannapolis IBT, this issue raises a broader question of “How many pipes do we allow in the lake?” • Contacting Commissioner Roberts – Chairman Campbell did contact Commissioner Roberts and Chairman Helms and he feels they are staying neutral regarding the proposed Concord/Kannapolis IBT. • No Wake Zone Proposal – suggest that an ad hoc committee be formed to work on No Wake education. Commissioner Beck and Secretary/Treasurer Battle to come up with a work plan and will report back to the commission at the June business meeting. 	

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Executive Director's Report	Executive Director's Report Executive Director Mike McLaurin reported <ul style="list-style-type: none"> • Finance and Activity Report was distributed to the commission 	
Commission Counsel Report	Commission Counsel's Report Legal Counsel Chris Clark recommended that the commission go into closed session for the purposed of the Counsel to consult with commission regarding a comment that was made during the public comments session.	A motion was made by Vice-Chairman DuVall for the commission to go into closed session
Adjournment	The meeting was adjourned at 8:55p.m.	A motion was made by Vice-Chairman DuVall to adjourn meeting. Seconded by Commissioner Danzi. The motion was approved.
Next Business Meeting Date and Location	The next MILMC business meeting will be held on June 7, 2006 at 6:30 pm at Mount Holly City Hall, 131 South Main Street, Mount Holly, NC	

Annette Lawing, Marine Commission Clerk