

Mountain Island Lake Marine Commission



Charlotte Mecklenburg Utilities
 5100 Brookshire Blvd.
 Charlotte, NC

August 1, 2007 Minutes

Commissioners Present: Chairman Dan DuVall (Mecklenburg County), Vice Chairman Alice Battle (Mecklenburg County), Commissioner Tim Bishop, Commissioner Pam Beck (Gaston County), Commissioner Chris Watson (Lincoln County), Secretary/Treasurer Ann Danzi (Gaston County)

Commissioners Absent: Commissioner Tim Eldridge (Gaston County)

MILMC Staff Present: Chris Clark, Legal Counsel, Annette Lawing, Interim Executive Director

Topic	Discussion Summary	Action
Welcome & Introductions	Chairman Dan DuVall called the meeting to order at 6:34pm.	
Approval of the August 1, 2007 Agenda	The August 1, 2007 agenda was approved as submitted.	The August 1, 2007 agenda was approved as submitted.
Approval of the July 11, 2007 Meeting Minutes	Revisions to the July 11, 2007 meeting minutes: <ul style="list-style-type: none"> □ Environmental Reports, QNRC – Pg. 5 – Last sentence should read as follows – Secretary Treasurer Ann Danzi informed the commission that at last month’s Mount Holly City Council meeting, the Stormwater Committee requested that the City adopt their own Stormwater Ordinance in lieu of using Gaston County’s ordinance. 	A motion was made by Vice Chairman Battle to approve the July 11, 2007 meeting minutes with revisions. 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.	
Public Comments	Public Comments – None	
Consent Agenda	Consent Agenda – None	
Public Safety Reports	<p>Charlotte – Mecklenburg Police Department – Officer Turner reported</p> <ul style="list-style-type: none"> □ (48) Boats inspected □ (20) Citations □ (10) Warnings □ (1) Boating While Impaired □ (26) Calls for Service □ (1) Boater Assisted □ July 14th, CMPD and GCPD teamed up for an enforcement operation on MI Lake. They concentrated their efforts around the Hwy 16 Bridge. From this, (56) Inspections, (15) Citations, (14) Warnings, and (1) BWI were issued. NC Wildlife also helped in this operation. <p>Vice Chairman Battle asked Turner if they patrolled the No Trespassing area at the Riverbend Access. Officer Turner replied that NC Wildlife is aware of the problems in this area and was patrolling it during this enforcement operation.</p> <p>Gaston County Police Department – Officer Hord reported</p> <ul style="list-style-type: none"> □ (28) Citations □ (2) Warnings (No Wake Zone in Nance Cove) □ Officer’s handed out safety pamphlets at the sandbar and removed (2) safety hazards from the water (plastic bags) □ Officer Hord informed the commission that Chief Farley with the Gaston County Police Department has signed the Authorization to Act as Agent Agreement for property that was purchased from Duke Energy by Mt. Holly. The Authorization Agreement has to be signed by the owners of the property in order for law enforcement officers to enforce the posted No Trespassing directives. Vice Chairman Battle added that after speaking to Ed Munn, City 	

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<p>Public Safety Reports (continued)</p>	<p>Manager of Mt. Holly, it was confirmed that the property is in Gaston County and not in the City limits of Mt. Holly. It is scheduled to be annexed in the City in the next couple of months therefore, the ownership will change.</p> <ul style="list-style-type: none"> □ Commissioner Beck wanted to thank the officer's for continuing to put pressure on campers who are camping and building fires at this No Trespassing area. <p>Vice Chairman Battle informed the law enforcement agencies that were present that the keys to the Hwy 73 Access are being housed at the East Lincoln Fire Department in Lincoln County.</p> <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 –</p> <ul style="list-style-type: none"> □ No Report <p>Duke Energy of the Carolinas – Kermitt Taylor reported</p> <ul style="list-style-type: none"> □ (2) Dock Applications (One at Horseshoe Bend Rd and one at Stonewater) □ Lake level is 96 <p>Chairman DuVall requested that Kermitt provide the commission with a running total (annually) of the number of pier applications that is approved.</p>	
<p>Environmental Reports</p>	<p>Mecklenburg County Land Use and Environmental Services – Heather Davis reported</p> <ul style="list-style-type: none"> □ Water Quality Conditions Report for June 2007 – all sites except MI3 (McDowell Creek Cove) had Good/Excellent index values. The two driving factors in McDowell Creek Cove is the increase in Chlorophyll and Total Phosphorus. This is most likely due to the lack of rainfall. □ Bacteriological Results for June 2007 – all testing sites had good results. □ No spills reported in June. On July 13th, Emergency Response was called out to Mt. Isle Harbor Drive due to a boat sinking after a storm. Approximately one gallon of motor oil was spilled into the lake. The owner did contact HEPICO and the spill was cleaned up promptly. 	

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<p>Environmental Reports (continued)</p>	<p>Commissioner Beck asked if LUESA had completed their monitoring for MTBE (Methyl Tertiary Butyl Ether). Heather Davis replied that this testing was done in the month of July but the results were not back yet. These results will be reported to MILMC at their September 5th meeting.</p> <p>Lakekeepers Report – Alice Battle reported</p> <ul style="list-style-type: none"> □ There was no meeting held in July <p>Quality of Natural Resources (QNRC) – Pam Beck reported</p> <ul style="list-style-type: none"> □ Water Quality Committee voted to make a recommendation to the QNRC that the water supply watershed standards are as protective as the stormwater ordinance that was recently adopted by Gaston. The standards in this ordinance are much stricter than the water supply watershed standards are. □ Gaston County is considering hosting a builder’s workshop. They have contacted the Association of General Contractors and are considering using a similar program such as Mecklenburg County’s in order to certify developers, through this workshop, who want to build in Gaston County. □ Regional Wastewater Treatment Plant Stakeholders Group will begin meeting about the proposed wastewater treatment plant in Long Creek in Mecklenburg County. Commissioner Tim Bishop volunteered to be the representative for the Mountain Island Marine Commission on this group. □ QNRC has gone through all of the Gaston County streams that are not rated and want to test and rate these streams. Out of the all of the streams listed, the most important stream to Mountain Island Lake is Johnson’s Creek and it was not on the list. Commissioner Beck requested that Johnson’s Creek be put on this list. There’s a total 16 streams listed. Funds are being applied for in order to monitor and rate these streams. Jim Green will be doing the subcontracting work. 	
<p>Modified Request for Expansion of No Wake Zone in Whispering Cove</p>	<p>Modified Request for Expansion of No Wake Zone in Whispering Cove</p> <p>At their June 6, 2007 business meeting, MILMC held a public hearing for consideration of expanding the No Wake Zone in Whispering Cove. At this public hearing, two options were presented to the applicants of this No Wake Zone request. The first option was relocation of the existing buoys plus add any additional that is needed and also generate an agreement with the HOA indicating that they would be responsible for the purchase and maintenance of the buoys. The second option was to</p>	<p>A motion was made by Secretary Treasurer Danzi to accept the modified request submitted by the Mt. Isle Harbor Boat Slip Association with a diagonal</p>

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<p>Modified Request for Expansion of No Wake Zone in Whispering Cove (continued)</p>	<p>revisit this application after Labor Day to see if the approved 100' No Wake Buffer has had any affect on the issues in Whispering Cove. The Mt. Isle Harbor Boat Slip Association decided to resubmit a revised request to relocate the existing buoys and would take responsibility for the costs associated with the relocation and purchase/installation of the new center buoy.</p> <p>Chairman DuVall began the discussion of this revised proposal by stating that he had recently been in this Cove and witnessed skiers in this area. Once they were finished, they idled back into Whispering Cove. DuVall's observation indicates that some of the problems lie with the residents. Not all, but some. Therefore, there has to be some sort of acceptance of responsibility from the residents. If the commission approves this modified request, DuVall would like to request that the Mt. Isle Harbor Boat Slip Association send out a notice to their residents explaining why the buoys have been moved and encourage everyone to slow down in this area. Brad Tadlock with the MIH Boat Slip Association informed the commission that they sent out a similar notice to their residents regarding the recently approved 100' No Wake Buffer on MI Lake and agrees to send out any other notices necessary.</p> <p>Commissioner Beck stated that in her opinion, the Pod slips were a bad idea from the start. This area has a strong force of flow since it is near the main channel therefore, this force will most likely move these proposed buoys around and will have to have constant maintenance.</p> <p>Secretary Treasurer Danzi asked if there's a possibility moving the existing buoys closer to the docks. Brad Tadlock agreed that this option would be an acceptable compromise.</p> <p>Vice Chairman Battle reminded the commissioners that safety is one of the four purposes listed in the MILMC's Statement of Purpose therefore; what needs to be concentrated is the safety matter, not the financial cost for buoys or maintenance.</p>	<p>placement of the existing buoys as shown on aerial map. Seconded by Vice Chairman Battle. The motion was approved.</p>

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<p>Modified Request for Expansion of No Wake Zone in Whispering Cove (continued)</p>	<p>Legal Counsel Chris Clark laid out the four options that the commission has:</p> <ol style="list-style-type: none"> 1. Agree to the proposed placement of the buoys as submitted by the Mt. Isle Harbor Boat Slip Association 2. Reject the request from the applicant and the existing buoys stay where they are presently 3. Modification of the request 4. Defer decision to another meeting in order to gather additional information (i.e. flow studies, visiting site, cost of maintenance) <p>Discussion:</p> <p>Commissioner Beck can support the revised proposal but would like to have, in writing, who would be responsible for maintaining these buoys.</p> <p>Chairman DuVall stated that the commission should not set such a precedence and isolate these particular buoys. MILMC has a lot of buoys all over the lake and we have to be consistent regarding maintenance. It wouldn't be fair to maintain some buoys and not others.</p> <p>Some people will look at the erosion and problem with disconnection from the shoreline to the docks as a property owner's problem, stated Commissioner Beck.</p> <p>Chairman DuVall urged the Mt. Isle Harbor Boat Slip Association to have constant communication through the Homeowner's Association with the residents on boat operations.</p>	
<p>Update on Insurance Coverage</p>	<p>Update on Insurance Coverage – Linda Liles with City of Charlotte Risk Management updated the commission on their insurance coverage.</p> <p>The insurance coverage for the past three years have been placed with the North Carolina Association of County Commissioners which has a fund of programs for Counties or any entity that is funded by a County. This provides excellent coverage at very reasonable rates.</p> <p>Ms. Liles handed out an insurance schedule for the commissioners to review. This schedule lists general liability coverage, property damage coverage and public official</p>	

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Update on Insurance Coverage (continued)	liability. The existing Security Bond covered former Executive Director Mike McLaurin but needs to be reinstated for the new Interim Executive Director Annette Lawing. Ms. Liles agreed to send the required form to the MILMC in order to get this bond updated.	
Base Operating Plan	<p>Base Operating Plan (BOP) – Chairman DuVall and various Commissioners updated the BOP</p> <ul style="list-style-type: none"> □ Project 07-01 Blue Fin Award (Beck) – Will continue gathering nominations through September. Will be awarded in October 2007. Past recipients of the Blue Fin Award are: Ken Manual, Mr. and Mrs. Fred Hutchinson, Alice Battle, Donna Lisenby and Pam Beck. □ Project 07-02 Big Sweep 2007 (Battle) – Mecklenburg County will be having their Big Sweep on October 6th at Latta Plantation. Gaston County will be having their Big Sweep sometime between Sept 15 – 22nd. A definite date has not yet been set. Battle will follow up at the September meeting. □ Project 06-09 Post Boating Safety Rules (Battle) – Joe Carriker of Duke Energy is looking into placing kiosks at boat landings to post information and boating regulations. Duke is also reviewing all of their signage to make sure they are posting the correct signs. □ Project 07-10 Meetings with 3 Funding Counties (DuVall/Danzi/Watson/Beck/Battle) – DuVall would like to schedule these meetings before the end of the year. □ Project 06-14 FERC/Duke Relicensing (Battle) – Habitat Enhancement program has been launched. Qualifying agencies are government agencies and not-for-profit organizations and individuals associated with not-for-profits. Presently there is \$550,000 available in North Carolina. Some of the activities they will fund are planting native vegetation to offset the destruction of fish habit by riprap. To get the needed form to apply, contact Hugh Barwick at 704-382-0805. □ Project 06-18 Support Educational Forest (Beck/Watson/Danzi) – Beck wrote sponsors Hoyle and Alexander to ask them if there were enough funds in the budget to help fund the Educational Forest. To date, Beck had not received a response. □ Project 06-20 Buoys (DuVall) – The two large buoys for Nance Cove have arrived and will be scheduled for installation within the next week or so. 	

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Base Operating Plan (continued)	<ul style="list-style-type: none"> <li data-bbox="548 215 1608 500">❑ Project 06-25 Development & Zoning of MIL (Beck/ Eldridge) – DuVall, Bishop and Chris Clark are planning to set up a meeting with the Town of Huntersville to discuss the proposed growth near Mountain Island Lake. Chairman DuVall stated that the commission is not opposed to growth but they are in the position to protect the lake therefore, need to be aware of development. Topics that DuVall hopes to address are regulations when building in impervious areas and make recommendations on what can be done to help protect the lake during and after construction. <li data-bbox="548 508 1608 792">❑ Project 06-28 Clean Lake Management (Battle) – Battle contacted Duke Energy, Mt. Holly Police and Mt. Holly’s City Manager regarding cleaning up the lake. Duke held a meeting of all law enforcement agencies to offer help in getting this done. Mt. Holly’s City Manager Ed Munn met with Chief Farley and Chief Belk in order to get an Authorization to Act since Gaston County did not have authorization to go on the Mt. Holly property. Duke is now looking into their signage and posting regulations. As far as enforcing these regulations on the lake, Duke feels that NC Wildlife should be contacted. <li data-bbox="548 800 1608 865">❑ Project 07-33 Lake Management Plan (Battle/Bishop/Beck) – <i>New project to be added to the BOP.</i> 	
Chairman’s Report	Chairman’s Report <ul style="list-style-type: none"> <li data-bbox="548 914 722 946">❑ No report 	
Executive Director’s Report	Executive Director’s Report – Interim Executive Director Annette Lawing reported <ul style="list-style-type: none"> <li data-bbox="548 1027 1577 1133">❑ Finance report – at the close of the FY06-07, the commission was under budget by \$5,996.73. This amount will be added to the existing fund balance therefore, will be reflected in the FY06-07 audit once it is completed. <li data-bbox="548 1141 1608 1385">❑ Draft of Eco – Friendly Reporting Notification – In order to be more environmentally sensitive, the commission is considering emailing the monthly agendas and minutes to the public in lieu of sending out 200+ packets via US mail. Lawing drafted a notice to the public and reporting agencies of this change and presented it to the commission. Secretary Treasurer Danzi suggested that the option of being taken off the mailing list be added to this draft. 	
Commission	Commission Counsel Report – Chris Clark reported	

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Counsel Report	<ul style="list-style-type: none"> □ No report 	
Commissioner's Comments	<p>Commissioner's Comments</p> <ul style="list-style-type: none"> □ Vice Chairman Battle made a recommendation that the MILMC make a donation of \$200 to the Riverkeeper Foundation for their continued support and work done for the MILMC. This item will be added to the September MILMC business meeting agenda. 	
Adjournment	The meeting was adjourned at 8:34pm.	
Next Business Meeting Date and Location	The next MILMC business meeting will be held on September 5, 2007 at 6:30 pm at Mount Holly City Hall, 131 South Main Street, Mount Holly, NC.	

Annette Lawing, Interim Executive Director