



Mountain Island Lake Marine Commission

Post Office Box 35008 • Charlotte, North Carolina 28235

Phone (704) 348-2705 • Fax (704) 347-4710

E-mail: mmclaurin@centralina.org

Website: www.marinecommission.com

Mountain Island Lake Marine Commission

Charlotte Mecklenburg Utility Offices
5100 Brookshire Blvd.
Charlotte, NC

February 1, 2006 6:30 p.m.

Meeting Agenda and Minutes

Jerry Campbell
Chairman
Gaston County

Dan DuVall
Vice Chairman
Mecklenburg County

Alice Battle
Secretary/Treasurer
Mecklenburg County

Pam Beck
Gaston County

Ann Danzi
Gaston County

Gregory Shelton
Mecklenburg County

Chris Watson
Lincoln County

Michael McLaurin
Executive Director

Chris Clark
Legal Counsel

- I. Welcome
- II. Pledge of Allegiance to the Flag
- III. Approval of the February 1, 2006 Agenda
- IV. Approval of the Meeting Minutes for January 4, 2006
- V. Consent Agenda
- VI. Public Safety Reports (*Please limit reports to three minutes.*)
 - A. Charlotte-Mecklenburg Police Department Officer Turner
 - B. Gaston County Police Department Sgt. McCants
 - C. Lincoln County Sheriff's Office Deputy Warlick
 - D. N.C. Wildlife Resources Commission Officer Rowell
 - E. Mecklenburg Co. Parks and Recreation Woody Woodward
- VII. Environmental Reports (*Please limit reports to three minutes.*)
 - A. Mecklenburg County Land Use and Environmental Services Rusty Rozzelle, Mecklenburg County
 - B. Charlotte Engineering and Property Management Brad Loveland, City of Charlotte

Mountain Island Lake Marine Commission
February 1, 2006 Meeting Agenda
Page 2

VIII. Special Reports

- A. Presentation of the FY 2005-2006 Audit
- B. Update on the N.C. Forest
- C. Presentation on the Proposed River Center
Located near the Charlotte Whitewater Park
- D. FERC Update

Sheila Mulkey, Dixon Hughes
Laura Shidal, NC. Forestry Div.

Edna Chircio
Secretary/Treasurer Alice Battle

IX. Base Operating Plan

BOP Subcommittee

X. Chairman's Report

Chairman Jerry Campbell

- XI. Executive Director's Comments
- o Finance and Activity Report

Michael McLaurin

XII. Commission Counsel Report

Chris Clark

XIII. Commissioner Comments

Marine Commissioners

XIV. Adjournment

Mountain Island Lake Marine Commission

**East Lincoln High School
6471 Highway 73
Lincolnton, NC**

January 4, 2005 6:30 p.m.

Meeting Minutes

Marine Commissioners Attending

Chairman Jerry Campbell
Vice Chairman Dan DuVall
Secretary/Treasurer Alice Battle
Commissioner Ann Danzi
Commissioner Pam Beck
Commissioner Chris Watson
Commissioner Greg Shelton

Gaston County
Mecklenburg County
Mecklenburg County
Gaston County
Gaston County
Lincoln County
Mecklenburg County

Staff Attending

Michael McLaurin
Chris Clark
Annette Lawing

Executive Director
Commission Counsel
Marine Commission Clerk

Chairman Jerry Campbell opened the meeting at 6:34 p.m. and welcomed all present.

Pledge of Allegiance – The Chairman led the Commissioners in saying the Pledge of Allegiance.

Approval of the January 4, 2005 Agenda - *The agenda was approved on motions by Commissioners DuVall and Shelton.*

Approval of the December 14, 2005 Revised Meeting Minutes

Commissioner Danzi made correction to omit the word "our" on page 2, first paragraph, first sentence.

On motions by Commissioners Danzi and Shelton, the revised minutes were approved.

Consent Agenda – No Items

Marine Commission's Statement of Purpose - Chris Clark read the Statement of Purpose into the record.

Public Comments - None

Public Safety Reports

Charlotte-Mecklenburg Police Department – No Report

Gaston County Police Department – No Report

Lincoln County Sheriff's Office – No Report

N.C. Wildlife Resources Commission – No Report

Environmental Reports

Mecklenburg County Land Use and Environmental Services - No Report

Charlotte Engineering and Property Management – No Report

Duke Power – Kelvin Reagan reported no approvals for the month of December

Charlotte Mecklenburg Utilities - No Report

Mountain Island Lake Covekeepers - Commissioner Pam Beck reported that the CoveKeepers do not normally meet in the month of December. However, they continued to patrol and monitor the area. One item of concern was that Phase II of Stonewater had a problem with their fences down during a rain event and had quite a bit of red water rushing through the street. Damon, with Gaston County spoke with Stonewater and the problem has been addressed.

Commissioner DuVall requested to address the Commission and the public safety officers regarding an unoccupied boat on Mountain Island Lake. He added with saying that he observed an empty boat at the floodgates. At that point, he phoned 911 in Lincoln County to make them aware of the situation. Commissioner DuVall asked the Commission and public safety if that was the proper procedure that he should have followed? Officer Turner with Charlotte Mecklenburg Police Department responded by they too received a call about this boat. A stranded boater was assisted to the shore by the McGuire Security and was to tie the boat down until it could be towed off the lake. Officer Turner informed the Commission that the procedure that Commissioner DuVall followed was correct. Anytime a boater is in a dangerous area, please contact safety officers.

FERC - Commissioner Battle reported. The final FERC meeting was held on November 30.

Sections 101- 20, 30, 70, and 10 were finalized. At the next meeting sections 4, 5, 6, 11, 12, 13, 15, and 16 will be addressed.

There is a lot of concern about the fee for water. Volunteering Water Users is coming up with a contribution to a fund that will be used by the water users group. Commissioner Battle informed the commission that the current fee is \$1500 per million-gallons/per day. Commissioner Danzi asked who are the Volunteering Water Users? Battle responded to the question by informing that CMU, City of Gastonia, and other volunteers are serving as Volunteering Water Users.

Donna Lisenby with the Catawba RiverKeepers and Executive Director Mike McLaurin added with saying that Duke Power has the right to charge the public for water drawn to compensate for the loss of storage. The water that is drawn cannot be used for power.

Commissioner Danzi asked if the fee from Duke Power a separate fee from the Habitat Enhancement Fund? Donna answered the question letting the Commissioner know that the Habitat Fee is used for education and habilitation. Chairman Campbell suggested that when the AIP is available for review, that Battle and McLaurin gather the needed information and report back to the Commission.

Commissioner DuVall asked if the Commission had any influence over this. Mike McLaurin added that the Marine Commission has influence as being an official stakeholder. Commissioner DuVall's concern was to lessen paperwork by having Commissioner Battle keep the Marine Commission up to speed of the concerning issues regarding the AIP. He feels that the Marine Commission has enough active items on the Attachment C in the BOP. Commissioner Beck added that there would be sections of the AIP, such as recreation, that the Marine Commission will have interest in and should be informed of.

River Bend Access Area – The River Ben access area has been working with Mount Holly to create a recreational area. This has been moved from the first 5-year period to the second 5-year period. Meaning, that this recreation area will not become a reality until the year 2013.

Mecklenburg Co. Parks and Recreation – Woody Woodward reported that the new Branch Manager of Division of Natural Resources, Mecklenburg County Parks & Recreation is Mr. Michael Kirschman.

Latter Plantation – Kayak classes, family camping, geo mapping. Should be a new contract coming out soon for a new equestrian center.

Approval of the Official MILMC Seal

On motions by Commissioner Greg Shelton and Commissioner Alice Battle, the Marine Commission approved the Official MILMC Seal.

Discussion by the Marine Commission on Interbasin Transfer Issues – Commission Beck reported. Donna Lisenby compiled a list of oppositions to create a resolution. The Commission reviewed this list and Commissioner Shelton felt it needed to be shortened.

Legal Council, Chris Clark would like more time to review the document. Also, he felt there were several statements in the document that could be eliminated. The document is twice as long as it needs to be. In conclusion, the final resolution needs to state who the commission is and why they are opposed to the Concord/Kannapolis IBT. Chris asked Donna Lisenby what is the time frame to be able to get the resolution completed and to the needed persons? Donna replied that Lincoln and Gaston County has already pasted an opposition. Mecklenburg County Natural Resource Committee will be meeting on January 24th.

A motion was made by Commissioner DuVall that Commissioner Shelton and Legal Council Chris Clark work together to create a resolution and then email it to the other commissioners for approval. Commissioner Shelton made a second.

After Mike McLaurin acknowledged that that process would violate the spirit of the open meeting law, Commissioner DuVall withdrew his motion.

Legal Council informed the Commission that a vote could be taken at tonight's business meeting to approve a resolution that Legal Council and Commissioner Shelton create.

On motions from Commissioner Danzi and Commissioner DuVall, the Marine Commission approved authorizing Legal Council, Chris Clark and Commissioner Greg Shelton to create a resolution to include such information as statement of purpose, authorizing legislation, and conclusion of opposition of the IBT.

Chairman's Report – Chairman Jerry Campbell reported.

Bi-State Commission Meeting - Chairman Campbell informed the Commission that the next Bi-State Commission meeting is January 13th.

Funding for Mount Holly – As a follow-up report from the letter mailed to Representative Sue Myrick requesting funding for security and officers to patrol the lake for the Town of Mount Holly. Chairman Campbell received a phone call from Representative Sue Myrick's office informing the Commission that the funds through Homeland Security have been denied. Chairman Campbell insured Mount Holly's Chief of Police Hoyle that the Marine Commission will continue to support their efforts.

Stonewater Bay – For information only: On the issues of soil erosion around Stonewater Bay, Gaston County has no control over Stonewater Bay and the soil erosion problems. This development was grandfathered into the Town of Mooresville's jurisdiction. An option that Mount Holly has is to contact the

State and request authority to Gaston County regarding Stonewater Bay.

Spring Clean – Campbell spoke with Chief Hoyle regarding having another spring clean in Mount Holly. Most likely will schedule the cleanup for March or April.

IBT Update Meeting January 11th – This will be a water allocation meeting that is held in Raleigh and MILMC should be represented. Commissioner Beck and Commissioner Battle plan to attend.

Website – Mike McLaurin reported on Website. New website is MARINECOMMISSION.COM. Parker Web Developers are requesting links and contact information of each of the marine commissioners. The website should be up and running within the next couple of weeks.

River Tour – Need to begin the planning process to have a River Tour this Spring or Summer.

Letter of Accommodation to Executive Director, Mike McLaurin – A letter of accommodation was presented to Mountain Island Lake Marine Commission's Executive Director, Mike McLaurin by Chairman Campbell for his valuable role and hard work.

Finance Report – Executive Director, Mike McLaurin reported that the contribution from Gaston County has been received. Mecklenburg County contribution has not yet been received.

Chairman Campbell and Mike McLaurin emphasized the importance of keeping good relations with the funding counties and their commissioners.

Commissioner Battle added to the Finance Report by informing the Commission that Legal Council, Chris Clark and the legal firm of Shumaker, Loop, and Kendrick have contributed \$7,420.50 of pro-bono work from July 1 – Sept 2005. The Commission showed their appreciation with an applause.

Commissioner Comments and Staff Reports

Secretary/Treasurer Battle

Clean Water Lake Management Meeting – Secretary/Treasurer Battle passed out to the commission the minutes from the Clean Water Lake Management Meeting that she attended. Items of interest:

- Property across from Mount Holly and Gaston County water intake. Trying to determine the owner of this property, Mallory Liles with Duke Power researched this area. The latest map shows this property as an island; therefore Duke Power, not Mount Holly, owns it.
- Signs on Big Island – Alice has taken pictures of signs that have weathered the conditions and come to a conclusion that metal signs are needed on Big Island. Mallory Liles, with Duke Power has put in an order for these signs.

150' No Wake Zones – Still working on 150' no wake zones and may possibly have it completed by next week.

Vice-Chairman DuVall

Stakeholders Group - The working committee is in the process of trying to get approval from the County. Will update Committee when information is provided.

Alternative Revenue – Continue to work on.

BOP (Base Operating Plan) – Commissioner DuVall made a suggestion that the BOP be moved to Item X on the agenda, just below the Environmental Reports. Commissioner DuVall handed out copies of Attachment C of the BOP. This attachment keeps track of the projects that the Marine Commission have active and on going. The long-term goal of this document is to have a history of what the Marine Commission did in the previous year. Commissioner DuVall gave the other Commissioners an opportunity

to commit to projects that have not been assigned.

Commissioner Battle suggested that the Clean Water Lake Management Committee be added to the Attachment C as an ongoing committee.

On motions from Commissioner Shelton and Commissioner Beck, the Marine Commission approved adding the Clean Water Lake Management Committee to the Attachment C of the BOP as an ongoing committee.

Mike McLaurin added by suggesting the Strategic Plan (Attachment C) be posted on the Marine Commission website.

On motions from Commissioner Shelton and Commissioner Danzi, the Marine Commission approved authorizing Commissioner DuVall to make needed changes to the BOP.

Executive Director's Report - No Report

Commission Counsel's Report – No Report

Comments by Marine Commissioners and Request for Future Agenda Items - None

There being no further business, the meeting was adjourned at 8:17 p.m. on motions by Commissioner DuVall and Commissioner Watson The next meeting will be held on February 1, 2006 at Charlotte-Mecklenburg Utilities (CMU), 5100 Brookshire Blvd., Charlotte, NC.

Respectfully submitted,

A. Lawing

Annette Lawing
Marine Commission Clerk