

**Meeting Minutes
February 27, 2024**

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Budget/Public Policy Session in Conference Center Room 267 on the 2nd floor of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 2:33 p.m. on Tuesday, February 27, 2024.

ATTENDANCE

Present: Chair George Dunlap, Vice-Chair Mark Jerrell
and Commissioners Leigh Altman, Arthur Griffin,
Vilma D. Leake, Laura J Meier, Elaine Powell,
and Susan Rodriguez-McDowell
County Manager Dena R. Diorio
County Attorney Tyrone C. Wade
Deputy Clerk to the Board Arlissa Eason

Absent: Commissioner Patricia “Pat” Cotham
Clerk to the Board Kristine M. Smith

CALL TO ORDER

The meeting was called to order by Chair Dunlap, followed by introductions and the Pledge of Allegiance to the Flag.

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24-0121 PRESENTATION – LAKE WYLIE MARINE COMMISSION UPDATE

The Board received a presentation on proposed charter boat and vessel regulations/

Neil Brennan, Executive Director, Lake Wylie Marine Commission gave the presentation.

Background: The Board will receive information on proposed Charter Boat and Vessel Rental Regulation.



Mission Statement

To promote public policies and support regulations for the preservation of Lake Wylie and its wildlife and for the education and safety of the citizens who use this beautiful natural resource.

CHARTER BOAT AND VESSEL RENTAL REGULATION

NEED FOR REGULATIONS BECOMING EVIDENT

- UNSAFE VESSELS – UNQUALIFIED CAPTAINS
- 5,000 + BOATING ACCIDENTS YEARLY IN THE U.S.
- LACK OF BOATING SAFETY EDUCATION ACCOUNTS FOR 77% OF FATAL ACCIDENTS

PURPOSE:

- ENSURE THOSE WHO RENT VESSELS DO SO SAFELY
- ESTABLISH A COMMON SET OF STANDARDS FOR EACH VESSEL RENTED



PROPOSED REGULATION NOT UNIQUE

LAKE NORMAN MARINE COMMISSION

- CHARTER BOAT REGULATION FOR YEARS
- NEW RENTALS BOAT REGULATION 2024

STATE OF FLORIDA LAW

- DOCUMENTED INSTRUCTION
- INSURANCE
- SAFETY CHECK

NORTH CAROLINA G.S. 75A-13.3

- INSURANCE FOR RENTER AND RENTEE OF JET SKIS



THREE CATEGORIES OF VESSELS

1. CHARTER BOATS – INCLUDES PONTOON BOATS, CABIN CRUISERS, MOTORIZED SAILBOATS
2. RENTAL BOATS (MOTORIZED VESSELS)
INCLUDES PONTOON BOATS , INBOARD AND OUTBOARD MOTOR BOATS, JET SKIS
3. NON-MOTORIZED VESSELS – KAYAKS, CANOES PADDLEBOARDS, NON-MOTORIZED SAILBOATS



WHO ARE THE PROPRIETORS?

ESTABLISHED COMPANIES / MARINAS

INDIVIDUALS

- WEBSITES
- AT THE ACCESS RAMPS

SHORT-TERM RENTALS

- VRBO
- Airbnb



REGUALTION REQUIREMENTS

PERMITS ISSUED ANNUALLY BY LWMC

LWMC ISSUED STICKERS ON CHARTER BOATS
AND MOTORIZED RENTAL BOATS

RESTATES U.S. COAST GUARD REGULATIONS
FOR CHARTER BOAT CAPTAINS

LIABILTY INSURANCE



REGUALTION REQUIREMENTS

PRE-RIDE SAFETY CHECKLISTS

SAFETY INSPECTIONS DOCUMENTED IN
PRE-RIDE CHECKLISTS

TRAINING FOR RENTERS ON EACH VESSEL

ANNUAL RECORDS REVIEW BY LWMC



REVIEWS

DRAFT REVIEWED BY LAW ENFORCEMENT

- USCG, GCPD, YCSO, NCWRC, CMPD

- COMMERCIAL MARINA OWNERS

- USCG LICESNED CAPTAIN

DRAFT ACCORDS WITH USCG & STATE LAWS



**We Protect, Preserve, and Promote
Lake Wylie as a Clean and Safe Recreational
Waterway**

For more information, visit
LakeWylieMarineCommission.com

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Comments

Commissioner Leake joined the meeting at 2:38 p.m.

Chair Dunlap asked who was going to enforce regulations. *Mr. Brennan said the agencies that asked for the regulations would enforce them.*

Chair Dunlap asked Attorney Wade if they had to hold a public hearing. *Attorney Wade said yes. Mr. Brennan said they (Lake Wylie Marine Commission) would hold the hearing.*

Commissioner Rodriguez-McDowell asked if there was a fine associated with violations. *Mr. Brennan said state law classifies violations as a Class 3 misdemeanor.*

Commissioner Meier asked who received the fines and where the fine money went. She asked about accidents, if the rental boats were major contributors, and if rental companies were in favor of the regulations. *Mr. Brennan said the fines assessed go to the County. He also said that, in speaking with some rental companies, they were in favor of the regulations. He said the person who rents the boat is responsible for the violation.*

Commissioner Griffin asked Attorney Wade if the regulations would be similar to those of the Lake Norman Commission, but the difference is this was an interstate body of water. *Attorney Wade said yes.*

Commissioner Griffin asked if they were having a hearing because of the Mecklenburg County side of the lake. *Attorney Wade said yes. Mr. Brennan said this was the 2nd time they saw fit to write a regulation. He said it was a need they needed to fill.*

Commissioner Altman asked if renters had to be at least the age of 16. *Mr. Brennan said it wasn't specified in NC law.*

Commissioner Altman asked what the laws pertaining to drinking were. *Mr. Brennan said if someone was involved in an accident, it is a separate law and would be considered boating law while intoxicated.*

Commissioner Altman asked if there was a limit to drinking for boating. *Mr. Brennan said he would get back to her. Ray Webber, Chairman of the commission, said individuals could be cited with or without an accident in both states.*

Commissioner Powell thanked him because the first responders had been asking for those

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regulations. She said she appreciated his commitment to safety.

Commissioner Leake asked who owned Lake Wylie. *Mr. Brennan said, Duke Power.* She asked what their role was in this. *Mr. Brennan said they had shoreline management plans and guidelines for where certain boats could land. He said they did not want to overstep their guidelines.*

Commissioner Leake asked if he was asking the County for funding. *Mr. Brennan said no.*

24-0085 AIR QUALITY COMMISSION BUDGET PRIORITIES

The Board received information regarding the FY2025 budget priorities from the Air Quality Commission.

Peter McGrath, Chair gave the presentation.

Leslie Rhodes, LUESA - Air Quality Director, and Adrian Cox, Budget Director

Background: Each year as part of the County's budget process, advisory boards are provided the opportunity to present their budget priorities to the Board of County Commissioners. Peter McGrath, Chair of the Air Quality Commission (AQC) will summarize the advisory board's FY25 budget priorities.

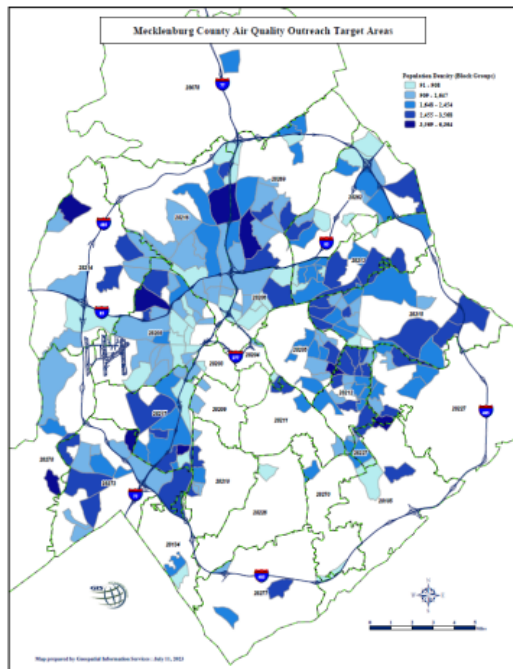
AIR QUALITY COMMISSION FY25 BUDGET PRIORITIES

Presented by: Peter McGrath, Chair

AIR QUALITY COMMISSION FY25 BUDGET PRIORITIES

- Increase funding for outreach to communities especially environmental justice frontline communities.
- Maintain a Certified Local Air Quality Agency to lead and assist Mecklenburg County towards meeting and maintain compliance with the health based National Ambient Air Quality Standards.
- Increase funding to increase staff
- Increase funding to ensure that the diversity of the staff reflects the diversity of the community.

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The AQC has recommended that Mecklenburg County Air Quality prioritize outreach in areas of the County in which the percentage of households is higher than 90% of census blocks in the state for the at least one of the following categories:

- people of color
- low-income
- have less than high school education,
- linguistically isolated

Data defined by U.S. Environmental Protection Agency's Environmental Justice Screening and Mapping Tool (EJ Screen).

Darker highlighting indicates census blocks with greater population density.

Map developed in collaboration with Mecklenburg County Air Quality and with technical resources from Mecklenburg County GIS.

NEXT STEPS

- Mecklenburg County Air Quality is developing an outreach implementation plan that prioritizes the Target Areas for Outreach.
- The AQC has recommended that MCAQ include an FY25 budget enhancement to support outreach in these target areas.

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Commissioner Griffin asked what the outcome would be in regard to hiring someone. *Mr. McGrath said people would participate more in actions that affect air quality. He said the goal is to get them more engaged in the public process.*

Commissioner Griffin asked for clarification in regard to hiring for diversity.

Commissioner Rodriguez-McDowell thanked him. She asked if they already had a full-time employee who was assigned to do outreach. *Ms. Rhodes said they had one full-time, and it was funded by the state. She said they operate with the county and surrounding counties. She said it wouldn't be possible for them to embed themselves in the community the way the AQC (Air Quality Commission) hoped for.*

Commissioner Rodriguez-McDowell asked how many employees were in the AQC department. *Ms. Rhodes said there were twenty-three full-time and one limited part-time positions.*

Commissioner Powell thanked them and asked for a cost estimate. *Mr. McGrath said the salary was \$94,000, while outreach was \$10,000. Ms. Rhodes said the total was around \$140,000, which included their computer, vehicle, etc.*

Commissioner Powell said that embedding in the community and helping residents understand how their voices matter, a lot of residents do not understand some of the terms that are used. She asked if the new person would be teaching the community. *Mr. McGrath said the new hire would show residents if they had questions, there were people at the AQC they could talk to. Commissioner Powell – a lot of injustice happens because people don't know to speak up.*

Commissioner Altman asked about monitoring stations for air quality, but they were mostly in areas that were blue. She said it was hard to compare across the county because there weren't stations everywhere. She asked if they could speak to this issue. *Ms. Rhodes said air quality across the county was homogenous. She said they had stations and sites in all of the required areas to assist with national air quality standards. She stated that, in general, the air quality was uniform.*

Commissioner Altman said there were pressing areas for environmental justice. She asked if the data showed it was homogenous across the county and if they should be focused on that when there were other aspects of environmental justice where there was a demonstrated disparity. *Mr. McGrath said their concern was that health impacts could differ. He said the impacts could be different in different places. He said he wanted to make sure people understood that.*

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Vice Chair Jerrell said they had to really define the role because what the person would do was hazy. He said that since 2018, they had focused on environmental justice and air quality, and it would be helpful to know what they achieved with the investments they made and how this would further the goals. *Mr. McGrath said the most visible impact he'd seen was greater involvement with the community.*

Vice Chair Jerrell asked what it meant tangibly to the community as they showed up and let their voices be heard. *Mr. McGrath said it meant that regulations were considered and that their comments were taken into concern. He said the air quality had gotten better.*

Commissioner Leake thanked them. She asked what had happened with the quality of air since the uptick in growth in the area. *Mr. McGrath said the air quality was better at the time than it was 10 years ago.*

Commissioner Leake asked if this was true, given the number of vehicles. *Mr. McGrath said yes, as vehicles were the greatest source of pollution, but cars were cleaner and lasted longer. He said the increase in traffic didn't result in a decrease in air quality.*

Commissioner Leake asked if they would be notified of community meetings and discussions. *Mr. McGrath said they hadn't notified commissioners in the past but would do so moving forward.*

Chair Dunlap said they had adopted an environmental stewardship plan, and asked if what they were suggesting was not included in that plan. *Mr. McGrath said the ACQ didn't believe the plan was moving quickly enough.*

Chair Dunlap asked if the new hire was baked into the plan. He also questioned what they would be getting from this person. He also asked, as they looked at the crescent, how many people knew what had impacted the quality of air. *Mr. McGrath said the position was specific to air quality.*

Commissioner Powell added about improving air quality, and things they could measure/regulate. She said a lot of these places are suffering from things that weren't regulated yet in the air.

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24-0118 PARK AND RECREATION COMMISSION BUDGET PRIORITIES

The Board received information regarding the FY2025 Budget Priorities from the Park and Recreation Commission.

Background: Each year as part of the County's budget process, advisory boards are provided the opportunity to present their budget priorities to the Board of County Commissioners. Kip Kiser, Chair of the Park and Recreation Commission (PRC) will summarize the advisory board's FY25 budget priorities.

My name is Kip Kiser

I am chairman of the Park & Rec
Commission

LAND ACQUISITION

First, I would like to thank the Board of County Commissioners and the County Manager for their wisdom in providing \$50 Million annually for the past 2 years for land acquisition. Undeveloped Land is rapidly disappearing. The land needed for Parks has become much more expensive. We will get to the point where the only land available for Parks will already be developed.

It will require expensive redevelopment

costs. We recommend an increase for land acquisition to the amount of \$75 Million per year. We request that this amount be allowed to roll over if not depleted by fiscal year end.

DEFERRED MAINTENANCE

The PRC unanimously agrees that the County needs to fix what is broken and needs to improve the Parks and Facilities in poor condition. In order to achieve this goal, the PRC requests an additional \$15 Million for Deferred Maintenance or Capital Reinvestment. The PRC cannot yet defend this request. It quite possibly could be more.

Staff has not provided the PRC with a list of Deferred Maintenance items that need to be included and evaluated.

ROUTINE MAINTENANCE

We request that you expand the routine maintenance budget by \$3 Million to ensure underserved areas are not overlooked.

PROGRAMMING FOR CHILDREN AND SENIORS

Children and seniors are a priority of the PRC.

We request that you expand programming for seniors' and children's activities by \$300,000.

SAFETY IN THE PARKS

We advise that you fund additional park rangers and contracted security services by \$900,000. We need to be proactive as opposed to reactive, and do our part with the limited resources that are being provided by Charlotte Mecklenburg Police.

CO-OP EXTENSION SERVICES

The Co-op Extension is back in business: Agriculture, education and promotion of health and nutrition in underserved populations. We recommend an increase of \$750,000 for Co-op extension services.

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Commissioner Meier thanked them. She asked about the expansion of land and if it included sports fields. She asked County Manager Diorio if money could be rolled over. *County Manager Diorio said yes that it was a different fund. Mr. Kiser said yes, sports fields, nature places, and anything park and recreation were included.*

Commissioner Griffin said they funded 34 county urban gardens and asked if this would be number 35. County Manager Diorio said yes, but they were through the health department.

Commissioner Griffin said he wouldn't mind funding scales to weigh produce. He asked if anyone had spoken to Park and Recreation about teenage violence. *Mr. Kiser said having a place to go for teens was important to him.*

Commissioner Griffin said the Eastway Recreation Center was a crown jewel to the County. He asked if there had been any discussion about other recreation centers like it. *Mr. Kiser said yes, and he asked if there was land available for it. He said he was told not yet.*

Commissioner Altman said the budget for that year was going to require some belt-tightening. She asked hypothetically, if they had \$50 million for priorities, would he want all of it to go to land acquisition, or what would he prioritize. *Mr. Kiser said he knew that land was a big problem, but he would need to consider it.*

Commissioner Altman said it would be good if they developed a consensus, and knowing what they would recommend would be helpful. *Ann Harrison, Executive Secretary, added that they had an amazing staff and needed the Commissioner's support to support them further.*

Vice Chair Jerrell thanked Mr. Kiser and the Park and Recreation Commission. He asked if they were utilizing what they had in the right way. He asked if they had partnerships and what sort of discussions they were having in the community to help leverage facilities and other spaces. *Mr. Kiser said they had several partnerships, including with CMS, and added that churches were a big help. He said Park and Recreation didn't have a lot of people to help and had to depend on outside resources.*

Commissioner Powell thanked them. She clarified what their priorities were. In reference to the NC Cooperative Extension, she asked if the original funding had come from the State. Ms. Harrison said the split between the State and County was 60/40, with 60% coming from the State. She said the State only provides so much, and other counties, such as Cabarrus, supplement their funding.

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Commissioner Powell asked County Manager Diorio if NC Cooperative Extension could apply for community service grants. County Manager Diorio said anyone could apply.

Chair Dunlap thanked them. He said that, in reference to the NC Cooperative Extension, they could look at how that could involve young people. He said he hoped they would consider the partnerships that have been discussed. He asked what the goal was with buying land. He asked what acreage they should have.

Commissioner Powell said 19 acres per 1000.

Chair Dunlap said he wanted that calculated so they knew where they were relative to meeting that goal.

24-0120 COMMISSIONER REPORTS

Commissioners shared information of their choosing within the guidelines as established by the Board, which included, but not limited to, past and/or upcoming events.

ADJOURNMENT

With no further business to come before the Board, Chair Dunlap declared the meeting adjourned at 4:08 p.m.

Arlissa Eason, Deputy Clerk to the Board

George Dunlap, Chair