

Chautauqua County Legislature  
**Live Streamed on YouTube**  
Wednesday, January 22, 2025 6:30 p.m.  
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:30 p.m.

Chairman Chagnon: I will call to order the meeting of the Chautauqua County Legislature on January 22, 2025. Would the Clerk please call the roll?

Clerk Lee called the roll and announced a quorum present. (Absent: Dickey, Pavlock)

Legislator Niebel delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Gustafson and duly carried the minutes were approved. (12/18/24 & 1/2/25)

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**1<sup>st</sup> Privilege of the Floor**

Chairman Chagnon: That brings us to our first privilege of the floor. Members of the public may comment on any subject relating to any local law, resolution or motion appearing on the agenda. Individual comments are limited to three minutes and comments representing a group shall be limited to five minutes.

Thank you Mr. Chairman. Thank you members of the Legislature for proposing the resolution in opposition to wind turbines in Lake Erie. My name is Mark Twitchel, I live in Fredonia. I am here with the fine group of representatives from the organization Citizens Against Wind Turbines in Lake Erie. Yesterday I paid my marina bill for this coming summer so that my wife and I can enjoy another boating season on Lake Erie. As we head out from Dunkirk Harbor we passed the break wall the limitless open water horizon stretches before us. Once upon a time we could look backward towards the shore to see the forest and farms rising safely to another untroubled horizon. That view is now a memory as wind turbines occupy the entire vista. Since we are out there for enjoyment I keep my eyes ahead in order not to be reminded of the environmental destruction, political corruption, expense, and technical futility these giant machines bring to the net zero fantasy. I'd like to think that President Trump's executive order two days ago will corral the wind industry and preserve Lake Erie for everyone's benefit. But I believe that the lake needs our help now more than ever. The majority in Albany has found that it's east-facing, green new dream of spoiling the Atlantic Ocean to its political satisfaction is now over. I fear they will turn their insatiable appetite for climate virtue signaling to the west. They will double down their off-shore wind ambitions to our great lakes. We can look forward to broken wind turbine blades washing on to our beaches. We will enjoy hearing aquatic experts explain that the reason for declining walleye catches is not because of wind industrialization has disrupted the migratory fish patterns, but because of climate change. And of course, climate

change will be the catch-all excuse for the resuspension of legacy industrial pollutants into our drinking water and the disappearance of migrating monarch butterflies over the lakes. Climate change will be blamed for the increase of micro-plastics in forever chemicals. And all the other documented adverse effects of placing wind turbines in water. Thank you.

Chairman Chagnon: Anyone else wishing to address the first privilege of the floor?  
Seeing no one, I will close the first privilege of the floor.

Good evening. My name is Patty Mekus, and I'm from CAWTILE, the Citizens against Wind Turbines in Lake Erie. Throughout the last year, our group has been going town-to-town, board-to-board, County Legislature in Erie and Chautauqua, making presentations to educate our fellow citizens about the dangers of wind turbines if they were ever placed in Lake Erie. To this date, there are over 90% in Erie County and 90% in Chautauqua County. And I thank you for the time to consider the dangers that it will pose for our communities. It will contaminate our drinking water if those turbines are ever put into the Lake. They will have to dredge from the shoreline till 2-8 miles out in the water – suspending heavy metal toxins into our water, (*inaudible*) a westerly wind, flow down into our water intakes. These chemicals – a lot of them – cannot be filtered out. (*Inaudible*) are one of the chemicals. It's a forever chemical. It's found in our livers. We can't filter it out – it causes birth defects. And so I thank all of you for taking a good, hard, long look on that, and bringing it up today to hopefully pass the resolution. Thank you for your time and your support. And happy boating and fishing on our Lake. Thank you.

Chairman Chagnon: Anyone else wishing to address the first privilege of the floor?  
Seeing no one, I will close the first privilege of the floor. And now it gives us great pleasure to have two commendations presented this evening.

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**COMMENDATIONS:**

Clymer Sherman Panama Varsity Football Team  
State Champions  
By  
County Executive Paul M. Wendel, Jr.

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Elizabeth Pucci-Schaefer Fredonia High School Diver  
State Champion  
By  
County Executive Paul M. Wendel, Jr.

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Clerk Lee: There are no veto messages from County Executive Wendel from the December 18, 2024 or the January 2, 2025 Legislature meetings.

**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL  
NO VETOES FROM 12/18/2024 & 1/2/2025**

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Clerk Lee: There are three communications listed on the agenda. If you would like a copy of any of these items please let our office know.

**COMMUNICATIONS:**

1. Letter – County Attorney – Legal Services for County Legislature – 2025
  2. Affidavit of Publication (2) – Legal Notice – Public Hearing Airport Lease w/DMV (Post Journal and Observer)
  3. Affidavit of Publication (2) – Legal Notice – Airport Lease – Suite 46 (Post Journal and Observer)
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**PUBLIC HEARINGS**

***Opened***

**6:47 P.M.**

A PUBLIC HEARING REGARDING LEASE AGREEMENT OF OFFICE SUITE 46  
AT CHAUTAUQUA COUNTY JAMESTOWN AIRPORT TERMINAL BUILDING

Chairman Chagnon: Is there anyone wishing to speak to the public hearing at this time? Anyone wishing to speak to the public hearing? Seeing no one, I will close the first public hearing.

***Closed***

**6:48 P.M.**

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***Opened***

**6:49 P.M.**

A PUBLIC HEARING REGARDING COMMERCIAL 5 YEAR LEASE AGREEMENT FOR THE  
JAMESTOWN AIRPORT WITH THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES,  
FOR PURPOSE OF CDL TESTING ON A DAILY BASIS MONDAY THROUGH FRIDAY

Chairman Chagnon: Is there anyone wishing to address the public hearing? Anyone wishing to address the public hearing? Seeing no one, I will close the second public hearing.

*Closed*

**6:50 P.M.**

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*MOVED by Legislator Bankoski, SECONDED by Legislator Gustafson to block resolutions 6-25 through 11-25 – Unanimously Carried to block*

**RESOLUTIONS:**

**6-25 Confirm Reappointments – Chautauqua County Landfill Commission** by Public Facilities Committee – UNANIMOUSLY ADOPTED

**7-25 Confirm Reappointment – Chautauqua County Ethics Board** by Administrative Services Committee – UNANIMOUSLY ADOPTED

**8-25 Confirm Appointments and Reappointments – Chautauqua County Fire Advisory Board** by Public Safety Committee – UNANIMOUSLY ADOPTED

**9-25 Confirm Appointments and Reappointments – Chautauqua County Emergency Medical Services Council** by Public Safety Committee – UNANIMOUSLY ADOPTED

**10-25 Confirm Appointments to the Lake Erie Management Commission** by Planning and Economic Development Committee - UNANIMOUSLY ADOPTED

**11-25 Confirm Appointment – County of Chautauqua Industrial Development Agency Board of Directors** by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

Chairman Chagnon: Are there any comments or any questions on any of the blocked resolutions? Any comments or questions on any of the blocked resolutions? Hearing none, all those in favor of the blocked resolutions 6-25 through 11-25, please say aye, opposed? They are carried.

**12-25 Authorize Lease of Office Space between the Chautauqua County Office for Aging Service and the City of Dunkirk** by Public Facilities, Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

**13-25 Authorize Commercial 5 Year Lease Agreement for a Portion of Parking Lot at the Chautauqua County - Jamestown Airport (JHW)** by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

**14-25 Authorize Lease Agreement at the Chautauqua County –Jamestown Airport (JHW) Terminal Building with Penn Border Aviation, LLC** by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

**15-25 Authorize Lease Agreement for Office Suite at the Chautauqua County Jamestown Airport Terminal Building to Chase Aviation Company, LLC.** by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

**16-25 Authorize Public Hearing for Lease of Restaurant Facilities at Chautauqua County Airport – JHW to Basil and Bones, Inc.** by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

**17-25 Amend 2025 Budget for FY21 Cyber Security Grant Program** by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

**18-25 Close Sheriff's Office Petty Cash Fund** by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

**19-25 Authorize Agreement with Various Towns for Enhanced Police Protection Services FY25** by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

**20-25 Authorize Agreement with Various Towns for Court Security Services FY 25** by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

**21-25 Authorizing and Approving a Settlement Agreement in an Action Relating to the Opioid Crisis (Schein and Target)** by Human Services Committee – UNANIMOUSLY ADOPTED

**22-25 Authorize Repurposing of Capital Project Funds for Jamestown Community College (JCC)** by Planning & Economic Development and Audit and Control Committees – UNANIMOUSLY ADOPTED

**23-25 Amend 2025 Budget - Countywide Resiliency Grant, White Inn Restore New York Grant, and Sediment and Debris Management Plan for Bemus Creek** by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

**24-25 Restoring Passenger Air Service to the Chautauqua County Airport at Jamestown** by Planning & Economic Development Committee –

Legislator Larson: Thank you, Mr. Chairman. This is an economic development measure. And it has the County Legislature tonight doing the same thing the County Legislature did thirty five years ago, March 14, 1990 when it passed resolution 76-90 creating a Southern Tier Expressway Advisory Committee. The Legislature of that resolution put a flag in the ground making it clear what the county government wanted to have happen. The first "Whereas" was Completion of the Southern Tier Expressway through Chautauqua County and on to its intersection with Interstate 90 is the number one economic priority of Chautauqua County government. The final result was that it is in the interest of the legislature to support the efforts

of the Advisory Committee to secure federal and state funding for the completion of the expressway. I was pleased to serve with Al Jones as the co-chairs of this committee. That was March of 1990. Through the political will of the county leaders of that time we had a ribbon cutting of the completion of that highway in 1997. A very short period of time for a project that involved about 60 million additional dollars at that point. Tonight the chairman Chagnon and I are asking the County Legislature, and we've been joined by a unanimous Economic Development Committee membership – we're asking you to put a flag in the ground that says we want commercial air service – passenger air service – back for our community. To serve the industries of our area, to serve Chautauqua Institution, to serve the National Comedy Center just to name a few. We shouldn't have lost the air service in January of '98 but we did. But because we were an essential air service community for a long time we should be able to get that designation back and be able to fly out of Jamestown hopefully by the end of this year. Thank you Mr. Chairman.

Chairman Chagnon: Thank you. Any other comments, discussion on the resolution? Hearing none, all those in favor please say "aye", opposed?

**RES. NO. 24-25 - UNANIMOUSLY ADOPTED**

**25-25 Opposition to Lake Erie Wind Turbines and Authorize Necessary Steps to Protect The County's Interest by Planning and Economic Development Committee –**

Legislator Harmon: Thank you Mr. Chagnon. I just want to be able to thank the organization that's here tonight - CAWTILE. They've done a lot of work to make us aware of what could possibly happen with these monster wind turbines in Lake Erie. This would be an absolute disaster if these things happened. And I just want to thank them for all their due diligence and all their efforts with this county and with other counties surrounding our area. So thank you.

Chairman Chagnon: Thank you. Other comments?

Legislator Larson: Thank you Mr. Chairman. I am going to vote in favor of the resolution but I wouldn't feel right not putting it in context. We on the Economic Development Committee had a very interesting presentation a few months ago by an expert on the wind turbine matter. Under questioning by our committee, the expert indicated that the alternative in his mind, a good alternative, the best alternative to these wind turbines, were small modular nuclear plants. It brought to mind that statement by him tonight with the story – the picture of taking a boat out of Dunkirk Harbor, being out on the lake a ways and looking back. Well 20 years ago, if you took that boat out of Dunkirk Harbor a ways and looked back – you saw a coal-fired huge smoke-belching electric plant. And almost every scientist says that the emissions from the coal burning emission plant like Dunkirk was 550 megawatts worth, is not exactly good for human health. So, we are going to get our electricity from somewhere, so I hope those that are so opposed to solar farms, those who are opposed to windmills that they are ready to join that expert and not be a

NIMBY about small modular nuclear plants that look like they will be a part of our future. I will be voting in favor of this tonight, thank you.

Chairman Chagnon: Thank you.

Legislator Johnson: To my esteemed friend, Mr. Larson, and to the Chairman, I just want to volunteer to be a supporter of small nuclear power plants.

Chairman Chagnon: Thank you. Any other comments, questions, discussion on the resolution? Hearing none, all those in favor please say “aye”, opposed?

**RES. NO. 25-25 – UNANIMOUSLY ADOPTED**

*MOVED by Legislator Scudder, SECONDED by Legislator Bankoski to bring an Emergency Resolution to the floor – Unanimously Carried to bring to the floor*

**Emergency RES. 26-25 – Amend 2025 Budget to assist the NCCWD pursuit of connecting the Village of Fredonia, using interest earnings from the interim investment of ARPA funds**

Legislator Scudder: Yes, I'd like to speak to the need of this being an emergency. The emergency resolution we have before us is as a result of deadlines needing to be met. The portion of the funding for this study had been anticipated since early fall of 2024 to come from the State of New York. The \$50,000 was scheduled to be received by the end of the year 2024. Unfortunately, the funding fell through, so the County using ARPA fund interest, began the process of filling the void left by the State, to go forward with the study for the North County Water District. Urgency for this study funding became known. Deadlines were needed to be met and hence this resolution. This North County Water District feasibility study is important for the entire district. It will look at an option to potentially save millions of dollars for connections while also providing dependable, safe water to thousands of residents and businesses alike. Thank you Mr. Chairman.

Chairman Chagnon: Thank you. Any further discussion on the resolution and for the record, I will read the title of the Emergency Resolution which is “Amend 2025 Budget to assist the NCCWD pursuit of connecting the Village of Fredonia, using interest earnings from the interim investment of ARPA funds”.

Legislator Larson: Thank you Mr. Chairman. I think I'm going to vote for this resolution tonight, however, it raises a familiar question. This involves a water district. It's not clear from the resolution whether this is a loan of County General Funds. We call it ARPA interest, but if it's part of our General Fund, we can do anything with it we want. We can pave a county road with it, we could do lots of things with it. This suggests that we use \$50,000 to assist a District. And as you know, the concept of these County sponsored Districts is that the users in the District, or property that's benefited by the District, are to pay all the costs of the District. The overall taxpayers of Chautauqua County, a taxpayer in Busti or West Ellicott is not to be

subsidizing a District. The resolution doesn't make clear whether this is a loan to this District or it's a grant to this District. And furthermore, on a technical matter, the title is clear – Amend 2025 Budget – but the “Resolve” doesn't amend our budget. Just as a technical matter and it uses an interesting “Whereas” – the last “whereas” – “the county is pursuing the use of ARPA interest earnings to fund this study”. So, I will vote for using \$50,000 of County General Fund to subsidize the activities of this District, which allegedly could wind up saving somebody millions of dollars, presumably being people in the District, not the general taxpayers of Chautauqua County. But, I hope we keep in mind if it happens to be a loan, the comptrollers tried to educate us that if you're loaning to another entity, municipal entity, that we have to say that, and we have to say that it's repayable by December 31 of this year. And if it's not, pass a resolution next year extending it another year. I will vote for it, but it has a couple of troublesome aspects to it. Thank you Mr. Chairman.

Chairman Chagnon: Legislator Larson, if I could give you a little bit of background information. This emergency situation only developed very, very recently – over the weekend. And our County Director of Finance is unavoidably detained out of town in numerous feet of snow up North. And so, at her request she suggested this treatment with the understanding that next month, we'll bring another resolution taking care of the accounting treatment.

Legislator Larson: Will this be a grant or a loan?

Chairman Chagnon: To be determined. That's part of the reason that she was not here to do the necessary research and make the recommendations.

Legislator Larson: Thank you.

Legislator Johnson: You answered my questions, thanks.

Chairman Chagnon: You're welcome. Any other comments, questions?

Legislator Niebel: Mr. Chairman, I won't address the question of grant or loan, but let me just say, that this money is for a study. Indirectly it will benefit the towns of Dunkirk, Portland, Pomfret, and Sheridan. And the Villages of Brocton and Fredonia. As well as the City of Dunkirk. So, I'll be voting in favor of this resolution this evening.

Chairman Chagnon: Thank you. Any other comments or questions?

Legislator Carle: I know other studies have been done by LaBella, and I want to know how this study is different from the ones that have already been done.

Chairman Chagnon: This will be a study by LaBella.

Legislator Carle: Right, but I think they've already done studies, so how is this one different than the previous studies on the water issue?



Chairman Chagnon: This will be a Hydrologic Study to determine what needs to be done to bring the Fredonia system into the North County Water District – connecting. What needs to be done to the North County Water District?

Legislator Carle: It's just that I thought that LaBella had already done studies of this nature and I just was curious as to what this one is. I thought it was more about environmental impacts, more than connections.

Chairman Chagnon: The study that LaBella did for the Village did not consider connection to the North County Water District.

Legislator Carle: Okay, thank you.

Chairman Chagnon: You're welcome. Any other comments, questions on this emergency resolution? Hearing none, all those in favor please say "aye", opposed?

### **Emergency RES. NO. 26-25 – UNANIMOUSLY ADOPTED**

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### **ANNOUNCEMENTS**

Chairman Chagnon: Okay, that brings us to announcements on our agenda. Are there any legislators who have an announcement for the good of the order? Any announcements on a very cold evening?

Legislator Carle: I was informed by a friend in North Carolina that an article had run over the very famous website platform called *Goingbankrates.com*, that Fredonia has been identified as the best place to retire in New York State. You know, it's one where they rated the best and the worst of each State – where to retire. And Fredonia was noted for its wineries, SUNY Fredonia and what that offers to the community, affordable housing and Lake Erie. So everything we've talked about tonight kind of falls in line with some of the reasons that Fredonia was picked as a good place to retire. So, just thought I'd share that.

Legislator Scudder: I knew I picked the right place to retire.

Legislator Proctor: Just want to remind everybody that the Mayville Winter Festival will occur. And that will be February 14 – 16. So everybody come out and enjoy everything that the winter has to offer Chautauqua County.

Legislator Larson: The Chautauqua Sports Hall of Fame has an annual induction banquet. Each year is special. But this year, it's even more special – its President's Day night. There aren't many tickets left, in part because two of the inductees: one is a current player in the National Football League and the other is the coach of a team that might be trying to deny our

Buffalo Bills a Super Bowl win. So, with a coach of the Philadelphia Eagles being from Southwestern School and Steven Carlson of the Chicago Bears being from Jamestown High School, it's a packed house at the Lakewood Rod and Gun, but there are a few tickets left for our County Legislators that want to support one of the few genuinely County wide organizations - The Sports Hall of Fame Board has about thirty board members and they are from all over the County. Our inductees each year from all over the County. It's a great successful organization and to have two current NFL participants making the trek to Chautauqua County for their induction is pretty special. Thank you.

Legislator Buchanan: I'll hire Mr. Scudder to keep an eye on Popeye's Chicken when they open up. *(Laughter)*

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### **PRIVILEGE OF THE FLOOR**

Members of the public may comment on any subject.

A member of the legislature may speak on any subject.

Individual comments are limited to 3 minutes and  
comments representing a group shall be limited to 5 minutes.

Chairman Chagnon: It gives me great pleasure to welcome our State Senator back to the Legislature Chambers where he served so very distinctively and with great distinction in our past.

Senator Borrello: *(Applause)* Thank you. Well, first of all thank you Mr. Chairman I appreciate the indulgence here and it is great to be back here. I spent eight years as a County Legislator, two years as County Executive so a decade here in Chautauqua County government. And literally just drove here from Albany and I can't tell you how refreshing it is to be here with people that actually know what they are doing. I'm here because I heard, unfortunately I tried to get here sooner, but I heard that you unanimously passed the motion to oppose industrial wind turbines in Lake Erie. And I'm coming here to say "thank you". Once of the first things I did as a County Legislator, last time this bad idea was here, under the Great Lakes Offshore Wind Project, the GLOW project – was to get the County Legislature to speak as one group. Saying that the quality of our water, the quality of our life and the drinking water for 11 million people was more important than a political agenda. And tonight, Chautauqua County took the bold step to be the first County to actually speak out against this. Thanks to CAWTILE and the great work that they have done, many municipalities in Chautauqua County and Erie County have I'm sure probably told you, have done similar resolutions opposing this. But this is the first time a County Legislature has spoken with one voice. And I'm very, very proud that this is the roots of my political career. That I live here in Chautauqua County. By the way, I didn't say, I'm George Borrello from town of Hanover. I know I'm supposed to announce where I'm from. So, I'm very proud that you folks know how to set aside politics and do what is best for the people of Chautauqua County. I'm truly proud to be a part, an alumnus, of this organization. And very, very proud that we are going to stand up and say what is best for the people of Chautauqua County and the people of not just New York State, but every state and country that surrounds the

Great Lakes is that we keep these wind turbines out of the water. Thank you all very much for being so bold. Appreciate it. (*Applause*)

Chairman Chagnon: Thank you. Anyone else wishing to speak to the 2<sup>nd</sup> Privilege of the Floor?

Karen Engstrom: Well, that's a hard act to follow. Karen Engstrom, here to thank the Legislature for passing Resolution 25 this evening. We have to thank all our local officials who provide such leadership. New York State and the State of California will continue to press hard to expand the harmful development of wind, solar and lithium ion battery energy storage systems in spite of the fact that the change in the Federal energy policies may create better, more reliable, safer, more affordable energy options. But the State of New York will probably double down on its fast-tracking of destructive, wasteful wind and solar. And now that we've seen the (*inaudible*) landing fire and explosion in California, we're more aware of what's going to happen if we allow lithium ion battery storage systems in our communities. It's a wakeup call for that particular industry. Wind and solar produce little energy, cause massive negative impacts to the environment and economy and lead to the installation of the still more harmful nightmare lithium ion battery storage systems or BESS. There is an article on your desk which talks about the dirty batteries and how they've snuck them in as a justification for a way to store what wind and solar cannot do. BESS has short term viability – the batteries become unusable very quickly – they have a 2-4 hour storage capacity. Fire and explosion are major hazards as well as their immense dangerous disposal problems, something that is little discussed. With the new threat of the State acceleration of the destruction of our beautiful, pristine (I borrow a word from George Borrello fondly) rural corner of the State. We rely on your actions to delay these bad energy policies until it is recognized that wind and solar and energy storage systems are obsolete. Until we have real energy, safe energy, affordable energy, reliable energy, which is available and will be coming – a delay is necessary. Thank you very much.

Chairman Chagnon: Thank you. Anyone else wishing to address the 2<sup>nd</sup> Privilege of the Floor?

Patty Mekus: Patty Mekus from CAWTILE, Orchard Park, New York. I just want to say, this is a proud day for CAWTILE. And a proud day for Chautauqua for standing up for our Lake Erie. Thank you again.

Chairman Chagnon: Thank you.

Legislator Carle: My question is, even though we voted unanimously, where is the line drawn? Are we able to stop the State? Are we able to stop Federal movements toward...? I mean, Senator, I mean, counties along lakeshore – if they all vote unanimously not for that, where does our line in the lake go? I mean, are we able to have eminent domain or do they have it?

Chairman Chagnon: Legislator Carle, this is an opportunity to speak to the Legislature, not to ask questions or discuss with the public.

Legislator Carle: Okay.

Chairman Chagnon: So, if you have a comment you'd like to make, please do. Anyone else wishing to speak to the 2<sup>nd</sup> Privilege of the Floor?

Patty Mekus: May I have one more second here?

Chairman Chagnon: I'll grant it, yes.

Patty Mekus: Thank you sir. I just want to say, it's not over. And we're so proud that Chautauqua has taken this lead in this. But we are not finished here. We are approaching other counties, and we are writing letters to the governor. We will take our resolutions to the governor and we will also continue our efforts federally. We are working with the congressmen and our goal for CAWTILE is not only Lake Erie, it's the protection of all our Great Lakes. Our Great Lakes – we need to protect them just like it's a National Park. And so our efforts will continue to move up and up. And if there is anyone that wants to ask us any questions at some time, please get a hold of us, please support us and we welcome all the help we can get. Thank you so much.

Chairman Chagnon: Thank you. Anyone else wishing to address the 2<sup>nd</sup> Privilege of the Floor?

Hello again, Jim Wehrfritz. Bemus Point. President of Chautauqua Lake Property Owner's Association, the CLPOA. First, I'd like to speak about wetlands. We began alerting all to the significant negative impacts of the DEC's proposed new wetlands regulations in August 2023. CLPOA conducted seven well-attended "Wetlands" public meetings between April and November 2024 with another to be held this Saturday, January 25, 2025, 9:30 – 11:00 am at the Lawson Center in Bemus Point. The Town of Ellery led municipality opposition to the regulations in May followed by our State Senator Borrello and Assemblyman in June, and our US Congressman in September. Thousands of petitions and letters were sent to the DEC and Governor in opposition and in seeking a delay. The County Executive and the Legislature followed their lead in September and October.

We were disappointed that support did not convince the Governor to suspend implementation until the many incomplete tasks were complete. As a result, piecemeal additions of related documents are following the January 1<sup>st</sup> implementation. The understanding of their impact is evolving but it is clear that hundreds of homes and businesses near Chautauqua Lake and more around the entire county, will find themselves in newly regulated areas. And this is just the time of the iceberg given the DEC's jurisdictional determination process and identification of in-lake wetlands still to come.

Second, Lake Management. You have had an opportunity to review the "Long Term Management Plan for Submersed Aquatic Vegetation at Chautauqua Lake" completed by North Carolina State University in June 2024. The plan is a comprehensive "adaptive management" plan with annual upgrade with quantitative performance measures and learnings.

The Town of Ellery supported the plan at its December meeting and the Village of Bemus Point followed in January. The December Planning and Economic Development Committee meeting included discussion of the plan with concerns about adoption of the plan. We believe a County legal opinion would allay these concerns and/or identify an easy way to deal with them. Further, we would like to hear that County Executive Wendel, Legislature Chair Chagnon, and lakeside Legislator Proctor, all with seats on the Alliance Board and with a half million dollars in County funding behind them, strengthen the Alliance commitment to adopt the plan instead of the inconsequential “accept the strategy” passed in December. The County “accepted a strategy” The Macrophyte Management Strategy in 2017. With that and even with its implementation included in the Alliance’s Mission Statement and after years of work and hundreds of thousands of dollars spent, the Strategy was never used as intended.

Third, the Army Corps of Engineers Study. Initial results of the Corps’ “Chautauqua Lake Aquatic Ecosystem Restoration Study” were reviewed by County selected participants in a two-day meeting January 8<sup>th</sup> and 9<sup>th</sup>. Oddly, the CLPOA, the only Lake organization specifically representing property and business owners was excluded from invitation. Based on County guidance, what actually happened was, the ACOE invited only lake organizations dependent on the County for funding to this “closed” meeting. We restate our many months old request to meet with the County Executive given his recently state “open door policy” to discuss this study, the wetlands regulations, and the North Carolina State University Management Plan. We do not understand why the County Executive fears such a meeting.

One last and especially critical point. We related our concerns about the County’s delegation of lake responsibility to the Chautauqua Lake and Watershed Management Alliance in last month’s meeting. Business and property owner interests are not directly represented in the Alliance while significant county funding is handed to Alliance board member organizations.

The Alliance is a private organization with a board elected only by their members and with fiduciary responsibility only to its members. We have heard the Alliance is concerned that it has no authority to manage the lake, and we’ve heard them say they don’t manage the lake, and they don’t work for or answer to the public. Deliberations and actions are out of the reach of open meeting laws and Freedom of Information Act information requests. In December, they eliminated all but one public board meeting a year, from twelve to one over its life, with a motion by Legislature Chair Chagnon seconded by the County Executive.

Conditions in the lake have not improved after tens of millions of dollars have been spent in the last decade. There are better options for our lake’s management. More to come.

Chairman Chagnon: Thank you. Anyone else wishing to address the 2<sup>nd</sup> Privilege of the Floor? Hearing no one, I’m looking at Legislator Nelson.

MOVED by Legislator Nelson, SECONDED by Legislator Proctor to adjourn.

*Unanimously Carried (7:27 p.m.)*

Respectfully submitted and transcribed,  
Olivia Lee, Clerk of the Legislature, Kristi Zink, Deputy Clerk & Nancy Quattrone, Senior Stenographer