

**VILLAGE OF BALD HEAD ISLAND  
COUNCIL WORK SESSION  
JANUARY 15, 2010  
BALD HEAD ASSOCIATION CENTER**

COUNCILORS IN ATTENDANCE: Mayor Andrew Sayre  
Mayor Pro Tempore John Fisher  
Councilor Gene Douglas  
Councilor Art Morris  
Councilor John Pitera

STAFF PRESENT: Calvin R. Peck, Jr., Village Manager  
Chris McCall, Assistant Manager/ Director of Dev. Services  
Deb Straub, Finance Manager  
Dawn Reno, Human Resource/ Tax Administrator  
Public Safety Chief Chip Munna  
Ken Bowling, Utilities Director  
Ben Liddle, Public Works Director  
David Cox, Systems Administrator  
Charles Baldwin, Village Attorney  
Debra Talbert, Village Clerk, (recording minutes)

**1. Call to Order/ Approval of Agenda-**

Mayor Sayre called the January 15, 2010 Council Work Session to order at 9:30 a.m. Mayor Sayre stated there would be a revision in the Council Work Session agenda. The addition will be listed as the Discussion on Retreat Agenda under 8a. Mayor Sayre asked for approval of agenda. With all in agreement, agenda was approved. **(MOTION CARRIED 5-0)**

**2. Review of Council Meeting Agenda –**

**2.1 Approval of Minutes-** Mayor Sayre asked Council to review the minutes for December 2009 and asked for any corrections. Councilor Douglas stated a correction on the Council Work Session article 6b. *Alleged Voting Irregularities on Bald Head Island*, should state that Councilor Douglas withdrew his motion to discuss further in Closed Session. Councilor Douglas stated a correction on the Council Meeting minutes article 6.1 *Managers Report*, should include Councilor Douglas agreed to withdraw his motion in lieu of the letter to be sent to the Brunswick County Board of Elections.

**2.2 Sale of surplus metal items located at the Utilities Department-** Calvin stated Utilities Department has a clean-up in process where the department has requested to sell off the unusable metal items as scrap metal, and asked the Council to declare the scrap to be excess.

**3.2 Amendment to Village Personnel Policy- Smoking Policy-** Calvin reviewed the smoking policy with Council. Calvin confirmed the smoking ordinance to the public will not be added to Bald Head Island Ordinances; however the new smoking policy for Village personnel will be placed in the Village personnel policy as follows:

#### **Section 14. Smoking Policy**

*Smoking is prohibited in or on any building, ground or vehicle owned, leased or occupied by the municipal government of Bald Head Island. Additionally, all Village employees shall, while on duty, refrain from smoking while in the view of the general public and while actively engaged in duty with the general public, including, without limitation, in meetings or on fire, emergency or police calls or activities where smoking may compromise safety. This prohibition on smoking in public shall apply whether the employee is located within or outside the municipal boundaries of Bald Head Island.*

*Failure to comply with this policy may result in immediate disciplinary action.*

Mayor Sayre confirmed the smoking policy is only effective during working hours. Calvin agreed this was for Village personnel during the hours of employment.

3. **Financial Report**- Deb Straub stated the ad valorem tax receipts from Brunswick County for this month were \$3.1 million. There is a revenue shortfall being reviewed and addressed with staff and the Finance Committee. The first GO Bond debt payment was paid in December 2009 at \$723k. Mayor Sayre asked Deb about the budget variance report. Deb explained to Council the budget variance report is used to project costs for the fiscal year and will be included in the future.
4. **Discussion on Brunswick Beach Consortium meeting**- Council discussed the BBC meeting on February 18, 2010. Council agreed to attend this meeting as an informational meeting only. Calvin presented the invoice for a member share of cost for Brunswick Beaches Consortium lobbying efforts. Council discussed and agreed to have this presented on the afternoon Council meeting item 3.3 *Approval of Brunswick Beaches Consortium Lobbyist charge.*
5. **Discussion on Beach Planting and Sand Fence**- Calvin discussed the proposal from Simmons Agriculture & Nursery for the planting of American Beach grass. The plantings would be the vicinity of Sandpiper Lane. Chris McCall discussed the contract with Council and the bid from Jason Simmons to plant beach grass instead of bitter panicum for better stabilization of the dunes hold. Councilor Douglas agreed to plant beach grass yet disagreed with the removal of the bitter panicum. Councilor Douglas stated the beach grass has a life expectancy of five years and would be a quick solution however the bitter panicum is a permanent plant to stabilize the beach. Mayor Sayre suggested an amended contract with Simmons Agriculture to include American Beach Grass be placed on the afternoon Council meeting item 3.4. Chris discussed the Code of Ordinance *Section 32-163. Ornamental structures, fences and walls. (e) Sand fencing construction standards (4) Sand fencing, when it is buried more than 50 percent of its height shall be removed or relocated in accordance with the provisions of this chapter.* Chris recommended to Council the amendment of this Ordinance on the non removal of sand fence buried more than 50 percent. Chris stated he verified with the Division of Coastal Management that there is no requirement for the removal of sand fence. Chris stated the removal of sand fence operation breaks down the dunes both from foot traffic and pulling the sand fence up. Council discussed the use of sand fence and where it could be used. Chris stated CAMA will give exemptions for the replacement of fencing; however for a new location a permit is required. Joyce Fulton discussed issues with the NC Fish and Wildlife with prior instances and gave examples of sea turtles becoming entangled in sand fence. Council directed staff to research the request further.

6. **Discussion on Sandpiper Trail Abandonment** - Chris discussed with Council the possible road abandonment of a portion Sandpiper Trail. Discussion included property owner access through the wetland and having an emergency beach access. Chris presented a Resolution Council's consideration. Councilor Morris asked if there were objections to the removal or abandonment. Chris stated the driveway would cross over the Bald Head Island Association common area. The land is low lying and would require an elevated roadway for the property owners. Mayor Sayre confirmed that part of Sandpiper Lane would be left open for beach access and emergency access. Calvin stated the sandbags in front of Sandpiper Lane have been recently reinforced to protect the infrastructure and if abandonment of Sandpiper occurs the sandbags cannot be reinforced again if exposed. Staff discussed the maintenance of the road and utility issues with Council. After discussion, Council directed staff to research the issues further.
  
7. **Discussion on Shoreline Preservation Steering Group** – Attorney Baldwin stated the information to be confidential and should be discussed in Closed Session.
  
8. **Discussion on UPS/ FedEx**- Mayor Pro Tempore Fisher stated he has reviewed the contracts with UPS/ and FedEx service for the Island and has met with the individuals of each service. Mayor Pro Tempore Fisher stated his opinion that formal letters should be written to request for meetings with UPS and FedEx from the Village and Limited. Mayor Pro Tempore Fisher requested to work with Calvin to have further research done on the data presented.
  - 8a. **Discussion on Retreat Agenda**- Mayor Sayre discussed the purpose of the retreat would be to meet with the entities on the Island and work on issues between each group. Councilor Douglas stated his concerns with the agenda. He stated this is not a retreat and should be addressed as a Work Session and that Council should still have a Retreat to discuss the goals and the issues discussed at this meeting. After further discussion, Mayor Sayre directed Village Clerk to change the agenda title to Village Council Retreat/ Work Session.
  
9. **Manager's Report**- Calvin discussed that the Planning Board committee is in need of a member to make a quorum. Chris discussed the process of the Planning Board requirements and the members on the committee. Council agreed to make an appointment at the afternoon session. Calvin stated both beach contractors, WECC and Norfolk Dredging, have made good progress. WECC is working on Groin 16. Calvin referred to the statement from Erik Olsen that there has been permanent loss of sand from the Island and we are unable to duplicate the former alignment of sand. Mayor Sayre asked Calvin about the location of the new groins. Calvin stated the sand is being placed in the correct location and Erik Olsen will be on Island the following Wednesday to get the correct measurements as to change in groin location. Calvin stated the Land Management Group has met with resource agencies and they have concerns with the project draft Environmental Assessment for the creek dredging. They will be meeting for a review with Chris McCall to determine next steps. Charles Baldwin attended with Ray Webb the CRC meeting held this week in Raleigh. Charles discussed the meeting with Council which involved the Static Line Exception for Ocean Isle Beach. Charles discussed the Terminal Groin study by Moffat Nichol. The first draft report is due February 1, 2010, with the next step being the meeting with CRC in New Bern. The final draft is due March 1, 2010. April 1, 2010 the final report is due to be presented to the General Assembly. Ray Webb discussed the CRC meeting with the Council and public. Ray stated Commissioner Marty Cook attended the CRC meeting and stated his concerns with the impact of the damage

to the beaches of Brunswick County. Frank Iler, State Representative, was at the meeting and stated his remarks of support. Ray stated Scott Gardner a property owner of BHI, with public affairs background, attended the meeting and showed support for the island. Ray stated there will be a CRC meeting in Wilmington on February 17, 2010 and BHI Limited will be writing a letter of concern to be presented at the meeting. Ray Webb urged Island residents to attend this meeting to show their support.

**10. Closed Session Pursuant to N.C. General Statutes 143-318.11 (a)(1),(a)(2), (3), and (5)**

Pursuant to N.C. General Statutes 143.318.11(a)(1),(a)(2), (3), and (5), Mayor Sayre entertained a motion to enter into Closed Session at 10:40 a.m., with all in favor.

**(MOTION CARRIED 5-0)**

Mayor Sayre entertained a motion to come out of Closed Session at 12:00 p.m., with all in favor.

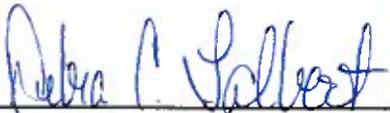
**(MOTION CARRIED 5-0)**

**11. Adjournment**- Mayor Sayre entertained a motion for adjournment at 12:01 p.m., with all in favor.

**(MOTION CARRIED 5-0)**

  
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Mayor Andy Sayre

ATTEST:

  
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Debra C. Talbert, Village Clerk

