

**VILLAGE OF BALD HEAD ISLAND**  
**COUNCIL WORK SESSION**  
July 16, 2010  
Bald Head Association

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, Asst. Manager/ Shoreline Protection Manager  
Deb Straub, Finance Manager  
Chip Munna, Chief of Public Safety  
Stephen Boyett, Inspector for Development Services  
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 July 16, 2010 Council Work Session to order at 9:35 a.m. Mayor Sayre entertained a motion to approve the agenda as written. Councilor Pitera made motion, with all in approval.  
**(MOTION CARRIED 5-0)**

**2. Review of Council Meeting Agenda**

2.1- Mayor Sayre asked for a revision to be made on the June 16, 2010 Council Work Session minutes- page 1 and June 16, 2010 Council Meeting minutes- page 7.

2.2- Chief Munna spoke on the Annual Ambulance/ Rescue Franchise Agreement with Brunswick County. Revisions are to be made and submitted to the Village.

4.1- Deb Straub reviewed an action agenda notifying Council of a Re-Allocation of the remaining funds in 09/10 Sand Placement line items to cover additional expenditures in June 2010 for the Beach Re-nourishment Capital Project Fund. No action required by Council. Deb reviewed the second action agenda which reviews the property tax collection report for 2009 property taxes- FY 09/10.

4.2- Mayor Sayre reviewed the Proclamation for the 2010 National Lighthouse Day

4.3- Calvin stated the Resolution declares the month of July Lyme Disease and Rocky Mountain Spotted Fever Awareness month. This will be placed on the Village web-site for citizens to review.

5.3- Councilor Morris presented Public Safety and Transportation committee recommendation for the regulation of Segway type electrically powered devices.

**3. Shoreline Protection**

Chris McCall spoke USACE Wilmington Harbor Maintenance Funding FY 10/11 O&M. The funding is currently not included in the House Energy & Water Bill Sub-Committee markup. The Village lobbyist and Mayor Sayre will be making calls to our congressional delegation and their staff to press the Island's need for full funding to include the reach for Bald Head Island sand when the bill hits the floor for full committee action. Mayor Sayre stated he has spoken with Congressman McIntyre and that he was receptive to the issues.

Staff has reviewed the USACE Monitoring Report #7 draft and has provided written comments on its inadequacies to include a truncated survey period used by the Corps that leaves out of the equation critical survey data on the Corps SMP Monitoring Report #7. Data has been requested of Erik Olsen and will be included in the report analysis.

Chris stated the Shoreline Protection committee still has concerns with the NCIT. Two committee members will be attending the No Port South Port meetings to stay informed. Chris and Attorney Baldwin reviewed the CRC meeting and the discussions on the Inlet Hazard Area. The next CRC meeting will be held September 2010.

#### 4. **Financial Report**

Deb Straub stated this is the end of the fiscal year with the projected General Funds increase being approximately \$55k, and the Utility Fund will balance out.

#### 5. **Manager's Report**

Attorney Baldwin gave a power point presentation on issues and concerns with the proposal of a Segway Resolution recommended by the Public Safety/Transportation Committee. Attorney Baldwin reviewed the current ordinance of the Registration of Vehicles with proposed corrections to be made. Council discussed and made recommendation for the ordinance to be revised and further research done by the Public Safety/Transportation Committee to report at the following Council meeting.

Calvin spoke on drought issues in North Carolina counties; Brunswick County is at moderately dry and we will continue to monitor.

Calvin requested Chief Munna to speak on the Re-entry passes. Mayor Sayre asked if all entry passes been sent out? After discussion, Mayor Pro Tempore Fisher stated some Orange re-entry passes have not been distributed as of July 15, 2010 and gave his experience. Mayor Sayre stated next year's Re-entry pass distribution procedure needs to be more organized.

Chief Munna stated the Village will utilize a three phase process for re-entry to the Island. A colored pass system will be implemented to facilitate expedient movement of property owners and personnel authorized to re-enter the Island. These passes are issued on an annual basis.

- **Red Card** is Phase One that includes the Village Damage Assessment Team and Emergency Operations Team. **No property owners will be allowed access on the Island at this time.**
- **Orange Card** is Phase Two that includes the determination of no safety hazards or risk to property owners, the Mayor shall execute a superseding proclamation to amend the State of Emergency originally issued. This proclamation **will allow the re-entry and return of only one individual per household who own Improved Property only.**
- **Yellow Card** is Phase Three includes the determination of no safety risks, and the restoration of all services. This allows the re-entry of all **Unimproved Property owners** and the general public.

Chief Munna stated only one individual per household will receive a re-entry card. This should solve the confusion of more than one card being distributed and give a point of clarification of re-entry.

Mayor Sayre stated concerns with Sandpiper Trail and the debris on the side of the road. Calvin stated the raising the road is completed. The swale to contain runoff water is not completed. Chris McCall stated after completion sand fence will be installed along with heavy vegetation of sea oats to insure stabilization.

Mayor Sayre stated the Shoreline Protection Committee has made recommendation to dissolve the Ad Hoc Committee on the NCIT. Mayor Sayre entertained a motion to dissolve the committee, with all in favor.  
**(MOTION CARRIED 5-0)**

Mayor Sayre reviewed the meeting where there was a discussion on the oil spill. There is less than 1% chance for oil to migrate to North Carolina. In the chance this occurs, the oil will be in the shape of tar balls and recommendation is to have a plan or procedure of disposal to be in place.

Mayor Pro Tempore Fisher stated concerns have been brought to his attention on the use of radar guns and re-certification issues. Calvin stated staff understands from Council the issue of controlling speed and Councils intent.

6. **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 10:30 a.m., with all in favor.

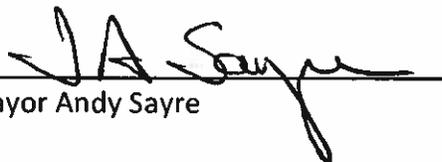
**(MOTION CARRIED 5-0)**

Mayor Sayre entertained a motion to come out of Closed Session at 12:55p.m., with all in favor.  
**(MOTION CARRIED 5-0)**

7. **Adjournment**

Mayor Sayre entertained a motion to adjourn at 12:55p.m., with all in favor.

**(MOTION CARRIED 5-0)**

  
Mayor Andy Sayre

ATTEST:

  
Debra C. Talbert, Village Clerk



**VILLAGE OF BALD HEAD ISLAND  
COUNCIL MEETING  
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Bald Head Association**

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Charles Baldwin, Village Attorney  
Debra Talbert, Village Clerk (recording minutes)

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

Mayor Sayre called the July 16, 2010 Council Meeting to order at 3:00 p.m. Mayor Sayre entertained the motion to approve the agenda with revisions. Councilor Morris made the motion, with all in approval.  
**(MOTION CARRIED 5-0)**

**2. Consent Agenda**

**2.1 Approval of Minutes**

June 18, 2010 Work Session  
June 18, 2010 Council Meeting

**2.2 Annual Ambulance/Rescue Franchise Agreement**

Mayor Sayre asked for approval of the Consent Agenda as presented. Councilor Morris made the motion, with all in approval.  
**(MOTION CARRIED 5-0)**

**3. Old Business**

**3.1 Oath of Office- Basic Law Enforcement Training Graduates**

Mayor Sayre gave Oath of Office to Chief Chip Munna for the completion of Basic Law Enforcement Training and to resume the office of Chief of Bald Head Island Public Safety.  
Mayor Sayre gave Oath of Office to Captain Russell Haywood for completion of Basic Law Enforcement Training and to resume the office of Captain of Bald Head Island Public Safety.

**3.2 Presentation on Coastal Insurance**

Kathleen Riely, WRAR Governmental Affairs Director of Wilmington Regional Association of Realtors gave a presentation on the increase to homeowners insurance along the coastal zones. The following information was discussed.

**Basic Homeowner Insurance policies**-On December 18, 2008, the Commissioner, on the recommendation of the N.C. Rate Bureau, approved statewide homeowner insurance rate increases/decreases to become effective on May 1, 2009. According to the N.C. Rate Bureau, the rate changes reflect the most recent statistical data based upon the number of natural disasters that have occurred in NC over the last 25 to 100 years.

**Wind and Hail Policies**-On November 21, 2008, the North Carolina Department of Insurance (“NCDOI”) and the Commissioner of Insurance (“Commissioner”) issued a decision that would impose increases in surcharges and deductibles to insurance plans under the North Carolina Insurance Underwriting Association (NCIUA) otherwise known as the “Beach Plan” and the North Carolina Joint Underwriting Association (NCJUA) otherwise known as the “FAIR Plan,” to become effective February 1, 2009.

Kathleen stated House Bill 1305 only addressed the Wind and Hail policies along the coast as follows:

- Average wind and hail coverage on a \$150,000 house is now approximately \$1,295 (with most of the increase coming from the Rate Bureau’s increases)
- Kept the Beach Plan surcharge at 5% for wind and hail instead of the requested 15% and 15% for full peril instead of the requested 25%
- Changed the deductible to 1% house value per named storm as opposed to 2% house value per occurrence

The most recent Court of Appeals Case has to do with Beach/Fair Plan and House Bill 1305 passed last Legislative Session:

- The recent case before the Court of Appeals only pertains to the December 18, 2008 Consent Order allowing the **Rate Bureau** to raise rates up to 29.8% in the coastal counties and does **not** address the Beach/Fair Plan.
- The Court will only decide issues regarding the Rate Bureau and the rate-making process as defined by statute (Chapter 58).
- House Bill 1305 only addressed the **Beach/Fair Plan** which covers wind and hail policies pertaining exclusively to the 18 coastal counties and did not consider the Rate Bureau’s rate-making process.
- The Courts will not hear appeals regarding the Beach/Plan – this has been resolved by the N.C General Assembly last session.

Kathleen gave Cape Fear Coalition of Concerned Citizens web-site to review further information on this subject. [www.CFC3.org](http://www.CFC3.org)

#### 4. **New Business**

##### 4.1 **June Financial Statement Report**

###### 4.1a- *Tax Collection Report*

Deb spoke on the June financial balances for year end fiscal year 2010. Deb presented to Council the re-allocate remaining funds in 09/10 Sand Placement line items to cover additional expenditures in June 2010 for the Beach Renourishment Capital Fund. Deb reviewed the Tax settlement report for collection of prior tax year 2007 through 2009.

There was a budget amendment presented to Council for the funding of additional legal costs for Utility Rate Case and Property Revaluations.

Mayor Sayre asked for approval of the Amend Budget Ordinance as presented. Councilor Morris made the motion, with all in approval. **(MOTION CARRIED 5-0)**

##### 4.2 **Proclamation- 2010 National Lighthouse Day**

*WHEREAS, the Village of Bald Head Island is proud to welcome Horatio Sinbad and the Crew of the Meka II, Captain Red Ned Lynch, Blackbeard’s Crew, The Rusty Cutlass Band, Braze, Cascabel and Stynky Tudor, who will spend August 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> in our Village as the guests of the Old Baldy Foundation; and*  
*WHEREAS, Bald Head Island has been safe haven for Pirates over the years and we hope to continue the tradition with Pirate Pub Night and the National Lighthouse Day activities; and*  
*WHEREAS, the Old Baldy Foundation has shown great efforts to maintain and preserve the Old Baldy Lighthouse, built in 1817, the oldest standing lighthouse in North Carolina and to ensure that the 2010 National Lighthouse Day Celebration is a success.*

*NOW, THEREFORE, I, Andrew Sayre, by the virtue of the authority vested in me as the Mayor of the Village of Bald Head Island, do hereby proclaim August 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> to be*

***“National Lighthouse Days”***

*in our Village, and on behalf of the Village Council and all of our residents, tender to our honored guests a most cordial and sincere “Welcome” to the Village.*

Mayor Sayre asked for approval of the 2010 National Lighthouse Day Proclamation as presented. Councilor Morris made the motion, with all in approval.

**(MOTION CARRIED 5-0)**

**4.3 Resolution on Ticks and Disease**

Calvin spoke on July being awareness month for Lyme Disease and Rocky Mountain Spotted Fever.

*Whereas, ticks carrying the bacteria Borrelia burgdorferi that causes Lyme Borreliosis, commonly known as Lyme disease, are present across the state of North Carolina (six reported cases per year per 1,000,000 people on average or a 0.0006% infection rate); and*

*Whereas, the North Carolina Division of Public Health now encourages physicians to consider the clinical diagnosis of Lyme disease in residents who may be infected with the bacteria, contracted within NC; and*

*Whereas, Lyme disease is difficult to diagnose because it imitates other condition and no reliable laboratory test can prove who is infected or bacteria-free, which often leads to misdiagnosis; and*

*Whereas, early indicators of infection include flu-like symptom, characterized by chills, headache, fatigue, muscle and joint aches and swollen lymph nodes; and*

*Whereas, weeks or months later, patients with untreated or under-treated Lyme disease can suffer from serious, permanent and sometimes life-threatening damage to the brain, joints, heart, eyes, liver, spleen, blood vessels and kidneys. For these reasons it is imperative that all who develop this disease receive immediate treatment; and*

*Whereas, ticks carrying the bacteria Rickettsia rickettsii that causes Rocky Mountain Spotted Fever are also present across the state of North Carolina (fifteen reported cases per year per 1,000,000 people on average or a 0.0015% infection rate); and*

*Whereas, the North Carolina Division of Public Health now encourages physicians to consider the clinical diagnosis of Rocky Mountain Spotted Fever in residents who may be infected with the bacteria, contracted within NC; and*

*Whereas, early indicators of infection include flu-like symptom, characterized by chills, headache, fatigue, muscle and joint aches and sometimes diarrhea; and*

*Whereas, long-term health problems following acute Rocky Mountain Spotted Fever infection can include partial paralysis, gangrene, hearing loss and movement disorders. For these reasons it is imperative that all who develop this disease receive immediate treatment; and*

*Whereas, the threat of Lyme disease and Rocky Mountain Spotted Fever should not keep the public from enjoying the benefits of exploring natural environments, the best methods to reduce disease transmission is to educate people about the seriousness of the illnesses and the need to practice personal preventative techniques when engaging in outdoor activities, such as frequent tick checks, use of tick repellent and proper tick removal.*

*Now therefore, be it resolved by the Village Council of the Village of Bald Head Island declares the month of July Lyme Disease and Rocky Mountain Spotted Fever Awareness Month.*

Mayor Sayre asked for approval of the Resolution for Lyme Disease and Rocky Mountain Spotted Fever Awareness Month as presented. Councilor Pitera made the motion, with all in approval.

**(MOTION CARRIED 5-0)**

**4.4 Appointment of Committee member**

Mayor Sayre asked for approval of the re-appointment of David Hassen to the Board of Adjustments committee. Councilor Pitera made the motion, with all in approval.

**(MOTION CARRIED 5-0)**

**5. Committee Reports**

**5.1 Shoreline Protection-**

Brooke Williams spoke on the research for funding for the re-nourishment issues on Bald Head Island. Mayor Sayre spoke on the decision made on the NCIT. The Ad Hoc Committee that was formed for this situation has been dissolved as of this mornings Work Session.

**5.2 Finance- Brunswick County Revaluation Issues**

Attorney Baldwin spoke on the Brunswick County tax 2011 Revaluation issues. Council is reviewing legal assistance regarding property revaluation. There is discussion of having appraisals on the Island completed for this situation. The Finance Committee will be reviewing this matter and respond to Council with a recommendation.

**5.3 Public Safety & Transportation-**

Councilor Morris stated the committee will be working on amending the electric vehicle ordinance, with the addition of Segway restrictions. Recommendation will be presented at the August 2010 Council meeting.

**5.4 Public Works & Utilities-** No report

**5.5 Communication-**

Mayor Sayre stated the Communication committee is still being formed and is in need of volunteers.

**5.6 Parks & Recreation-**

Councilor Douglas stated the dog park is completed and is being enjoyed by all.

**6. Monthly Reports**

**6.1 Manager's Report-**

Calvin spoke on the Bald Head Creek dredging project. The project is to place sand on the certain areas of beaches that need emergency sand placement. The environmental assessment is at the State Clearing House, and going through the SEPA process before the Village can apply for a permit.

Calvin spoke on the drought conditions in North Carolina. Brunswick County is at moderately dry level. This level requires no restrictions and will continue to be monitored.

Calvin reported that the Village web-site is now offering Utility bill payments on line.

**6.2 Department of Public Safety Report-**

Chief Munna reported on the June Public Safety issues. Chief Munna thanked the BHI Transportation and Maritime Market for their assistance during a house fire in June.

**6.3 Development Services Monthly Report-**

Stephen Boyett reviewed the June monthly report for Development Services. The Planning Board Committee met to discuss a possible subdivision in Middle Island Plantation and the possibility of amendment of Village sign ordinance.

**6.4 Shoreline Protection Manager Report -**

Chris McCall spoke on the process of funding for sand placement and the steps to proceed with the Senate. Chris spoke on the 10 year Sand Management Plan with a survey data report to be reviewed.

**7. Comments, Reports and Questions**

**7.1 Citizens**

Jane Johnson asked why the Resolution for Awareness of Rocky Mountain Spotted Fever was presented. Suzanne Dorsey with the Conservancy stated the risk is low; however, there is a potential risk of Lyme Disease. This is a awareness to warn persons on the Island.

Anne Kane asked if there was a fire alarm system in the house and it was it activated. Chief Munna stated a person was in the home, however the fire was outside and 911 was called prior to an alarm being activated.

**7.2 Bald Head Association**

Jerry Van Sant spoke on behalf of the Association. They appreciate the completion of the dog park. A email blast will be brocasted today to ask property owners of the Island their thoughts regarding signage on the Island. This is in reference to the amending of Village Sign ordinance and open house signs.

**7.3 Bald Head Island, LTD** - No comment

**7.4 Bald Head Island Conservancy-**

Tom Hancock stated 56 sea turtle nest have been reported on the Island. Dune monitoring is ongoing. Jim Cornette will be on the island August 4<sup>th</sup> for further studies on the Aquifer Study.

**7.5 Bald Head Island Club** – No comment

**7.6 Mayor and Council-**

Councilor Douglas asked if the Planning Committee had recommendation on the items being discussed. Stephen stated the Committee is researching further before a recommendation is presented.

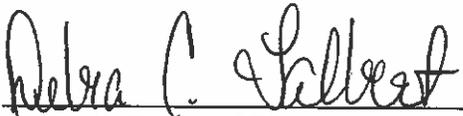
**8. Adjournment -**

Mayor Sayre entertained a motion to adjourn at 4:00 p.m., with all in favor.

**(MOTION CARRIED 5-0)**

  
\_\_\_\_\_  
Mayor Andy Sayre

ATTEST:

  
\_\_\_\_\_  
Debra C. Talbert, Village Clerk

