

**VILLAGE OF BALD HEAD ISLAND
COUNCIL MEETING
June 19, 2013
2:30 p.m.
Location: Bald Head Association**

COUNCILORS IN ATTENDANCE

Mayor Andrew Sayre
Mayor Pro Tempore John Fisher
Councilor Gene Douglas
Councilor Art Morris
Councilor Bob Helgesen

STAFF PRESENT:

Calvin R. Peck, Jr., Village Manager
Chris McCall, Asst. Manager/
Shoreline Protection Manager
Ken Bowling, Utilities Director
David Cox, Systems Administrator
Karen Ellison, HR/ Communications
Ben Liddle, Public Works Director
Caroline Mitchell, Director of Public
Safety
Daralyn Spivey, Tax Administrator
Charles Baldwin, Village Attorney
Debra Talbert, Village Clerk

1. Call to Order / Approval of Agenda

Mayor Sayre called the June 19, 2013 Council Session to order at 2:30 p.m. Mayor Sayre entertained a motion to approve the amended agenda as presented. Councilor Douglas made motion, with all in approval. **(MOTION CARRIED 5-0)**

2. Public Hearing

2.1- Amendment on Creek Access Permitting

Mayor Sayre reviewed the proposed ordinance to update and amend the creek access permitting. Mayor Sayre opened the public hearing. With no comment, the public hearing was closed.

2.2- FY 2013-2014 Managers Proposed Budget

Calvin reviewed the proposed final budget for FY 2013-14.

There will be a 1/10th of 1 cent tax decrease island wide. There will be a small increase in ICE fee of 10% and golf cart registration is increasing to \$20. per year.

The general fund balance will have a deposit of \$250k to help grow the fund balance.

The Accommodation tax collection of \$400k will transfer to the Village facilities/ Construction/ Expansion fund for the Post Office/ IPS and the Public Safety Feasibility Study. Calvin reviewed the utility rate increase effective January 2013.

The capital outlay includes the WWTP Phase 2- Chlorine, Re-use piping and a new larger golf cart. There was \$100k removed to be placed in the Golf Course Infiltration fund for the piping project for Re-use. Calvin reviewed the capital items that are not included in the budget.

The Village will not have the Bald Head Creek Expansion done this fiscal year and will be pursuing grant monies. Calvin stated the Village is holding the line on costs and has provided a small tax decrease.

Mayor Sayre opened the public hearing. With no comment, the public hearing was closed.

3. Consent Agenda

3.1 Adoption of minutes on May 17, 2013 Council Work Session

3.2 Adoption of minutes on May 17, 2013 Council Meeting

3.3 Adoption of minutes on May 7, 2013- Managers Budget

Mayor Sayre entertained a motion to approve the consent agenda as presented. Councilor Morris made motion, with all in approval. **(MOTION CARRIED 5-0)**

4. Old Business

4.1 Adoption of Proposed Ordinance on Creek Access Permitting

WHEREAS, the Village Council desires to allow permit holders for vessel storage at the Village creek access, located at 109 North Bald Head Wynd (the "Access"), to transfer a permit to another vessel owned by the permit holder; and

WHEREAS, Village Staff time is necessary in the permit transfer process and an administration fee is appropriate for the permit transfer; and

WHEREAS, the Village Council desires, in the interests of the public and Village administration, to implement the herein amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF BALD HEAD ISLAND, NORTH CAROLINA THAT:
The following text is added to the end of existing Section 18-36(a) of the Code of Ordinances, Village of Bald Head Island, North Carolina:

Sec. 18-36. General regulations.

(a) Notwithstanding the non-transferable nature of the registration permits, Property owners with a valid permit to utilize the storage facilities at the Access may transfer the permit rights to another vessel of the same type owned by the Property owner and obtain a new permit. The rights and duration of the prior permit shall apply to the new permit and the prior permit shall be cancelled. The transfer shall require payment to the Village of a transfer administration fee as set forth on the then-current fee schedule set by the Village Manager from time to time and maintained at Village Hall. The initial transfer fee shall be \$50.00 for a vessel and trailer and \$25.00 for a kayak, canoe or similar small vessel. Different fees may apply to different types of vessels and/or trailers.

Mayor Sayre entertained a motion to approve the proposed amendment to the ordinance. Councilor Mayor Pro Tempore Fisher made motion, with all in approval.

(MOTION CARRIED 5-0)

4.2 Adoption of Proposed Zoning Amendments

Calvin reviewed the text amendment to rezone the split zoned properties, and update the reflecting parcels classified for conservation to a Conservation Zoning District and detailing State owned land.

Mayor Sayre entertained a motion to approve the proposed amendments to the ordinance. Councilor Douglas made motion, with all in approval.

(MOTION CARRIED 5-0)

Calvin reviewed the proposed Zoning map to be in agreement with the current Future Land Use map and correct the mapping errors in the current Village of Bald Head Island Zoning Map. Mayor Sayre entertained a motion to approve the proposed amendment to the zoning map. Councilor Helgesen made motion, with all in approval.

(MOTION CARRIED 5-0)

4.3 Adoption of FY 2013-2014 Budget

Mayor Sayre entertained a motion to approve the proposed FY 2013-2014 Budget. Councilor Douglas made motion, with all in approval. **(MOTION CARRIED 5-0)**

4.4 Adoption of Resolution to Implement the Strategic Issues Group

WHEREAS, the Village recognizes the importance of involving citizens in government; and

WHEREAS, the Village Council is certain that the Village of Bald Head Island benefits from the many talents of Bald Head Island property owners, residents, business operators and other stakeholders involved in government; and

WHEREAS, the Village Council wishes to ensure continued involvement of citizens in government.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Bald Head Island, North Carolina, that: **Village Council hereby dissolves all committees formed under Resolution Number 2002-008 and instates a new Committee of Council to be known as the “Strategic Issues Group” (SIG). The following rules and procedures shall be followed for the creation, management and operation of the SIG.**

1. GENERAL RULES

- a. *The SIG shall have a Chair and Vice Chair selected from current Council members who is not the Mayor and who serve at the pleasure of the Council as a whole.*
- b. *The SIG will have five (5) seats representing the Island residents, property owners, business operators and other stakeholders who will be appointed by Council and serve at the pleasure thereof.*
- c. *The Council may, by majority vote, decide to waive, vary or otherwise modify the rules and procedures for the SIG on a case-by-case basis.*

2. PURPOSE

- a. *The Village desires to have citizen input in government as to use the expertise and talents of Island residents, property owners, business operators and other stakeholders to most effectively address the issues and challenges faced by the Island.*
- b. *The SIG will function as a Committee of Council and thus act only on issues formally charged by Council and will have authority only to make recommendations to Council.*
- c. *The SIG specifically does not have authority to direct Village staff, operations, commit funds or expenditures, or take any similar actions without the express direction of Village Council.*

3. APPOINTMENT AND TERM

- a. *The SIG shall consist of seven (7) voting members; two appointed from elected Council and five appointed from the general public.*
- b. *Appointment of Voting Members*
 - i. *The Council will name a Chair and Vice-Chair for the SIG selected from current Council members and will have the following responsibilities:*
 1. *Secure formal charges from Council to the SIG in writing.*
 2. *Conduct all meetings of the SIG in accord with North Carolina law pertaining to Meetings of Public Bodies, specifically North Carolina General Statute 143-318.10.*
 3. *Convey status and recommendation reports from the SIG to the Village Council in a timely manner.*
 - ii. *Members of the SIG shall be appointed by majority vote of Council and each member shall have the following responsibilities:*
 1. *Faithful attendance at all SIG meetings and conscientious performance of the duties of the SIG.*
 2. *Familiarity with and conduct in accord with North Carolina law pertaining to Meetings of Public Bodies, specifically North Carolina General Statute 143-318.10.*
 3. *Diligence to participate in group process which advances the needs of the Village of Bald Head Island regardless of other affiliations, commitments or positions.*
 4. *Deference to Village Council in policy matters and to the Village Manager regarding operational matters of Village governance.*
- c. *Term of Voting Members*
 1. *The Chair and Vice Chair shall be named by Council initially in conjunction with the adoption of this Resolution.*
 2. *The term of appointment shall initially be for six (6) months from July 1, 2013 until December 31, 2013. Thereafter, the terms shall be as follows:*
 - a. *Chair – two years*
 - b. *Vice- Chair – one year; then two years thereafter*
 - c. *Three (3) members – two years*
 - d. *Two (2) members – one year initially; then two years thereafter*

3. *Members of the SIG may serve up to two (2) consecutive terms.*
 4. *Members serve at the pleasure of the Council regardless of the terms for which appointed.*
 - d. *The Village Manager will serve as a non-voting member of the SIG and will have the following responsibilities:*
 - i. *Advise the SIG regarding the scope of Village authority.*
 - ii. *Advise the SIG regarding available and future budget considerations.*
 - iii. *Advise the SIG regarding the staff capabilities to carry out possible actions.*
 - iv. *Assist the SIG in formulating recommendations to Council.*
 - v. *Appoint Village Staff to attend SIG meetings as the Manager deems necessary to ensure operational aspects of Village government are represented in SIG deliberations.*
 - e. *The Village Manager will appoint a non-voting Clerk for the SIG, whose responsibilities will include:*
 - i. *Attendance at all SIG meetings.*
 - ii. *Timely production of meeting minutes for review and approval by the SIG; once ratified shall be provided to the Village Clerk for permanent archival as public records.*
 - iii. *Timely notification of SIG meeting times and locations.*
4. **DUTIES**
- a. *The SIG will review issues and charges as defined by Council and provide recommendations back to Council.*
 - b. *The SIG shall establish at its first meeting each fiscal year, a schedule of meetings for the remainder of the year and publish that schedule pursuant to the NC General Statutes for public meetings.*
 - c. *Recommendations from the SIG to Council will be conveyed by the Chair or Vice Chair in writing and with the majority consent of the SIG. Any Member of the SIG may opt to submit a dissenting view, in writing, at the time a recommendation is conveyed to Council.*
 - d. *The SIG shall have the express authority to create sub-committees when additional expertise or assistance is needed to respond to Council. All sub-committees shall operate under the same laws and rules as the SIG.*

Mayor Sayre entertained a motion to approve the adoption of the proposed Resolution.
 Councilor Helgesen made motion, with all in approval.

(MOTION CARRIED 5-0)

Mayor Sayre stated there is recommendation for Councilor Helgesen as the Chair and Councilor Douglas as the Vice Chair for the Strategic Issues Group. Mayor Sayre entertained a motion to approve the recommendation. Councilor Morris made motion, with all in approval.

(MOTION CARRIED 5-0)

5. **New Business**

5.1 2007 Tax Releases

Daralyn Spivey reviewed the proposed action agenda to release interest incorrectly applied 2007 taxes. The purpose of request is in accordance with NCGS 105-318(a) (1). The total for the accrued interest is \$227.94. Mayor Sayre entertained a motion to approve the release of interest on the 2007 taxes. Councilor Morris made motion with all in approval.

(MOTION CARRIED 5-0)

5.2 Approval of Salary Scale for FY 2013-2014

Mayor Sayre entertained a motion to approve presented Salary Scale for FY 2013-2014. Councilor Douglas made motion with all in approval.

(MOTION CARRIED 5-0)

5.3 Line- Item Transfer - Public Safety Department

Calvin reviewed the budget transfer request from the Shoreline Protection to the Public Safety department for fiscal year 2012-2013. The transfer is moving the remaining funds in Shoreline Protection Department to cover expenditures in Public Safety Department which are anticipated to exceed Public Safety Department budget due to turnover, vacation payouts and building repair/ maintenance. The total for transfer is \$125k. Calvin stated this is notification of transfer and no action is needed from Council.

5.4 Approval of Disaster Monitoring Contract

Chris McCall reviewed the request to approve the recommendation for Disaster Monitoring Contract for the Hurricane Season(s) FY 2013-2014 through FY 2015- 2016 from Johnson Environmental Consultants. Chris reviewed the request for proposals to 5 companies specializing in debris monitoring services requesting sealed bids to be submitted to the Village of Bald Head Island. Staff recommends the Village accept and award the contract to Johnson Environmental Consulting. Mayor Sayre entertained a motion to approve the presented contract. Councilor Morris made motion, with all in approval. **(MOTION CARRIED 5-0)**

5.5 May Financial Statement Report

Calvin reviewed the financial statements for May 2013.

The Ad Valorem Taxes have exceeded budget for the fiscal year and the Accommodation taxes are 6% higher year to date. The total operating revenue is ahead of prior years and budget primarily due to property and accommodation taxes.

The general fund expenditures Shoreline Protection is under budget primarily due to reduced legal and lobbying expenditures. The budget transfer of \$125k to Public Safety will occur in June to cover Public Safety Ops building restoration. The total operating expenditures are below budget and prior year. There has been a transfer of \$100k to Utility Fund for the WWTP Re-use project.

The utilities fund operating revenue is close to budget and prior year with signs of improvements with rate changes.

The utilities fund operating expenditures are slightly below budget and prior years.

The beach fund capital project balance is \$607k. The Village is waiting for FEMA reimbursement for repair of 5 groin sandtubes and payment for final close out of BH Creek dredging project.

6. Manager's Report

Calvin explained to Council that the Public Safety beach truck has been sent off island to a consignment company. The monies from the sale will be put back into the general fund for the coverage of the ocean rescue jet ski, trailer and sled. The monies will also purchase a used truck for Public Works department.

Calvin reviewed the concerns with garbage collection at rental homes. Calvin stated there will be a discussion with the rental agencies to make arrangements for the yes/yes signs for garbage collection.

Bald Head Creek shoaling has been researched and based on 1k cubic yards the estimated cost is \$40k. Based on a proposed cost estimate to remove sediment from Lighthouse Creek, it was estimated 14k cubic yards would cost approximately \$560k. Staff will continue to research ways to dispose of the spoil and report back to Council.

7. Comments, Reports and Questions

7.1 Bald Head Association- No Comment

7.2 Stage II- No Comment

7.3 Bald Head Island, LTD- No Comment

7.4 Bald Head Island Conservancy- Suzanne Dorsey stated the beaches have 39 nests. Suzanne discussed the job vacancies at the Conservancy. The Turtle Trot is going well. Suzanne reviewed the alligator at Sable Palms and stated the interns will make determination if the alligator is human aggressive. The Cotton rat problem on the island is from a native species and there are concerns with using poisons on the animals. This could harm the fox, eagles and other species that feed off of the rat.

- 7.5 **Bald Head Island Club**
- 7.6 **Citizens- No Comment**
- 7.7 **Mayor and Council- No Comment**

10. **Adjournment** -

Mayor Sayre entertained a motion to adjourn at 2:55 p.m. Councilor Helgesen made motion, with all in approval. **(MOTION CARRIED 5-0)**

Andy Sayre, Mayor

ATTEST:

Debra C. Talbert, CMC/NCCMC
Village Clerk