

**VILLAGE OF BALD HEAD ISLAND
COUNCIL WORK SESSION
AUGUST 14, 2009
BALD HEAD ASSOCIATION CENTER**

COUNCILORS IN ATTENDANCE: Mayor Larry Lammert
Mayor Pro Tempore Andrew Sayre
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, Tax Administrator/ HR Officer
Public Safety Chief Chip Munna
Ken Bowling, Utilities Director
Ben Liddle, Public Works Director
David Cox, Systems Administrator
Charles Baldwin, Village Attorney
Jason Kessler, Attorney w/ Rountree, Loosee, and Baldwin

OTHERS PRESENT: Various Public and Residents

1. **Call to Order & Approval of Agenda-** Mayor Lammert called the August 14, 2009 Council Work Session to order at 9:30 a.m. Mayor Lammert suggested changing the order of discussion on the Update on Brain Sail to follow the Manager's Report on the work session agenda. Mayor Lammert asked for approval of the change on the agenda, with Councilor Pitera making the motion to approve. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

2. **Review of Council Meeting Agenda**

Council Item 2.1- Approval of Minutes-Mayor Lammert asked Council to review the minutes as presented for amendments. With no comment, Mayor Lammert moved to next item on the agenda.

Council Item 2.2- Resolution for Flexible Spending Account- Calvin explained to Council the Flexible Spending Account. Calvin stated the Resolution is for any eligible employee that shall be eligible to participate in this plan if the employee is enrolled in Medicare and not eligible to contribute to the Village's Health Savings Account (HSA).

Council Item 4.1- 1st Reading & Set Public Hearing- Adding Articles XV Sea Turtle Sanctuary, XVI Livestock and Wild Animals, XVII Unrestrained dogs to Chapter 4 Animal Ordinance- Attorney Baldwin stated the adoption of the Brunswick County Animal Ordinance superseded the prior Ordinances adopted by Bald Head Island and would be updated and a Public Hearing would need to be set for September 18, 2009 Council meeting.

Council Item 4.2- Consideration/Adoption to Amend Capital Project Beach Fund- Calvin explained to Council this would be a budget transfer of 2008-2009 Accommodation Taxes collected to the Shoreline Beach Capital Project fund.

Council Item 5.1- Beach Committee- Councilor Douglas discussed with Council the issues with doggy boxes on the Island. Councilor Douglas stated the boxes were not equipped to handle the excessive use and could be replaced with larger boxes to hold 500 bags. Recommendation was made from the Beach Committee to Council to replace all doggy boxes with larger boxes costing forty (40) dollars per box.

Council Item 5.3- Public Safety Committee- Councilor Morris discussed with Council the concerns with underage drivers on the Island and the concerns with the capacity of the golf carts. There was a discussion between Council and Attorney Baldwin on legal options.

Council Item 5.4- Public Works Committee- Mayor Pro Tempore Sayre discussed with Council the Public Works Committee has delayed the paving projects on the Island until spring.

Council Item 5.5- Transportation Committee- Councilor Pitera stated the Transportation Committee reviewed the draft ordinance on Regulating Heavy-Duty Idling Restrictions and recommendation was made to add to agenda for today and have 1st Reading and Set Public Hearing. Mayor Lammert gave instruction to Clerk to add item to afternoon agenda.

3. **Financial Report/ GO Bond Status-** Deb Straub discussed with Council the July Financial Report and the General Obligation (GO) Bond status. Deb stated a Budget Transfer from 2008 Police budget to the Public Works budget. Deb stated there is a budget transfer from the 2008-2009 Accommodation Taxes collected to Shoreline Beach Capital Project Fund.
Deb discussed with Council the GO Bond status. She stated in the packet were three (3) proposals for the GO Bond. Two (2) proposals were from BB&T and one (1) from RBC Bank. Deb explained RBC Bank interest rate is 4.82% with an effective rate at 3.133%. Deb explained the Build America Bonds Program is a taxable bond and not tax exempt. Deb stated BB&T rate was at 3.92%. Mayor Lammert discussed with Council saving options and directed Deb to speak with the Local Government Commission (LGC) for direction on this proposal.
Calvin stated a request with the Division of Water Resource for the five (5) million dollars grant has been accepted for next year's state budget.
Calvin stated the recommendation from Council for which proposal the Village will finance the bonds will need to be decided on today. Calvin stated the LGC would be contacted and there would be further information for Council at the afternoon meeting.
4. **Status of Terminal Structures-** Calvin explained House Bill 709 have the Coastal Resources Commission (CRC) study erosion control structures and to study the feasibility and advisability of the use of a terminal groin as an erosion control device. Mayor Lammert stated the CRC meeting will be held August 26 & 27 at Pylers Island outside of Morehead City. There was discussion between Council and Attorney Baldwin on contacts for the Terminal Structure Panel and who to speak for Bald Head Island. Mayor Pro Tempore Sayre agreed to attend the meetings.
5. **Resolution of Awarding the Beach Restoration Project-** Calvin discussed with Council the Notice of Award Resolution to the Norfolk Dredging Company.
6. **Confirm Council meeting dates-** Mayor Lammert discussed with Council the 2009 Council meeting dates. Councilor Pitera stated the September 18 and October 16 Council meetings he would not be able to attend. The remaining Council was in agreement to leave the Council dates as is.
7. **2009 Council Priorities-** Mayor Lammert advised Council to review the priorities.
8. **Hurricane Preparedness-** Chief Munna discussed with Council the 2009 Emergency Mitigation Plan and the change in certain phone numbers. Chief Munna stated the process and reentry would operate the same. Mayor Lammert asked the operation of ferry service and stated the concerns of mechanical issues with the catamarans. Chief Munna stated Deep Point Marina was equipped with four (4) ferries and would be able to transport with no problem.

9. **Manager's Report-** Calvin stated the Inlet Hazard Area has an erosion rate change from eight (8) feet to two (2) feet effective August 7, 2009 which affects the properties on West Beach. Calvin stated the re- appraisal for the property would be January 2011. Council wanted staff to contact property owners who were impacted. Attorney Baldwin stated contact should be from the Coastal Resource Commission (CRC). Council directed staff to send a letter to the affected properties adjacent to West Beach with the Outcome of the Notice of Declaratory Ruling. Calvin stated the Village staff has placed a gas saving device on three (3) diesel Village vehicles with a ninety (90) day trial period. Staff will report back to Council with results. Calvin discussed the letter received from the Wilmington Corps of Engineers and advised Council the results should be discussed during Closed Session.
10. **Update on Brain Sail-** Mayor Lammert discussed with Council the documents in the Council packet. There was a discussion between Mayor Lammert and Mayor Pro Tempore Sayre on the valid documents. Council discussed sections in the documents and discussed removal of sections 35, 36 and 37. Attorney Baldwin stated the Brain Sail document was not a Village document and the Village should not suggest criteria with the committee. Council further discussed the Steering Committee and the responsibilities of the committee. Mayor Lammert made suggestion of dismissing the Liaison Committee and establishing the Steering Committee. Council discussed and agreed to five (5) members for the Steering Committee they are Joe Brawner, Brooke Williams, Ken Miller, John Knott, and Diane Mesaris. Attorney Baldwin stated his understanding of the committee is an informal working team and not a Council committee but is a form of the Brain Sail process that the Village had agreed to seek input from stake holders and to appoint a Steering Committee to filter the input and would not be working under the Villages direction but the Village would assist in the process. Mayor Lammert stated he would contact and would confirm with each person that they were willing to serve and have the committee report to the Council at the September Council meeting.
11. **Closed Session Pursuant to N.C. General Statutes 143.318.11 (a)(1), (3), and (5)-** Pursuant to N.C. General Statutes 143.318.11 (a)(1), (3), and (5), Mayor Lammert entertained a motion to enter into Closed Session at 11:05 a.m., with Councilor Douglas making the motion. In a voice vote, all voted in favor.
(MOTION CARRIED 5-0)
Mayor Lammert entertained a motion to come out of Closed Session at 12:35 p.m., with Councilor Douglas making the motion. In a voice vote, all voted in favor.
(MOTION CARRIED 5-0)
12. **Adjournment-** Mayor Lammert entertained a motion for adjournment at 12:36 p.m., with Councilor Morris making the motion. In a voice vote, all voted in favor.
(MOTION CARRIED 5-0)

Larry Lammert
Mayor

Debra C. Talbert
Village Clerk