

**VILLAGE OF BALD HEAD ISLAND
COUNCIL WORK SESSION**

March 25, 2011
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
Ken Bowling, Utilities Director
Stephen Boyett, Development Services Administrator
Lori Frye, Asst. Finance Director
Ben Liddle, Public Works Director
Chip Munna, Public Safety Chief
Charles Baldwin, Village Attorney
Debra Talbert, Village Clerk

1. Call to Order/ Approval of Agenda

Mayor Sayre called the March 25, 2011 Council Work Session to order at 9:30 a.m.

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

❖ Village of Bald Head Island vs. US Army Corps of Engineers

Pursuant to N.C. General Statutes 143.318.11(a) (1), (3) and (5), Mayor Sayre entertained a motion to enter into Closed Session at 9:30 a.m., with Councilor Pitera made the motion with all in favor. **(MOTION CARRIED 5-0)**

Mayor Sayre entertained a motion to come out of Closed Session at 10:15 a.m., with Councilor Morris made the motion with all in favor. **(MOTION CARRIED 5-0)**

3. Review of Council Meeting Agenda

3.1 Calvin stated the 2011 Council Priorities and 2011 Committee Charges had been modified during the Council Retreat and Council should approve.

4.1 Mayor Sayre reviewed the Resolution in support of the transportation improvements for Brunswick County roads and highways.

4.2 Calvin stated a committee member is term had expired and the application is for re-instatement of this member.

4.3 Calvin reviewed the proposed text amendment to Section 16-1 Designation for ABC Permit recommendation. This ordinance is required by the S.B.I. for operation of the DCI terminal for criminal histories on businesses requesting ABC permits.

4.4 Calvin stated the proposed amendment to Clarify Criminal Implications Regarding Violations of Village Ordinances will be discussed during closed session.

4.6 Lori Frye stated the January financials are in budget. Lori reviewed the February financial report. The Ad Valorem Tax collection is slightly ahead of prior years and the accommodation tax collections exceed projections by 14% of prior years. The total operating revenues are within budget. The Utility Fund expenditures and revenues are in budget. Calvin discussed with Council the effects of the re-evaluation taxable base of property on the island. The rate is 20.96% County-wide and 33% Bald Head Island municipal wide.

4.6a- Lori Frye reviewed the presented Resolution to authorize the use of electronic and stamp signatures for purchase orders, checks and drafts.

4.7 Mayor Sayre spoke on the presented Resolution in memory of John Alexander Lindsay the second Mayor of Bald Head Island. Mayor Sayre suggested the Village should purchase a garden paver to pay tribute in the amount of \$225.00 from Old Baldy Foundation. The Resolution will be updated to include the garden paver tribute with all Council agreeing.

4. Preliminary Budget Decisions

Calvin reviewed with Council the budget issues to be made for the Village. Calvin asked for direction from Council. Council and staff discussed the following with concerns of a possible tax increase for the island. Calvin stated the revenue neutral tax rate has not been determined for Bald Head Island.

Mayor Sayre asked staff what could be eliminated for FY 2011-12. Mayor Sayre stated the Attorney expenses and litigation should be funded. Mayor Pro Tempore Fisher stated the Finance Committee stated the funding for litigation for the island is priority. The Boat House renovation will not be funded this fiscal year through the Village. Calvin reviewed the Stage 1 and 2 roadways and alleyway paving issues. Council agreed this would be Limited's responsibility prior to the merge.

Councilor Douglas stated the Conservancy has not requested monies for immunocontraception for deer. The official position from the Conservancy is there must be deer management on the island and a culling must be done for fiscal year 2012. Mayor Pro Tempore Fisher reviewed the process with bow hunting for other communities and stated this could be researched for the island. Staff discussed the cost and research would be completed on process.

The Aquifer monitoring is ongoing with $\frac{3}{4}$ of data collected. This project should not be dismissed.

The Beach Vitex is an ongoing problem and this project should be funded.

Calvin stated the Environmental Leadership contract will be completed this fiscal year. This program has been beneficial for the Village, Council and Island. Calvin stated the Council should determine if this partnership should be continued funding. Mayor Sayre stated the Finance Committee has requested the Council to review this funding strongly. Councilor Douglas stated the Conservancy will operate and manage with the funding they receive. The Conservancy needs direction from Council of the requested operation.

Mayor Sayre stated the Communication Director position should not be placed in the FY11-12 budget and the Village should work with the resources on the Island. Councilor Douglas stated the concerns of the island with communication issues not to be a problem.

Chris McCall stated he will be discussing with Ackerman and Sinterfitt options on the delivery of letters to Congress. This will be reviewed and discussed with Council.

Calvin reviewed the possible expansion of the creek access. The storage rate is \$75.00 and suggested an increase in the rates. Calvin reviewed the areas of improvement for the access. Council suggested presenting in the budget for review.

Calvin reviewed the lobbyist in Raleigh and DC with expenses. Mayor Sayre stated this should be reviewed every fiscal year and should be placed in the budget for review.

Calvin reviewed that Johnston Environmental Company contract is for removal of debris. This agreement has agreed to change the rate to \$13k for FY11-12, and \$1500.00 for FY12-13. Calvin stated the paving for the island has received approximately \$140k yearly for I.C.E. fees with \$110k available for this fiscal year and can be used for paving the next fiscal year. The Public Works/ Utility committee is reviewing this issue now and will report back to staff with recommendation.

5. Budget Calendar

Council and staff discussed the calendar and made adjustments to the calendar as follows:

May 6, 2011 – Manager’s Budget Presentation/ and Workshop

May 13, 2011- Public Hearing on Budget/ and updated Regular Council meeting

May 31, 2011- Budget Workshop

June 24, 2011- Adoption of the Budget/ and updated Regular Council meeting

6. Utility Rates

Calvin reviewed an email received concerning the debt surcharge for the monthly utility bill. Ken Bowling stated the increase was due to several accounts being closed and caused a slight increase from \$9.08 to \$9.34 monthly charge. Ken reviewed the rate structure for the reconnection charge. If the water service is cut off and reconnected within nine (9) months, the base charge for all months disconnected will be due and payable. The reconnect fee is \$18.00. Calvin stated this rate has not been changed in five (5) years and suggest an increase to be made. Staff suggested the fee to increase to \$50.00. Council agreed.

Council and staff discussed the outstanding balances on utility bills and the payment options available.

6. Movie Ordinance

Calvin reviewed the 1999 adopted ordinance for commercial filming and the areas for filming. Calvin asked Council if they were in agreed to leaving the ordinance as is or making an amendment for allowing commercial filming on Bald Head Island. Mayor Sayre stated this has been brought to attention by a television pilot that may have benefits to the economy to the island. Calvin asked Council if the zoning ordinance should be expanded to other areas on the island. Mayor Sayre to incorporate this you would need to expand the areas. Councilor Morris stated his concerns with the environmental issues of the island and the prior issues of filming. Councilor Morris stated the tranquility of the island will be disturbed. Calvin asked for the direction of Council. Council directed staff to research further and report back.

7. Vehicles on Beach Ordinance

Calvin reviewed the ordinance adopted in 2010 amending and recodifying Chapter 28- Traffic and Vehicles. Calvin stated this ordinance states only Bald Head Island Conservancy or an Emergency or Service Vehicle is allowed on the beaches. There has been a prior request for a merchant to have permission for catering and commercial events on the beaches. Calvin asked if the ordinance should be amended and the direction from Council. Council stated the concerns with allowing vehicles on the beaches. Council agreed no action should be taken.

8. Electrical Powered Vehicle Ordinance

Calvin reviewed the proposed ordinance of addressing the use of electrically-powered vehicles for uses presently performed by internal combustion engine vehicles. The proposed ordinance

would include the use of electrically-powered vehicles in lieu of vehicles powered by internal combustion engines under this division and the horsepower limits. This ordinance is to be further researched by Public Safety/ Transportation Committee and will have recommendation to Council at a later date.

9. Harbor Village Subdivision/ Timber Bridge

Calvin reviewed with Council the Village approved and agency permitted Timber Bridge project. This included the Developer requirements for Village to accept for maintenance. Calvin asked if the permit should be updated to include a wider bridge to include a pedestrian sidewalk. Council and staff discussed the concerns of present permit and the requirements. Staff will work with Planning Director, Jim Henry with requirements and concerns. The Public Safety/ Transportation Committee will review the concerns and address Council with recommendation. Joyce Fulton stated the concerns Limited has for the width requirements on the proposed bridge on the CAMA permits.

Calvin reviewed additional issues for Harbour Village roads to include the alley, on street parking, planting areas in right of way, and the paving and drainage problems to not comply with the Village ordinances. Calvin asked Council for direction on this situation. Council directed staff to research all concerns and report with further information.

10. Financial Report

Discussed during the Review of Council Agenda

11. Manager's Report

Calvin reviewed the census that was completed for Bald Head Island. The census states the count is total of 158 residents on the island. Calvin explained what the census count is used for. Council and staff discussed the census count and the appeal issues. The way to challenge a census is to complete your own census. This would be a door to door service performed within a short time. Completing this type of census could benefit with extra monies from the state. Council discussed the options. Council directed staff to prepare a list between the utility billing, post office, property owners, and voter registration for Bald Head Island to present to Council for their review.

Calvin gave a report on the bagworms on Bald Head Island.

Handout will be with original documents.

Several areas of Bald Head Island have cedar trees that are being affected by a native caterpillar, known as bagworms. The problem areas of the island center on South Bald Head Wynd near Coots Court to Snowy Egret Trail. Calvin suggested sending a letter to all property owners affected by the bagworms to ask for permission to enter the property for extermination of the bagworms at no cost to the property owners.

Calvin reviewed the settling issues at the Bald Head Island Fire Station.

Handout will be with original documents.

Calvin reviewed the options for the stabilization of the building.

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

- ❖ Village of Bald Head Island vs. US Army Corps of Engineers
- ❖ Consultation with Attorney on Village Contracts

Pursuant to N.C. General Statutes 143.318.11(a) (1), (3) and (5), Mayor Sayre entertained a motion to enter into Closed Session at 12:35 p.m., with Councilor Pitera made the motion with all in favor.

(MOTION CARRIED 5-0)

Mayor Sayre entertained a motion to come out of Closed Session at 1:45 p.m., with Councilor Morris made the motion with all in favor.

(MOTION CARRIED 5-0)

13. Adjournment

Mayor Sayre entertained a motion to adjourn at 1:45 p.m., with Mayor Pro Tempore Fisher made the motion with all in favor.

(MOTION CARRIED 5-0)

Mayor Andy Sayre

ATTEST:

Debra Talbert, Village Clerk