

**VILLAGE OF BALD HEAD ISLAND
COUNCIL MEETING AUGUST 14, 2009
BALD HEAD ASSOCIATION BUILDING**

COUNCILORS IN ATTENDANCE:

Mayor Larry Lammert
Mayor Pro Tempore 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
Chip Munna, Chief of Public Safety
Ken Bowling, Utilities Director
Ben Liddle, Public Works Director
David Cox, Systems Administrator
Jason Kessler, Attorney for Roundtree, Losee, and Baldwin Law Firm
Debra Talbert, Village Clerk (recording minutes)

OTHERS PRESENT:

Various Public and Residents

1. **Call to Order/ Approval of Agenda**- Mayor Lammert called the August 14, 2009 Council Meeting to order at 3:00 p.m. Mayor Lammert entertained a motion to approve the agenda. Councilor Morris made the motion to approve the agenda as presented. In a voice vote, the motion was unanimous. **(MOTION CARRIED 5-0)**

2. **Consent Agenda**
 - 2.1- **Approval of Minutes**
July 17, 2009 Work Session
July 17, 2009 Council Meeting
 - 2.2- **Resolution for Flexible Spending Account**
Mayor Lammert entertained a motion for approval of the Consent Agenda with minutes from the July 17, 2009 Council meetings and adoption of the Resolution for Flexible Spending Account. Councilor Pitera made a motion to approve as presented. In a voice vote, all voted in favor. **(MOTION CARRIED 5-0)**

3. **Old Business**
 - 3.1- **Update on Brain Sail**- Mayor Lammert stated Council had agreed during Work Session to move forward with a Steering Committee. This Committee will be made up of five (5) individuals who will be contacted by the Mayor. This Committee will work on the finding of Brain Sail and will report back to Council at the September 18, 2009 Council Meeting.

 - 3.2- **Update on Integrated Shoreline Sand Management Plan**- Calvin Peck spoke in reference to the meeting on August 4, 2009 with the Resource Agencies. Calvin stated the Corps of Engineers response letter had denied an early start date for dredging. Council has directed staff to speak with the Corps of Engineers to attempt to negotiate a date to begin dredging and staff will report back to Council.

 - 3.3- **Update on GO Bond**- Calvin Peck spoke in reference to the GO Bond issue and the incorrect publishing of document. Calvin stated due to this the Village was unable to close on scheduled date. Therefore, the Village went back for new financing and discovered new financing with Build American Bond. The Build American Bond is a taxable bond where the Federal Government will rebate one third (1/3) of interest. Calvin stated the Village had received offers from RBC Bank and BB&T. Calvin made recommendation to Council to approve a Resolution to accept RBC Bank proposal Option B for the 6 year note for the Build American Bonds.

Mayor Lammert entertained a motion for approval of the Resolution for RBC Bank proposal for the Build American Bonds. Mayor Pro Tempore Sayre made a motion to approve as presented. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

4. New Business

4.1- 1st Reading & Set Public Hearing- Adding Articles XV Sea Turtle Sanctuary, XV1 Livestock and Wild Animals, XV11 Unrestrained dogs to Chapter 4 Animal Ordinance- Attorney Jason Kessler spoke in reference to the Animal Control Ordinance. Jason stated the adoption of Brunswick County Animal Control Ordinance adopted in 2007 repealed the prior animal control for Bald Head Island. Jason stated the ordinances will be updated to be coinciding with the Brunswick County Animal Control Ordinance. Mayor Lammert entertained a motion to set Public Hearing for September 18, 2009. Mayor Pro Tempore Sayre made a motion to approve. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

4.2- Consideration/ Adoption to Amend Capital Project Beach Fund- Calvin stated the budget transfer is for the 2008-2009 Accommodation Taxes collected to be transferred to the Shoreline Beach Capital Project Fund. Mayor Lammert entertained a motion for approval of the budget transfer. Mayor Pro Tempore Sayre made a motion to approve as presented. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

4.3- July Financial Report- Deb Straub spoke in reference to the July Financial Report. Deb explained the expenditures and revenues for the month of July were in line with budget.

4.4- 1st Reading & Set Public Hearing- Adding Section 28-6 Regulating Heavy- Duty Idling Restrictions- Councilor Pitera spoke in reference to adding Section 28-6 Regulating Heavy-Duty Idling Restrictions. Councilor Pitera stated this was reviewed with the Transportation Committee and has been recommended to bring back to Council with approval.

Mayor Lammert entertained a motion to set Public Hearing for September 18, 2009. Councilor Morris made a motion to approve as presented. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

4.5- Resolution Awarding the Beach Restoration Project- Calvin spoke in reference to the Resolution of Awarding the Beach Restoration Project. Calvin explained the Notice of Intent to Award a Contract to Norfolk Dredging Company and further stated Norfolk Dredging will be available to begin prior to November 16, 2009. Calvin gave recommendation to Council for approval the Notice of Award to Norfolk Dredging Company. Mayor Lammert entertained a motion for approval. Mayor Pro Tempore Sayre made a motion to approve as presented. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

5. Committee Reports

5.1 Beach – Councilor Douglas stated the Beach Committee recommends replacing the current doggy bags with larger doggy bag boxes. He stated the boxes would be able to hold 500 bags opposed to 100 bags and requires less Public Works time keeping them full.

5.2 Finance- Mayor Lammert stated the Finance Committee has been working on the GO Bond issues.

5.3 Public Safety- Bob Porter stated the Public Safety Committee has concerns with underage drivers and speeders on golf carts. Mr. Porter stated the next Public Safety meeting will be Monday, August 17 at 10:00 and the committee will be discussing these issues.

5.4 Public Works- No comment

5.5 Transportation- Councilor Pitera discussed members of the Transportation Committee have met with Lowes Hardware manager and discussed the lowering of delivery prices for Bald Head Island.

6. **Monthly Reports**

6.1 Manager's Report- Calvin spoke in reference to the beach erosion on the Island and the exposed sand bags. Calvin explained the General Assembly of North Carolina has a ratified bill stating: An Act to Impose a Moratorium on Certain Actions of the Coastal Resources Commission related to Temporary Erosion Control Structures and to Direct the Coastal Resources Commission to Study the Feasibility and Advisability of the Use of a Terminal Groin as an Erosion Control Device. This bill is still in the House for approval. Calvin stated the Village has requested a change for the Inlet Hazard Area on the setbacks for Erosion Rates on West Beach. Calvin stated staff will be notifying the Property owners of the change in setbacks. Calvin discussed the short term and long term for the build out on the Waste Water Treatment Plant. Weekly measurements and monitoring of wells are being done along with the Aquifer Study to study the usage and disposal of waste water. The evaluation of build out study should be completed by October 2009 with results to share with Council.

6.2 Department of Public Safety- Chief Chip Munna discussed the hiring of new personnel for Public Safety. Chip stated interviews for eight (8) Captains and Lieutenants positions have been done this week and he will announce the positions next week. Chip discussed the Hurricane Awareness issues and stated the Village's website will have updates and information on the weather status at www.villagebhi.org. Chip urged citizens to update phone information on the Village Tax Data Base to receive information from the all phone network. Chip discussed the issues with underage drivers and speeders and urged the public to call 911 if they see someone who looks underage or speeders.

7. **Comments, Reports and Questions**

7.1- Citizens- Bob Porter asked Council if the Bonds monies could be borrowed as needed or is the Village required to take all the monies at one time. Calvin stated the bonds would still be sold, however the bonds would not be tax exempt, it would be taxable Build American Bond. This will be private placement to the bank and not sold to the public.

Bob Porter asked Council if the Animal Ordinance for Public Hearing next month has any changes from the prior Animal Ordinances. Attorney Jason Kessler stated the ordinances were the same and would be updated to coincide with the Brunswick County Animal Ordinance.

Bob Porter asked Council if the Ordinance for Regulating Heavy-Duty Idling Restrictions would be exempt for Emergency vehicles. Staff stated yes.

7.2- Bald Head Association- None

7.3- Bald Head Island, LTD- None

7.4- Bald Head Island Conservancy- Suzanne Dorcey stated there are thirty-six (36) turtle nest and eleven (11) have hatched on the Island. Suzanne stated the Aquifer Study is being monitored. BHI Conservancy assists the Village with the monitoring of the beaches weekly and support the Village with their efforts.

7.5- Bald Head Island Club- Robert Norton stated The Club would like Hole #15 to be Storm water and will participate to move it forward. Mayor Lammert explained the Settlement Agreement with NCDENR Division of Water Quality and thanked Robert with any assistance to move ahead.

7.6- Council- None

8. **Adjournment-** Mayor Lammert entertained a motion for adjournment at 3:35 p.m., with Councilor Pitera making the motion. In a voice vote, all voted in favor. **(MOTION CARRIED 5-0)**

ATTEST:

Larry Lammert
Mayor

Debra C. Talbert, Village Clerk

