

**VILLAGE OF BALD HEAD ISLAND
COUNCIL MEETING
January 30, 2009
3:00 P.M.
Bald Head Association Center**

COUNCILORS IN ATTENDANCE:

Mayor Larry Lammert
Mayor Pro Tempore Andy Sayre
Councilor Gene Douglas
Councilor Art Morris
Councilor John Pitera

STAFF PRESENT:

Calvin R. Peck, Jr., Village Manager
Chris McCall, Assistant Village Manager/ Director of Dev. Services
Dawn Reno, Tax Administrator/ Human Resource Officer
Police Chief Richard Herring
Ben Liddle, Public Works Director
Ken Bowling, Public Utilities Director
David Cox, Systems Administrator
Charles Baldwin, Village Attorney
Interim Village Clerk, Debbie Talbert (recording minutes)

OTHERS PRESENT:

Peter Ravella, Ravella Consulting
Joyce Fulton, BHI Limited Director of Communications
Robert Norton, BHI Club Manager
Ben Brown, State Port Pilot Reporter
Various Other Public & Residents

- 1. Call to Order & Approval of Agenda**- Mayor Lammert called the January 30, 2009 Council Meeting to order and added two additions to the agenda. The first addition to swear in Interim Village Clerk and to remove Item 5.6 from agenda. Mayor Lammert entertained a motion for approval of the amended agenda. Councilor Morris made a motion to approve the agenda as presented. In a voice vote, all voted in favor. **(MOTION CARRIED 5-0)**

1A- Oath of Office for Interim Village Clerk- Mayor Lammert did the swearing in of Interim Village Clerk, Debbie Talbert.

1B- Introduction of New Employees- Fire Department- Doug Ledgett introduced to the Council and citizens two new employees with the Fire Department. Susanna Williams joined the Village Fire Department from Chapel Hill Fire Department and John Gruber joined the Village Fire Department from the Cleveland County Fire Department.

2. Consideration/ Municipal Service Districts Resolutions

2.1 Staff Presentation- The Resolution for Consideration of Municipal Service District presentation was given by Peter Ravella. Mr. Ravella gave the citizens an introduction to show the boundary of the hearing with a slide show giving the necessary information of how important and necessary it is to restore and protect Bald Head Island's beaches and coastal habitat.

Village Manager, Calvin Peck stated that the upcoming steps should be completed with the Environmental Assessment & Project Permitting in spring 2009. The costs are being refined and the final cost is not known at this time. Calvin explained different options of funding and how the monies would be used for this project.

2.2 Public Hearing- Zone A including all waterfront lots- Mayor Lammert opened the Public Hearing.

Public Comments

- Dave Strawson stated he had concerns with the cost and the necessity of sand replacement.
- Joe Brawner stated he had concerns with the cost of this project and would like the Council to research further options on the plans and the cost of sand replacement. Mr. Brawner requested for the public a written summary of work to be done, estimated cost of the project, projection of completion, and what type of financing would be done.
- Win Stevens stated his concerns if this project was not done. Mr. Stevens explained the utilities would suffer if this was not done by possible power loss, sewer, water, and phone service. Mr. Stevens suggested for Council to research this project and contact the Corps of Engineers for assistance.
- Steve Henson stated he wanted to thank the Council for what they have done with the serious issue with the beach. Mr. Henson supports the tax proposal, and states that the re nourishment project needs to be done. Mr. Henson request from Council to give the public more information on the process and cost of this project.

Mayor Lammert closed the Public Hearing – Zone A with no further speakers.

2.3 Public Hearing- Zone B including lot seaward of the dune ridge line and West Beach
Mayor Lammert stated with no speakers on Public Hearing- Zone B, Public Hearing was closed.

3. Consent Agenda

- 3.1 Approval of Minutes
- 3.2 December 8, 2008 Special Meeting
- 3.3 December 12, 2008 Council Work Session
- 3.4 December 12, 2008 Council Meeting

Councilor Morris made a motion to approve the consent agenda as presented. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

4. Old Business- No information at this time.

5. New Business

5.1 December Financial Statement Report- Calvin Peck stated the property tax is collected at 95% for the month of December and with a slowdown of collections for the month of January. Calvin also stated the Revenues will be later than estimates dealing with capital projects and utilities.

5.2 Letter to Mike McIntyre on zip code change- The Mayor stated he had written a letter to Mike McIntyre (US Representative) in reference to establishing a new zip code for Bald Head Island. He stated there has been an email received stating this request has been turned over to the US Postal Service. If this is done, the Bald Head Island Post Office can become a contract post office and this will allow ½ cent reduction in taxes.

5.3 Adopt Municipal Service District A- Zone A including all waterfront lots- Councilor Douglas made a motion to adopt Integrated Shoreline Municipal Service District - Zone A. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

5.4 Adopt Municipal Service District B- Zone B, Dune Ridge and East Beach-

Councilor Morris made a motion to adopt Integrated Shoreline Municipal Service District- Zone B. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

5.5 Update on Beach Plan insurance increase- Attorney Charles Baldwin discussed that the North Carolina Insurance Underwriters Association through the Beach plan and North Carolina Joint Underwriters Association with the Fair plan has increased the insurance on Bald Head Island and other coastal counties. Bald Head Island has a 5% deductible which is 3% higher than the other counties. Village Council feels this is an unfair assessment and has hired, Doug Hanna to filing a formal protest against the NC Insurance Commissioner.

Village Council is considering a Resolution opposing homeowner's insurance rate increases. Charles Baldwin recommends to Council to adopt a resolution that opposes the insurance increase. Councilor Douglas made a motion to adopt this Resolution. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

5.6 Removed from agenda

5.7 Lagoon 3 Easements- Attorney Charles Baldwin discussed the agreement the Village has with the N.C. Dept. of Environment & Natural Resource (NC DENR). Due to the various regulations, the Village has been working with The Bald Head Island Club and other stake holders. With the deadline of March 1, 2009, Charles Baldwin recommended to Council to pass a Resolution to authorize the Village to send a written notice to seven property owners whose property is affected by the regulatory easement boundaries. The Resolution of the Village of Bald Head Island is authorizing notice of intent to file condemnation action to acquire utility easement for the operation of wastewater infiltration lagoon. Councilor Douglas made a motion to adopt this Resolution. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

6. Committee Reports

6.3 Public Safety- Bob Porter stated the Public Safety committee will be meeting on the 16th of February at 10:00 held at the Police Department.

- ❖ There were no comments from Beach, Finance, Public Works, or Transportation.

7. Monthly Reports

7.1 Managers Report- Calvin Peck told the public that there were a number of coastal municipalities' officials that will be meeting with the Insurance Commissioner set for Thursday in Raleigh. Discussion will involve potential legislation.

7.2 Police Department- Calvin Peck stated there has been a altercation with a Rabid Fox on the Island, and warned if the public noticed an animal acting peculiar to contact the Police Department and the Conservancy. Calvin stated the Deer Culling is completed. There were 56 doe, and 15 bucks culled. This meat will go to the Southport Food Pantry.

7.3 Fire Department- No report

- ❖ Attorney Charles Baldwin stated that there is a case with Brunswick County regarding certain dogs on the Island. With the Village being involved, Charles asked the parties to meet with a mediator. He hopes the issue can be resolved without it going before a judge.

8. Comments, Reports, and Questions

8.1- Citizens-

- ❖ Bob Porter asked if there has been a discussion with the Developer in reference to the parking rates and transportation rates. Mayor replied by asking the citizens would they want the Council to be involved with the parking and transportation? Several persons responded with approval to investigate further.
- ❖ Joe Brawner questioned Charles Baldwin about removing pond 3 from the Infiltration lagoon system. Charles stated there are concerns with Lagoon 3 and the Village is looking at other options and meeting the rules and regulations of DENR.
- ❖ Brenda Quanstrom wanted to remind everyone to fill out the Police survey and return it. If one has not been received, the Police Department does have extras.
- ❖ Judy Brawner had concerned with the economic times and the Council taking their retreat in South Carolina. Mayor Lammert stated the Council Retreat was for the Council to communicate and work on the goals for the following year. Councilor Pitera stated the retreat is a Positive Motivation. Councilor Morris stated taking the retreat in South Carolina keeps all Councilors together to work on Village issues and goals.
- ❖ Steve Henson stated he supports the Village Hall project. He stated the cost are down, and suggest with the market being down that possibly could get the Village Hall done at a lower cost.

8.2 Bald Head Association- No Comment

8.3 BHI Limited- No Comment

8.4 BHI Conservancy- No Comment

8.5 BHI Club- Robert Norton thanked the Village for allowing the Club to work on Saturdays and occasionally Sundays to complete hole 14.

8.6 Mayor and Council- Councilor Douglas wanted to explain the situation of the Beach Project. Eric Olsen is working on the bid documents and is unable to determine the amount of sand for the Engineered Beach until surveys are done in late spring. The price will be discussed during the budget process and will not be finalized until June. Mayor Lammert stated there have been meetings held with the Brunswick County Commissioners and they would like to be able to help Bald Head Island. Negotiations are in progress. Brunswick County has added monies totaling \$10,000.00 for the insurance issue to cover the lobbyist and legal cost.

9. **Adjournment-** Mayor Lammert entertained a motion for adjournment, with Councilor Morris making the motion. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

Larry Lammert
Mayor

ATTEST:

Debbie Talbert
Interim Village Clerk