

**VILLAGE OF BALD HEAD ISLAND
COUNCIL MEETING JULY 17, 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
Public Safety Chief Chip Munna
Ken Bowling, Utilities Director
Ben Liddle, Public Works Director
David Cox, Systems Administrator
Charles Baldwin, Village Attorney
Debra Talbert, Village Clerk (recording minutes)

OTHERS PRESENT: Various Public and Residents

1. **Call to Order/ Approval of Agenda-** Mayor Lammert called the July 17, 2009 Council Meeting to order at 3:03 p.m. Mayor Lammert entertained a motion to approve the agenda. Councilor Pitera made the motion to approve the agenda as presented. In a voice vote, the motion was unanimous.

(MOTION CARRIED 5-0)

2. **Oath of Office- Chief Jerome Munna, Jr.-** Mayor Lammert administered the Oath to Office to Jerome Munna, Jr. as Chief of Public Safety.

3. **Consent Agenda-**

3.1- Approval of Minutes

- **May 28, 2009 Special Meeting**
- **June 19, 2009 Work Session**
- **June 19, 2009 Council Meeting**

3.2- Property Tax Collection Summary & Settlement Report of Prior Year Taxes

Mayor Lammert entertained a motion for approval the consent agenda. Mayor Pro Tempore Sayre made a motion to approve as presented. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

4. **Old Business**

4.1- Consideration/ Adoption of text amendment to Section 32-43, Certificate of

Occupancy/Compliance- Chris McCall stated staff recommends for Council to approve the text amendment as presented for an As Built Survey. Mayor Lammert entertained a motion for adoption of text amendment to Section 32-43, Certificate of Occupancy/Compliance. Councilor Morris made a motion to approve as presented. In a voice vote, all voted in favor. **(MOTION CARRIED 5-0)**

4.2- Update on Integrated Shoreline Sand Management Plan- Calvin discussed the update on the Integrated Shoreline Sand Management Plan and the three bids for the dredging project. Calvin discussed the Brain Sail meeting with positive feedback.

5. **New Business**

5.1- Consideration/ Adoption of Records Retention and Disposition Schedule- Calvin discussed the Municipal Records Retention and Disposition Schedule from the North Carolina, Department of Cultural Resources. Mayor Lammert entertained a motion for adoption of Resolution of the Village of Bald Head Island approving the Municipal Records Retention and Disposition Schedule of the North Carolina Department of Cultural Resources. Mayor Pro Tempore Sayre made a motion to approve as presented. In a voice vote, all voted in favor. **(MOTION CARRIED 5-0)**

5.2- Resolution for Private Placement of GO Bond- Deb Straub discussed the Resolution for Private Placement of GO Bond with direction from Council to change the term to state “not to exceed \$17 million and interest rate not to exceed 4.03%”. Mayor Lammert entertained a motion for adoption of Resolution Authorizing Issuance of Bonds as stated. Councilor Douglas made a motion to approve as presented. In a voice vote, all voted in favor. **(MOTION CARRIED 5-0)**

5.3- Consideration/Adoption to Amend Budget Ordinance- Calvin discussed the Ordinance amending an Ordinance of the Village of Bald Head Island, establishing Capital Project Fund (43) regarding the Construction of and Improvements to Facilities of the Village of Bald Head Island with correction to Section 2. Section 2 would read “The Village Manager of Bald Head Island is hereby directed to transfer funds to the Capital Project within the terms contained herein. Mayor Lammert entertained a motion for adoption of Amendment of Budget Ordinance. Councilor Douglas made a motion to approve as presented. In a voice vote, all voted in favor. **(MOTION CARRIED 5-0)**

5.4- June Financial Statement Report- Deb Straub discussed the Operating Revenues Year to Date. Deb stated there were no major expenditures in June General Fund and the year to date operating expenditures were under budget. The operating revenues year to date for the Utilities Fund were under budget and there were no major expenditures in June with year to date operating expenditures were under budget. Deb discussed the Capital Projects Fund with the Beach Fund expended \$1.3million year to date for engineering, attorney, funding consultant and groin repair. The Village Construction/Expansion had the transfer of \$695k from General Fund per 08/09 budget ordinance. The Infiltration Pond/Lagoons has expended at \$1,038k year to date which includes the RO line, 3rd RO Unit and Aquifer-Well Head surveys and study.

6. **Committee Reports**

6.1- Beach- Anne Kane stated the Beach Committee and others are concerned with the Beach erosion.

6.2- Finance- Mayor Lammert spoke in reference to the finance of GO Bond procedure.

6.3- Public Safety

6.3a- Committee Appointment- Councilor Morris entertained a motion to approve Michael Boozell as a member of Public Safety Committee. In a voice vote, all voted in favor.

(MOTION CARRIED 5-0)

6.4- Public Works- No Comment

6.5- Transportation- No Comment

6.6- Planning Board

6.6a- Committee Appointment- Chris McCall stated the staff recommends that Scott Starks be re-appointed as a Planning Board Member. Councilor Douglas entertained a motion to approve. In a voice vote, all voted in favor. **(MOTION CARRIED 5-0)**

6.7- Zoning Board of Adjustment

6.7a- Committee Appointment- Chris McCall stated the staff recommends that Joe Ridgeway be re-appointed as a member to the Zoning Board of Adjustment. Councilor Douglas entertained a motion to approve. In a voice vote, all voted in favor. **(MOTION CARRIED 5-0)**

7. Monthly Reports

7.1- Manager's Report- Calvin spoke in reference to dry conditions on Bald Head Island and stated this would be monitored. Calvin discussed the State Budget and stated there is still no decision of acceptance of the \$5 million for Bald Head Island. Mayor Lammert spoke in reference to the 832 Bill for terminal structures meeting in Raleigh. Mayor Lammert stated Council directed Attorney Baldwin to review a letter to NC House Speaker Joe Hackney as follows:

July 17, 2009
NC House Speaker Joe Hackney
2304 State Legislative Building
Raleigh, NC 27601-1096

Dear Speaker Hackney:

We very much appreciate you meeting with members of the Bald Head Island Village Council on July 15, 2009. Following are concerns raised by that meeting:

- Senate Bill 832 was assigned to three different House Committees. This is very unusual, if not unprecedented.
- You have not allowed hearings to proceed in any of these Committees.
- You have sided with "scientists" who oppose this Bill, although many other scientists, including Dr. Marjory Overton of N.C. State University, view terminal groins (such as those at Oregon Inlet and Fort Macon) as effective adjacent shipping channels in certain locations.
- You have decided that your judgment on this Bill is better than the whole House and have denied an up or down vote. That is despite your commitment that "... the citizens of North Carolina deserve no less than the power of the combination of all of our ideas and opinions, because democracy demands the opportunity for competition among ideas, and thrives only when what we produce has been tested and digested by survival in free and open debate".
- You have preempted the regulatory authority of CRC and DENR and their staff.
- And finally, you have allowed a group that ARE ELECTED BY NO ONE in the Coastal Communities, to dictate policy over the objection of ELECTED OFFICIALS OF THESE COMMUNITIES.

A number of citizen property owners on Bald Head Island have characterized you as an honest and honorable man. We request you consider letting Senate Bill 832 go forward to an open debate and vote, as that is most consistent with democracy as practiced in North Carolina.

Sincerely,
Bald Head Island Village Council,
By Lawrence L. Lammert, Mayor

Chris McCall spoke of the update on Sand Piper Trail with a number of existing homes with sandbags and the erosion rate since 2004 with the exposed sandbags. Chris stated to protect the road and the homeowners with existing sandbags they can request a variance to receive more sandbags. Chris stated the Village received a CAMA permit for sandbags to protect Sandpiper Trail and stated a onetime permit can be issued for a sandbag placement for a private residential structure. Council directed staff to contact property owners who are in the effected area.

7.2- Public Safety Report- Chief Munna spoke in reference to the new patch for Public Safety Department and reviewed the June Public Safety Report.

8. **Comments, Reports and Questions**

8.1- Citizens-

- Joe Brawner thanked the Council for supporting the Brain Sail meeting and the positive feedback for the meeting.
- Richard Mesaris asked if the RO Line is fully operational and asked the cost of water being received from Brunswick County.
Ken Bowling stated the line is fully operational and the Village is purchasing the minimum amount purchased from Brunswick County.

8.2- Bald Head Association- No Comment

8.3- Bald Head Island, LTD- No Comment

8.4- Bald Head Island Conservancy- No Comment

8.5- Bald Head Island Club- No Comment

8.6- Mayor and Council- No Comment

9. **Adjournment-** Mayor Lammert entertained a motion for adjournment at 3:30 p.m., with Councilor Douglas making the motion. In a voice vote, all voted in favor. **(MOTION CARRIED 5-0)**

Larry Lammert
Mayor

ATTEST:

Debra C. Talbert
Village Clerk