

**VILLAGE OF BALD HEAD ISLAND  
COUNCIL WORK SESSION  
JULY 17, 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  
Debbie 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 Work Session to order at 9:30 a.m. Mayor Lammert asked for approval of the agenda, with Councilor Douglas making the motion to approve as presented. In a voice vote, all voted in favor.

**(MOTION CARRIED 5-0)**

2. **Review of Council Meeting Agenda-** Mayor Lammert and Council discussed the Council afternoon agenda.  
**Section 2-** Mayor Lammert added to the afternoon agenda the Oath of Office for Chief Jerome Munna.

**Section 3.2-** Dawn Reno spoke to Council on the summary of the 2008 Tax Collection.

**Section 4.1-** Chris McCall spoke to Council to consider the proposed text amendment to add as-built survey or foundation survey requirement to Section 32-43, Certificate of Occupancy/Compliance. Chris stated the Planning Board has reviewed amendment and approved text as written.

**Section 5.1-** Calvin spoke in reference to a Resolution to adopt the Municipal Records Retention and Disposition Schedule from the North Carolina Department of Cultural Resources. Calvin stated according to G.S. 121-5 and G.S. 132-3; the Village may only destroy public records with the consent of the North Carolina, Department of Cultural Resources. The Records Retention and Disposition schedule is the primary way DCR gives its consent.

**Section 6.3a-** Councilor Morris stated the consideration of appointment of Michael Boozell as a member of Public Safety Committee for the Village of Bald Head Island.

**Section 6.5-** Council discussed with staff the Ordinance not allowing livestock on the Island.

**Section 6.6-** Chris McCall asked for consideration to approve the re-appointment of Scott Starks as Planning Board Member to the Village of Bald Head Island Planning Board.

**Section 6.7-** Chris McCall asked for consideration to approve the re-appointment of Joe Ridgeway as Board of Adjustment member to the Village of Bald Head Island Board of Adjustment.

Mayor Lammert stated with no further comment of the afternoon Council Meeting Agenda to move to the morning agenda.

3. **Financial Report-** Deb Straub discussed the June Financial Report. Deb stated there were no major expenditures in June, with the Year to date being under budget. Deb stated there is a budget transfer to the Capital Project with a transfer of 2008-2009 Capital Outlay Budget to Village Hall Expansion Capital Project Fund. Council and Deb discussed the Accommodation Tax revenues. Deb discussed the Utilities Fund balance and the projects done within fiscal year 2008-2009. Deb explained the GO Bond with Resolution of Issuance with the rate not to exceed \$15 million and terms. Calvin discussed with Council the finance and the State Budget for the Sand Placement and Groins. Mayor Pro Tempore Sayre stated his concerns with the \$15 million versus \$17 million for the GO Bond. Council discussed further the option to change the documents. Deb discussed the change of the documents could state “not to exceed \$17 million”. With agreement from Council, Deb stated the documents would be changed for the afternoon Council meeting.
4. **Surplus of Village Property-** Calvin stated this is a notification of disposal of surplus Village property. Calvin explained the Resolution 2007-0901 states the Village Manager is authorized to dispose of property in a manner set forth in the North Carolina General Statutes with an estimated value of less than \$500.00. This property consist of obsolete and/or nonfunctioning computer equipment with related peripherals currently being stored at the Village Public Works facility. Calvin stated this requires no action of Council and this is information only.
5. **Consideration of Ordinance 28-6, Traffic & Vehicles Regulating of Heavy-Duty Idling Restrictions-** Calvin discussed the draft ordinance with Council. The Ordinance presented was recommended to be assigned to a Village Committees for recommendation to Council. Council agreed to assign to the Transportation Committee and the Public Safety Committee.
6. **Status Inlet Hazard Area Update-** Charles discussed with Council the Inlet Hazard Area Update. Charles stated the CRC has approved for Bald Head Island the request for an erosion rate set for West Beach, with 2(two) feet set for West Beach. The Village is awaiting the order which must be issued within 60(sixty) days. The CRC will need to update their map for this change to be effective. The new boundary change would begin at Transect 1 above the marina entrance and will end at Transect 40, 21 Cape Fear Trail. Charles discussed the Sand Management issues are being reviewed by the CRC (Coastal Resource Commission). Charles stated the CRC has written a letter to the General Assembly encouraging a commission to be formed to study funding for Beach Nourishment. Charles stated the 60 day letter was sent out July 16, 2009 to the Corps of Engineers with a draft complaint from the Village.
7. **Status of GO Bond Financing-** This was discussed under the Financial Report.

8. **Manager's Report-** Calvin discussed with Council the Corp of Engineers meeting in May. Calvin stated Congressman McIntyre has requested a 216 Study from the Corps of Engineers. Calvin stated the Sand Management Review is April 2011 and the Recon Study- 50 year plan for Brunswick County is not in the House or Senate version of the 2009/2010 budget. Calvin stated the request for 5 million from the State of North Carolina has not been approved at this time.

Mayor Lammert discussed the 832 Terminal Structure Bill. Mayor Lammert stated during the meeting on July 15, 2009 the NC House Speaker Joe Hackney stated he opposed this bill. Mayor Lammert asked Council to review letter drafted by Councilor Douglas to the House Speaker Joe Hackney. Council agreed to discuss in Closed Session.

Calvin stated to Council the US Fish and Wildlife Services and the Wildlife Resource Commission will visit the Island to proceed with an expedite consultation for approving the early dredge permit for sand placement.

Chris McCall gave a presentation of the erosion issues on the Island. Chris showed Council the erosion rate since 2004 near Sandpiper Trail with the exposed 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. Chris stated the property owners with existing sandbags can request a variance to receive more sandbags. Mayor Pro Tempore Sayre requested staff send letters to the property owners with the available information. Calvin stated staff would speak with Division of Coastal Management and Erik Olsen on receiving a variance to place more sandbags on property. Calvin discussed with Council Lagoon 3 program to take the lagoon off the utility system. Calvin stated a Study is being done on Lagoon 4 and 5 capacity and data should be available in October. There was further discussion between Council and Charles on the contract timeframe with Division of Coastal Management and the progress of Lagoon 4 and 5.

Charles and Chris discussed with Council the Cobra boundary issues and the GIS imaging process. Charles stated a letter has been sent to Congressman McIntyre and US Fish and Wildlife concerning these issues on Bald Head Island.

9. **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 11:00 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 12:45 p.m., with Councilor Douglas making the motion. In a voice vote, all voted in favor. **(MOTION CARRIED 5-0)**

10. **Adjournment-** Mayor Lammert entertained a motion for adjournment at 12:46 p.m., with Councilor Pitera making the motion. In a voice vote, all voted in favor. **(MOTION CARRIED 5-0)**

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Larry Lammert  
Mayor

ATTEST:

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Debra C. Talbert  
Village Clerk

