

**Village of Bald Head Island
Council Meeting**

June 13, 2008

Location: Village of Bald Head Island Fire Department

Council Present: Mayor Larry Lammert, Mayor Pro Tempore Andy Sayre, Councilman Gene Douglas, Councilman Art Morris, Councilman John Pitera

Staff Present: Village Manager, Calvin Peck; Assistant Village Manager / Development Services Manager, Chris McCall; Finance Director, Deb Straub; Human Resource Officer/Executive Assistant, Dawn Reno; Police Chief, Richard Herring; Chief of Emergency Services, Chip Munna; Public Works Director, Ben Liddle; Utilities Director, Ken Bowling; Systems Administrator, David Cox; Attorney Charles Baldwin; Village Clerk, Joy Davis (recording minutes).

Others Present: Suzanne Dorsey with BHI Conservancy; BHI Limited Director of Communications, Joyce Fulton; Ben Brown with State Port Pilot; BHI Club Manager, Robert Norton

Village of BHI Residents: Joe Brawner; Tom Hayden; Ralph Lee; Richard & Diane Mesaris; Winn Stevens; Ray Webb; Ann Boozell

1. Call to Order/ Approval of Agenda

Mayor Lammert

Mayor Lammert called the June 13, 2008 Village Council Meeting to order at 3:00 p.m. Mayor Pro Tempore Sayre made a motion to approve the Council Meeting agenda as presented. In a voice vote, all voted in favor. **(Motion 5-0)**

2. Public Hearing / Proposed Fiscal Year 2008 – 2009 Budget

Subsequent to Mayor Lammert opening the Public Hearing, Calvin Peck commenced his summary of the proposed balanced budget with an open invitation to the Public to attend informational sessions offered by Ravella Consulting on financing options for the Engineered Beach Project to be held on July 11th at 3:00 p.m. and 12th at 10:00 a.m. at the Bald Head Association building.

Mr. Peck highlighted several beneficial objectives to be supported by the proposed budget, with those being the addition of a Firefighter / EMT position; the RO Project (reverse osmosis) which will increase potable water and ultimately save the Village \$45,000 per year; sewer treatment improvements; animal control measures; implementation of the Virtual Project Network (offering a yearly savings of \$25,000); South Bald Head Wynd plantings; the hiring of a Director of Conservation for the

Conservancy; an improved employee group health plan (HSA) and Wellness Program at no additional cost to the Village; various Village administrative office software updates which will increase productivity; and, lastly, the addition of \$700,000 to the capital reserve for Village Hall expansion.

Public Comments & Questions Regarding Proposed FY 08-09 Budget:

Mr. Tom Hayden questioned Mr. Peck about the necessity of plantings in light of (i) the precarious economy; (ii) his understanding that there was a revenue shortfall; and (iii) the tax increase. Mr. Peck corrected him, stating that there was not a revenue shortfall, rather there had been shortfalls in the current budget year in the General and Utilities funds, but those had been made up. Mr. Peck also reported that the tax increase in the proposed budget is specifically to pay for lagoon improvements, which affects all property owners

Mr. Peck emphasized that the Village has an obligation to improve, preserve, and protect the beauty of the Island so as to attract potential property owners and tourists, and the expense incurred for plantings on South Bald Head Wynd should be viewed as an investment in the future of the Island.

Regarding the addition of a Firefighter/EMT, Mr. Richard Mesaris questioned Brunswick County's role in funding these services, considering the amount of property taxes paid to them by residents of the Island. Mr. Peck stated that Council is well-aware that there is significantly more money leaving the Island than services or money being returned, and to that end has directed the Village attorney to investigate the County's obligation to provide paramedic and other services to all areas within their jurisdiction.

Mayor Lammert offered insight regarding the tax increase, stating it should be understood that Council was able to negotiate a reduction in the Doshier Hospital rate from .04 cents to .02 ¼ cents for a savings of .01 ¾ cents which goes to the Village and results in a proposed property tax increase of only a quarter of a cent more than the current rate of .24 cents.

Mayor Lammert stated that in addition to the aforementioned measures the County Commissioners honored Council's request to valuate sales tax based on property value rather than population which resulted in an assessment of \$69,000 as opposed to what would have been \$1.2M.

The Mayor also stressed the need for volunteers to represent the Island by attending the Brunswick County Commissioners meetings.

Mr. Mesaris asked if the separate sewer and water availability fees will apply to Middle Island property owners to which Mr. Peck replied in the affirmative, stating that this applies to all undeveloped, buildable lots. Mr. Mesaris commented that it was "ironic" Middle Island property owners have not only been assessed for sewer lines they didn't want, but now they have to pay the accessibility fees.

Mr. Joe Brawner questioned the validity of the .15 cent water rate increase, stating that the Village will only be buying an additional 10,000 units from the County. He also asked Mr. Peck if the rate increase was a temporary measure lasting only until the RO project has been completed. Mr. Peck stated that at this time he did not know whether water rates will increase or decrease in the future, but that he certainly hoped residents will see a reduction.

Village Clerk Oath of Office - Mayor Lammert administered the oath of office to Joy Davis.

3. Consent Agenda

3.1 Approval of Minutes

- May 06, 2008 Special Meeting / Proposed Budget
- May 14, 2008 Budget Workshop
- May 16, 2008 Council Work Session
- May 16, 2008 Council Meeting

3.2 Emergency Mitigation Plan

Mayor Pro Tempore Sayre made a motion to approve the consent agenda and in a voice vote, all voted in favor. **(Motion 5-0)**

4. Old Business

4.1 Mr. Peck, again announced dates and times for the public informational sessions on the Engineered Beach, adding that Mr. Ravella will also be meeting with stakeholders on July 1st and speaking at the Island Manager's meeting on July 2nd. Mr. Peck informed the audience that the environmental assessment and permit application have been completed sent to the Corps of Engineers and Division of Coastal Management for a 90-day review process.

5. New Business

5.1 Approval of FY 08-09 Budget - Mayor Lammert entertained a motion for the approval of the FY 08-09 Budget as presented. Mayor Pro Tempore Sayre made a motion to approve the Budget Ordinance for 2008 -2009 as presented. In a voice vote, all voted in favor. **(Motion carried 5 – 0)**

5.2 May Financial Statement Report - Deb Straub reported that all finances are in order.

5.3 Approval of Budget Amendment to Close Middle Island Sewer Capital Project Fund - Ms. Straub reported that due to the efficiency of the Village Utilities department the Middle Island Sewer project was completed under the \$650,000, necessitating a motion from Council to amend current budget to transfer \$153,404 to the utility fund. Mayor Pro Tempore made a motion to approve the budget amendment. In a voice vote, all voted in favor. **(Motion carried 5 – 0)**

5.4 Approval of 2008 Hurricane Season Debris Removal Contracts

Mr. Peck recommended awarding 3 separate contracts to Bamaco, Inc. for hurricane debris removal. Mr. Peck explained that the contracts are pre-audited and are necessary in order for the Village to receive FEMA reimbursement should an event occur.

Mayor Pro Tempore Sayre made a motion to approve the Bamaco, Inc. Sand Debris contract. In a voice vote, all voted in favor.

(Motion carried 5 – 0)

Mayor Pro Tempore Sayre made a motion to approve the Bamaco, Inc. Vegetative & C&D contract. In a voice vote, all voted in favor.

(Motion carried 5 – 0)

Mayor Pro Tempore Sayre made a motion to approve the Bamaco, Inc. Dangerous Trees & Hanging Limbs. In a voice vote, all voted in favor.

(Motion carried 5 – 0)

5.5 Make-A-Wish Foundation Proclamation

Mayor Lammert stated that the Council had honored a request to declare a proclamation from the Make-A-Wish Foundation

5.6 Electrically Powered Vehicles - Councilor Morris reported that during the Public Safety Committee meetings it had been discovered that there are loopholes in the current electric cart ordinance whereby a hybrid could be considered an electrically-powered vehicle, which the Committee feels is not in the best interest of the Island. Councilor Morris read recommended changes in wording to Sections 28-31(a) and 28-92(a) of the ordinance (Hereby made a part of these Minutes); hence, Mayor Lammert directed Joy Davis to set a public hearing on the matter to be held at the July 18, 2008 Council meeting.

6. FCC Presentation on Early D.T.V.

Ms. Jill Pender made a presentation on the Digital T.V. transition which will occur in Wilmington on September 8, 2008 explaining that federal law is requiring the change will free up frequencies for police, fire, and emergency response, allow broadcasters to offer programming with better picture and sound quality, and allow for commercial advanced wireless services.

7. **Codification** - Charles Baldwin, Esq. explained that for quite some time the Village has been working to revise the way it records ordinances, transitioning from “by year cataloging” to a coding system and that there is still work to be done in order to accomplish the task. Per Mr. Baldwin’s recommendation Mayor Lammert directed Joy Davis to set a public hearing to be held at the July 18th Council meeting so as to extend the 2-year phase in so as to perform due diligence on codes.

8. Committee Reports –

8.1 Public Safety Committee - Bob Porter reported there would be no June meeting, but that the committee will probably not seek Council's consideration of a change to the ordinance regulating golf cart size.

8.2 Public Works Committee - Richard Mesaris stated that at the committee's abbreviated June meeting, members reviewed the spring paving project. Mr. Mesaris stated that at West Bald Head concrete pavers are being put in over the dune area so as to minimize erosion in the event of heavy rains or other such occurrences and the process will be repeated at Stede Bonnet.

*There were no reports from the Beach, Finance, or Transportation Committees.

9. Monthly Reports -

9.1 Manager's Report - Mr. Peck reported that the Village is selling rain barrels for \$30 and for residents to contact Joyce Burke should they wish to make a purchase.

He stated that the Division of Coastal Management has schedule a June 30th meeting in order to review drafts of inlet hazard area boundary maps on.

Mr. Peck conveyed that the Village is expecting (before June 30th) the \$421,000 refund from the Corps of Engineers and the State for participation in the 2007 Beachfill Dredge Project (at a time when there was no available federal funds). Ending his report he stated that the refund will be returned to the current year's beach fund.

9.2 Police Report - Chief Herring reported on a "Keep Check" program whereby officers, upon prior notification, will check on residences that homeowners have left unattended or un-rented while away or on vacation. notify the department that they will be away and there home will be