

**Village of Bald Head Island
Council Work Session
June 13, 2008**

Location: Village of Bald Head Island Police Department

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

Staff Present: Village Manager, Calvin Peck; Assistant Village Manager/ Development Service Director, Chris McCall; Finance Director, Deb Straub; Human Resource Administrative Officer, 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; Building Inspector, Stephen Boyett; Attorney Charles Baldwin; Village Clerk, Joy Davis (recording minutes).

Others Present: BHI Limited Director of Communication, Joyce Fulton; BHI Limited Director of Planning, Jim Henry; BHI Club General Manager, Robert Norton

Residents: Ray Webb

1. **Call to Order/ Approval of Agenda-** Mayor Lammert called the June 13, 2008 Council Work Session to order at 9:30 a.m. Mayor asked Council for approval of the Agenda. With all in approval, voice vote. **(Motion 5-0)**

2. **Review of Agenda / June 13, 2008 Public Hearing & Regular Meeting -**

Public Hearing / FY 2008 / 2009 Budget - No comments, concerns, or questions.

Consent Agenda – No comments, concerns, or questions regarding consent items.

Old Business - Engineered Beach Project -

Mr. Peck reported that the DENR applications and checks have been processed and the Village should expect a response in approximately 90 days.

He further reported that Peter Ravella will be on the Island to discuss financing, meeting with stakeholders on July 1st and Village staff on July 2nd.

Mr. Peck stated that Mr. Ravella will also hold 2 public sessions regarding financing at the Bald Head Association on Friday, July 11th and Saturday, July 12th, with the Friday meeting being scheduled for 3:00 p.m. Mr. Peck was directed by Council to hold the July 12th public session at 10:00 a.m. so as to attract a larger attendance.

New Business -

Approval of FY 08-09 Budget - No comments or discussion.

May Financial Statement - No comments or discussion.

07-08 Budget Amendment / Middle Island Sewer Capital Project Fund -

Ms. Straub stated that the project was completed under budget which necessitated a transfer of unexpended funds in the amount of \$153,404 from the Middle Island Sewer Fund to the Utilities Fund.

Regarding the discount rate available to Middle Island customers on assessment billing sent out May 7th, Ms. Straub reported that the Village had received discounted payments on 81 parcels as of the June 9th deadline.

Approval of 2008 Hurricane Season Debris Removal Contracts -

Mr. Peck reported that the 3 contracts (sand, debris, and hanging-limbs) are essentially the same as last year and with the same multi-national company, Bamaco, Inc.

He recommended that Council approve the contracts in 3 separate motions, and replied that Bamaco, Inc. is paid only if their services are required when asked by Mayor Pro Tempore Sayre.

Make-A-Wish Foundation Proclamation - Mayor Lammert explained that Council has honored a request proclaiming June 3, 2008 as Make-A-Wish Day.

FCC Presentation on Early D.T.V. - Mayor Lammert explained that the FCC had requested that Council hear an informational presentation dealing with the Early D.T.V. Transition debuting this year in Wilmington.

Codification - Charles Baldwin, Esq. explained that the Village has been working on an ordinance recordation system for quite some time whereby it is transitioning from "by year cataloging" to a coding system. He stated that this process is not yet complete and that a Public Hearing should be set so as to extend the 2-year phase-in until September 15, 2010 in order to exercise due diligence.

*There were no comments from committee representatives and review of the Council agenda ended with no dissent.

3. Budget Amendment To Close Middle Island Sewer Capital Project Fund -

Ms. Straub had no further comment on this work session item.

4. Property Owner Mailing -

Council reviewed a letter regarding the Village of Bald Head Island utility rates which was penned by Mayor Lammert to be mailed to property owners subsequent to FY '08-'09 budget approval

There was discussion as to how the estimated 30 REU's per year (line 30 of letter) was derived, with Mayor Lammert responding to Councilor Pitera that it is based on certificate of occupancy reports/building trends during the past couple of years and no building boom in sight. Councilor Pitera reasoned that until about 2 years ago, the Island was realizing 50 to 60 REU's per year.

Mr. Peck commented that Councilor Pitera raised a good point, and that even with revising the number to 50 REU's per year it will still take approximately 16 years to use up our remaining treatment capacity, with Mayor Lammert stating that the main intention is to convey that it will be a long time before the Island uses up remaining treatment capacity.

Discussion ended with agreed-upon grammatical and wording changes inclusive of Councilor Pitera and Mr. Peck's suggestions to revise line 30 of the letter.

5. Employee Insurance Program -

Mr. Peck relayed information regarding the Blue Cross HSA program whereby employees will have a higher deductible (\$1500 / Employee Only & \$3000 / Family Coverage), but with the Village contributing \$1,000 to employees' HSA fund and matching any additional contributions made by employees. Mr. Peck stated that this is a better, stronger plan than the current one, but at no additional cost to the Village.

In addition to the improved health insurance plan, Mr. Peck also discussed the Wellness program which is designed to educate and inform employees about the state of their well-being through health screenings and programs such as smoking cessation and employee fitness and exercise. He reported that Daralyn Spivey and Ian Carico have been designated the Village Wellness Coordinators and they will receive training in relation to this program. Mr. Peck emphasized that this program is designed to improve the health of employees, thereby creating a stronger work force with less insurance claims. Councilor Morris inquired into privacy rights of the employees as pertaining to screenings, with Mr. Peck explaining that these rights are protected and regulated by HIPPA.

6. Public Safety Committee Recommendation -

Councilor Morris stated that after review of the ordinance regulating golf cart size, it was noted that any proposed changers were actually quite similar to what is already in place and no recommendations will be presented to Council at this time.

Councilor Morris further reported that the committee had discovered loopholes in Article 2, Division 1 Sections 28-31(a) and 28-92(a) whereby hybrids could fall under the definition of electrically-powered vehicles, rather than ICE's which the Committee feels is not in the best interest of the Island. Subsequent to his reading of suggested changes and approval from Council, Mayor Lammert directed Joy Davis to add item (5.6) to the afternoon agenda so that a public hearing may be scheduled for the July Council meeting.

Discussion of Island Transportation -

Woody Fulton reported on both past and present fuel costs, work being done to realize some type of relief from these costs, and various approaches of examining the structure and rate of tickets (inclusive of scheduling meetings with constituencies throughout the Island).

Stating that there had not been a ticket rate increase since 1993, Mr. Fulton reported that after a review and comparison of 1999, 2007, and 2008 fuel cost, he had found that approximately \$800,000 more had been spent in the past 12 months than in years before. With regards to relief from these costs he stated there is none, either through legislation or the N.C. Utilities Commission.

When asked if there was a ballpark figure on a proposed increase in ticket price, Mr. Fulton stated that had not been arrived at yet.

7. Managers' Update on Village Projects & Other Items -

Regarding the RO (reverse osmosis) project, Mr. Peck stated that he had in his hand permit applications for the R.O. reject line to the Marina; sedimentation & pollution control permit; and the storm water permit inclusive of checks and full sets of drawings to be submitted to DENR for approval. When Councilor Pitera asked about bids for the project, Mayor Lammert and Mr. Peck explained that the process could not take place until the Village is notified of approval which occurs within 90 days of DENR receiving the paperwork.

Mr. Peck also reported that all necessary preliminary documents and applications have been completed with regards to the Engineered Beach project and that the check has been submitted to Eric Olsen.

He also reported that he had received notification of the \$421,000 refund for participation in the 2007 Beachfill project, and that the State is doing everything it can to ensure that the Village receives it before the end of the current fiscal year.

Mr. Peck reported that the Division of Coastal Management has scheduled a June 30th meeting with Village Staff in order to review drafts of Inlet Hazard Area Boundary maps.

Mr. Peck stated that the Sea Oats Planting project was to mobilize that day.

Following his public thank you to Donna Clemmons (landscape architect) and Jim Henry, both of BHI Limited for their assistance, Chris McCall distributed a first draft preliminary design of the Creek Access, and explained various aspects of the project inclusive of plans to add 150 canoe/kayak spaces to the existing 126, as well as spaces boat/trailer storage.

Mr. McCall stated that this draft was designed in consideration of requests made by adjacent property owner, Doug Oakley with respect to the fence line and buffer area.

He reported that part of the process involves applying for a CAMA permit in the form of a modification or revision in order to acquire 1 of Mr. Oakley's 2 slips so that it may be added to the Village's dock which currently houses 3 slips. Charles Baldwin stated that the reason for this approach is that CAMA does not like new structures on the Creek.

Mr. McCall stated that the Village is doing all it can to create as much access to Public waters as possible.

Mr. Peck added that the property owner of Lot 111 has also requested that the entrance be moved to a more central location on the property, with Mayor Pro Tempore Sayre commenting that the property owner has every right to make the request in that with increased usage there will be more traffic into the area and that Council should recommend the revision.

Mr. McCall stated that he has looked into widening the current boat launch ramp from 10 feet to 20 feet to provide more area.

Mr. Peck stated that if Council was comfortable, possibly some seeding can be incorporated into the scheme, with Mayor Lammert suggesting that grants may be available for such plans.

Mr. Peck stated that per this discussion he will ask Ms. Clemmons to revise the draft, so that it is indicative of the relocation of Mr. Oakley's slip and the Creek Access entrance before the July BHA meeting.

Mr. Peck reported that House Bill 2157, Bald Head Island Clerk Appointment, was passed and has been referred to the Senate.

Ending his report, Mr. Peck reported that 50-gallon pickle barrels are available and residents may contact Joyce Burke at Village Hall for purchase.

8. Other Discussion -

Councilor Douglas reported that with regards to Village liaisons attending Brunswick County meetings he was personally in support of the concept, but he agreed with Mayor Pro Tempore Sayre that given the County's structure it would probably be a waste of time if the Village launched this solely on its own.

He stated that a more effective approach might be for the Village to consort with all the beach communities so that the responsibility of attending the meetings will be shared and more effective in conveying the unique needs of such areas.

Mayor Lammert reported that 3 or 4 people have signed up for the liaison committee and that the approach is to have someone there because there are occasions when the liaisons will want to be on the agenda to speak for something that is particular to the Village of Bald Head Island.

Councilor Douglas stated that he would like to make 2 motions, with one requesting a referendum to allow voters to elect the mayor, and the second motion requesting a referendum limiting terms of Council to 2 terms.

Mayor Pro Tempore Sayre stated that the problem he sees is that there is a shallow pool of people, and that both concepts would further restrict the electoral process.

Discussion ensued with Councilor Pitera questioning the finality of the two-term limit and Councilor Morris stating that although he was torn on the issue, but that a councilor serving 4 or 5 terms could be detrimental.

Councilor Douglas expressed that he felt the voters of the Village of Bald Head Island have a right to make these decisions; that it should not be left for Council to conclude; and that he is receiving a lot of citizen comments on the issue and he no longer wants to accept the responsibility of electing a mayor anymore.

Per Charles Baldwin's counsel, Councilor Douglas' motions were withdrawn and per Council's unanimous approval, staff was instructed to research procedures involved in the referendum process.

9. Closed Session pursuant to N.C. General Statute 143-318.11 (a) (1), (3), and (5)

Mayor Lammert entertained a motion to enter into Closed Session. With all in approval, voice vote. **(Motion 5 – 0)**

Mayor made a motion to return to Open Session, in a voice vote, all in approval
(Motion 5 – 0)

10. Mayor Lammert entertained a motion for adjournment, in a voice vote, all in approval
(Motion 5 – 0)

The June 13, 2008 Village Council Work Session adjourned at 12:20 p.m.

Approved:

Larry Lammert, Mayor

Attest:

Joy Barrow Davis, Village Clerk