

**VILLAGE OF BALD HEAD ISLAND
COUNCIL MEETING
May 15, 2009
3:00 p.m.
BALD HEAD ASSOCIATION BUILDING**

COUNCILORS IN ATTENDANCE: Mayor Larry Lammert
Mayor Pro Tempore Sayre
Councilor Gene Douglas
Councilor Art Morris

STAFF PRESENT: Calvin R. Peck, Jr., Village Manager
Chris McCall, Assistant Manager/Director of Dev. Services
Deb Straub, Finance Manager
Police Chief Richard Herring
Fire Chief Chip Munna
Ben Liddle, Public Works Director
Ken Bowling, Utilities Director
David Cox, Systems Administrator
Danny Kiser, Administrative Captain
Charles Baldwin, Village Attorney
Thomas Varnum w/ Roundtree, Losee & Baldwin, LLP
Debbie Talbert, Village Clerk (recording minutes)

OTHERS PRESENT: Various Public and Residents

1. **Call to Order/ Approval of Agenda-** Mayor Lammert called the May 15, 2009 Council Meeting to order at 3:00 p.m. Mayor Lammert entertained a motion to approve the agenda. Councilor Douglas made the motion to approve the agenda as presented. In a voice vote, the motion was unanimous.

(MOTION CARRIED 4-0)
2. **Recognition of Employee- Captain Danny Kiser-** Chief Munna gave recognition to Captain Danny Kiser who has served the Village of Bald Head Island for 10 years and is retiring on June 16, 2009.
3. **Public Hearing-**
 - 3.1 **Nuisance Pet Ordinance-** Councilor Morris read the Nuisance Pet Ordinance to Council and Public. Mayor Lammert opened the Public Hearing.
 - Greg Wendling stated he was a property owner on the Island and gave his support with the Ordinance.With no other comment, Mayor Lammert closed the Public Hearing.
4. **Consent Agenda-**
 - 4.1 **Approval of Minutes**
 - 4.2 **April 17, 2009 Council Work Session**
 - 4.3 **April 17, 2009 Council Meeting**

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

(MOTION CARRIED 4-0)

5. Old Business

5.1 Consideration/Adoption of Amending the Code of Ordinances Section 10-83(c), Beaches; New Developments; Exterior Lighting

Mayor Lammert entertained a motion to amend the Code of Ordinances Section 10-83(c), Beaches; New Development; Exterior Lighting. Mayor Pro Tempore Sayre made motion to approve. In a voice vote, all voted in favor.

(MOTION CARRIED 4-0)

5.2 Consideration/ Adoption of Amending the Code of Ordinances Section 32-126, Permitted & Conditional Uses Table; Clinic, Medical Services

Mayor Lammert entertained a motion to amend the Code of Ordinances Section 32-126, Permitted & Conditional Uses Table; Clinic, Medical Services. Councilor Douglas made motion to approve. In a voice vote, all voted in favor.

(MOTION CARRIED 4-0)

5.3 Consideration/ Adoption of Amending the Code of Ordinances Section 32-11, Definitions; Clinic, Medical Services

Mayor Lammert entertained a motion to amend the Code of Ordinances Section 32-11, Definitions; Clinic, Medical Services. Councilor Douglas made motion to approve. In a voice vote, all voted in favor.

(MOTION CARRIED 4-0)

5.4 Consideration/ Adoption of Nuisance Pets Ordinance

Mayor Lammert entertained a motion to adopt the Nuisance Pets Ordinance. Councilor Morris made motion to approve. In a voice vote, all voted in favor.

(MOTION CARRIED 4-0)

5.5 Update on Sand Management Plan

Calvin Peck discussed the meeting scheduled with the Corps of Engineers on May 28, 09. Calvin stated Coastal Engineers and the Environmental Attorney will be attending this meeting. The purpose for this meeting is to discuss the Erosion problems on Bald Head Island beaches. Calvin stated the Integrated Shoreline Erosion Control permit has been issued from the Storm Water Division. The Village has received a 401 Water Quality Certification from Division of Water Quality. Calvin stated the Environmental Protection should issue a finding of No Significant Negative Impact for Jay Bird Shoals which will be sent to Division of Coastal Management for a CAMA Major Permit.

Calvin stated upcoming dates are: June 1 starts the bidding for the re-nourishment project, June 2 is election for GO Bond referendum, June 30 will be bid opening for project.

Calvin stated the One Stop Voting has started with a reminder that voters must have Bald Head Island as primary residence.

6. New Business

6.1 1st Reading & Set Public Hearing- Budget Ordinance

Calvin gave a power point presentation for the recommended Budget 2009/2010.

Calvin stated the .22 cent per \$100 tax rate for 2008/09 for Operations Expenses has been reduced to .19 cent. This would give no employee a Cost of Living Allowance (COLA) and a reduced Merit Increase to average 1.5%. There would be no Fund Balance appropriated or no

vehicle purchases for the Village. Calvin explained the Health Care for employees has increased 14%, however no overall cost increase to Village, the deductible will increase from \$2k to \$4k. Calvin discussed the ½ admin overhead allocation to Utilities Fund with a reduction in travel and training funds for employees. Calvin stated the Conservancy Environmental Support second year contract will be \$95k.

Calvin discussed the Public Safety Department merge will save the operations, cost, and time. Public Works non capital items are: electronics recycling container, a bucket for the back hoe and an emissions testing computer. The Capital Outlay for Road Construction would be \$210k covered by ICE fees.

Calvin discussed the Utility Fund Revenue and to keep 2 Tier Water Charge for over 3000 gallon and have a 5% increase to Base Water and Sewer which would be 84 cents for water and additional \$2.41 for sewer. Calvin stated the new expenditures in the Utility Fund will be interconnecting to the Brunswick County Water to improve the Waste Water Treatment Plant filter efficiency and upgrading the water meters. The state law effective July 1, 2009 requires a separate meter for new irrigation systems installed with the discussion involving cost and installation.

Calvin finished by stating the Bond referendum will be held June 2.

Mayor Lammert asked if there were questions from the public.

Richard Mesaris asked if the Emissions Testing would be available to Contractors.

Calvin replied this would be for the Village vehicles only.

Richard Mesaris stated he has concerns with the Public Safety merge and would like additional information.

Calvin information is available and staff would be happy to speak with him or others. Calvin stated the Public Safety merger would bring an increased level of service.

Anne Boozel stated she is concerned with the loss of personnel.

Chip Munna explained how the Public Safety would be beneficial and explained the idea of operation. Chip stated there was some miscommunication with personnel and the problems were being worked on.

6.2 1st Reading & Set Public Hearing- Utilities Ordinance Section 30-44, 30-49, 30-82, and 30-84

Ken Bowling spoke in reference to text amendments to the Utilities Ordinance Section 30-44, 30-49, 30-82, and 30-84. These amendments would clarify the Service section, Consumer's responsibility section, types of charges and fees section, and tap fees and utility tap relocation section.

Mayor Lammert stated both Section 6.1- Budget Ordinance and Section 6.2- Utilities Ordinance amendments Public Hearing are set for the June 19, 2009 Council meeting.

6.3 April Financial Statement Report- Deb discussed the April Financial Statement. Deb stated the Ad Valorem tax revenues are at 98.5% of budget (through April collections) with investment earnings are well below last year. The accommodation tax revenues are ahead of last year and there is a slight decrease in sales tax revenues due to lower consumer sales. Deb stated the Village received a FEMA payment in April for Tropical Storm Hanna damage. The Utilities Fund revenues and expenditures are in line with budget and last year. Deb explained the Capital

Projects Fund expenses were for Infiltration Pond and Beach Fund expense. Deb explained the GO Bond process and the dates of the bond referendum being held June 2, 2009. If the bond passes, anticipate the funds to be available in September. Deb stated she is working on bond rating applications.

7. Committee Reports

- 7.1 **Beach-** No Comment
- 7.2 **Finance-** Mayor Lammert stated the Finance Committee has been meeting and working on GO Bond rate information.
- 7.3 **Public Safety-** Councilor Morris stated the committee will be meeting Monday, May 18th @ 10:00 a.m.
- 7.4 **Public Works-** Dana Quanstrom stated next meeting will be June 5th and two new members to Public Works are Peter Quinn and Vick Smith.
- 7.5 **Transportation-** Calvin stated Councilor Pitera had presented a proposal from Harper Peterson for an on Island taxi service. Calvin stated a Public Hearing will need to be scheduled for June 19 Council meeting.

Mayor Lammert entertained a motion to set Public Hearing for June 19. Councilor Douglas made motion to set Public Hearing for June 19 Council meeting. With a voice vote, all voted in favor.

(MOTION CARRIED 4-0)

8. Monthly Reports

- 8.1 Manager' Report-** Calvin stated the Integrated Shoreline Erosion Control permit has been issued from the Storm Water Division. The Village has received a 401 Water Quality Certification from Division of Water Quality. Calvin stated the Environmental Protection Act process should issue a Finding of No Significant Negative Impact for Jay Bird Shoals where the process goes to the Division of Coastal Management for a CAMA Major Permit. This process should be completed by June. Calvin stated there will be a meeting with the Corps of Engineers on May 28, 2009 and will discuss permitting with the Corps.
- 8.2 Police-** Chief Herring reminded the public of Memorial Day weekend to be safe.
- 8.3 Fire-** Captain Kiser spoke in reference to the Fire report for April and the incidents that had occurred.

9. Comments, Reports and Questions

- 9.1 **Citizens-** A female asked in reference to the proposal of taxi service on the Island. Mayor Lammert replied the purpose for the Public Hearing is for the public and citizens to let the Council know their thoughts and concerns.
- 9.2 **Bald Head Association-** Rachel stated the Association has sent a special bulletin to the residents and property owners asking them to vote on the GO Bond.
- 9.3 **Bald Head Island, Limited-** Joyce Fulton stated Deep Point will be open to the public June 2, 2009 and notices have been sent out. Joyce stated for information on ferry schedules, parking, and/or car retrievals go to www.ferrytobaldheadisland.com
- 9.4 **Bald Head Island Conservancy-** No comment
- 9.5 **Bald Head Island Club-** No Comment
- 9.6 **Mayor and Council-** Mayor Lammert thanked the Club for the letter sent to property owners in reference to the bond referendum. Mayor Lammert spoke in reference to the post card that has been sent to registered voters on Bald Head Island for the Special Bond Election on June 2. Mayor Lammert also spoke in reference to the Insurance legislation on uninsured motorist for golf carts that were eliminated by a 48-0 vote.

Calvin spoke in reference to an email sent to State and Federal agencies for comments on the State Environmental Policy Act Review. This is reference to receiving a CAMA Major Permit for Jay Bird Shoals dredging.

A gentleman asked about the meeting with the Corps of Engineers on May 28 and would it be a Public Meeting and will the Council have the minutes published. Mayor Lammert informed this would not be a Public Meeting and Council will inform the public the response from the meeting.

10. **Adjournment-** Mayor Lammert entertained a motion for adjournment at 4:10 p.m., with Councilor Morris making the motion. In a voice vote, all voted in favor. **(MOTION CARRIED 4-0)**

Larry Lammert
Mayor

ATTEST:

Debra C. Talbert, Village Clerk