

**VILLAGE OF BALD HEAD ISLAND
COUNCIL WORK SESSION
MAY 15, 2009
BALD HEAD ASSOCIATION CENTER**

COUNCILORS IN ATTENDANCE: Mayor Larry Lammert
Mayor Pro Tempore Andrew 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
Ken Bowling, Utilities Director
Ben Liddle, Public Works Director
David Cox, Systems Administrator
Charles Baldwin, Village Attorney
Thomas Barn, Assistant to Attorney
Debbie Talbert, Village Clerk (recording minutes)

OTHERS PRESENT: Harper Peterson, Jeff Swearington, and other various Public and Residents

1. **Call to Order & Approval of Agenda-** Mayor Lammert called the May 15, 2009 Council Work Session to order at 9:35 a.m. Mayor Lammert asked for approval of the agenda, with Councilor Morris making motion to approve as presented. In a voice vote, all voted in favor.

(MOTION CARRIED 4-0)

2. **Review of Council Meeting Agenda/ Public Hearing-** Mayor Lammert and Council discussed the Council afternoon agenda.
Calvin Peck stated the Consideration/Adoption of Amending the Code of Ordinances Section 32-43, Certificate of Occupancy/Compliance will be removed from the agenda section 4.1 and will be sent to the Planning Board for review and placed back on the June agenda per recommendation of Village Attorney Charles Baldwin.
Mayor Lammert stated with no further comment of afternoon Council Meeting Agenda to move to the morning agenda.
3. **Taxi Service on Bald Head Island Presentation-** Mayor Lammert introduced Harper Peterson owner of Island Passage. Harper Peterson spoke in reference to providing taxi service for up to six passenger capacity. Mr. Peterson stated his proposal of taxi service would involve a two year agreement with a non-electric vehicle, with a transition into an electric vehicle. The operation of taxi service would be from June through September with the Riverside Adventure Company being the dispatch location. The taxi service coverage area would be Phase I & II and Middle Island. Mr. Peterson stated the taxi service would be a business with Riverside Adventure Company and stated the vehicle has not been ordered due to awaiting approval of business.

Mayor Lammert thanked Harper Peterson for the proposal and if Council agreed with this type of business operating during the summer we would need to review the ICE ordinance which does not allow gas vehicles to operate on weekends, this should be addressed in closed session with Village Attorney. We will discuss next step at the afternoon meeting.

4. **Beach Stabilization Presentation-** Mayor Lammert introduced Jeff Swearington and Gordon Bennett who gave a presentation to Council on a natural process with stone to preserve the beach. He stated there have been studies which have been done in other states including Florida where flat stones are placed on the beaches at low tide to collect sand. Mr. Swearington stated he understood the concerns with the beach erosion and was not aware of North Carolina laws not allowing hard structures on the beaches. Councilor Douglas stated North Carolina would not allow hard structure on beaches. Further discussion between Council and Jeff Swearington on the concerns of the beach erosion. Council asked for brochures and information on his process; Jeff Swearington agreed to get the paperwork for the Council.
5. **Financial Report-** Deb stated the Ad Valorem tax revenues are at 98.5% of budget. The Accommodation tax revenue is slightly ahead of last year at 86% of budget. The sales tax revenues are decreased due to state budget constraints and stated there is a slight decrease in permits and fees due to reduction in new building starts and daily vehicle permit fees. The Village received \$63k FEMA payment in April for Tropical Storm Hanna damage. There were no major or unusual expenditures in April for General Fund. The Utilities Funds total revenue and expenditures are in line with budget and last year. There were no major or unusual expenditures in April. The Capital Projects fund has expended \$1,037k YTD which includes RO Line and 3rd RO Unit; and anticipate another \$140k expended for RO Line and Aquifer Study. The Beach Fund is expended to \$929k YTD for engineering, attorney, funding consultant and groin repair. Deb finished by stating the GO Bond Public Hearing was held April 17, 2009 and Council adopted bond order April 21, 2009. The bond referendum will be held June 2, 2009 and if it passes, anticipate funds available September 1, 2009.
6. **Proposed amendment to Utilities Ordinance-** Ken Bowling spoke in reference to amendments to the Utilities Ordinance. The purpose of request was for clarification and enforcement. Ken stated the Sections to be amended would be
Section 30-44. Service, (a) All new consumers must complete a written and signed application for water and/or sewer service on such form as the Village may from time to time prescribe. This application may be faxed, mailed or delivered in person to the Village Development Services Department. (d) As of July 1st 2009, all newly installed in-ground irrigation systems are required to have a separate dedicated water service meter.
Section 30-49. Consumer's responsibility (k) All potential sewer customers must stop sewer discharge piping installation approximately three (3) feet short of pump systems. The final three (3) foot connection to the Village owned sewer system will be the responsibility of Village Utilities staff.
(l) Water service consumers are not permitted to connect to any plumbing that may have the potential to produce wastewater, unless the plumbing is attached to an approved and operational sewer system.
Section 30-82. Types of charges and fees
(2) Residential irrigation connection charge
Section 30-84. Tap fees and utility tap relocation
(d) All residential and non-residential water and sewer connection charges must be paid (in-full) prior to sheathing inspection.

7. **Discussion on Public Safety Department-** Calvin spoke in reference on the Public Safety Department. Calvin stated in the month of April he had meet with Staff, Public Safety Committee, Community Watch Committee, Council and volunteers in reference to the concept of Police and Fire/EMS becoming Public Safety. Calvin stated that Chip Munna would be the Public Safety Chief. Calvin stated further discussion on personnel would be done in Close Session. Council discussed how the resources and cross training of employees would benefit the Island.
8. **Status Inlet Hazard Area Update-** Attorney Baldwin spoke in reference to the Inlet Hazard Area. Charles stated there should be CRC meetings in June with regulations are still being worked on. Council discussed the appeals that were filed and the 17(seventeen) properties affected.
9. **Election Update-** Calvin spoke in reference to the information on the election. Calvin stated post cards were sent out to give general information and inform voters of the election. Calvin stated he has been working with the Club and the Association in informing voters by email and newsletters.
10. **Manager's Report-** Calvin explained the dates of upcoming events to Council. 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 Corp of Engineers on May 28, 2009 and will discuss permitting with the Corp.
June 1, 2009 starts the bidding for project and Calvin stated the permits will be accessible to bidders. June 2, 2009 is election for GO Bond. June 15th, there will be a meeting with the bidders at Attorney Baldwin's office with discussion of a Concurrent Bid with Topsail Beach.
Calvin discussed the dates of the GO Bond referendum with Council and date of public sale.
Mayor Lammert had concerns with moving forward to dredge in turtle season if permit was not in hand. Calvin stated the project area has no turtle habitat with any quality and quantity of current sand and should not be considered to be turtle habit. Calvin stated an application for permits for dredging of the creek has been filed with Corp of Engineers along with State and Federal permits.

Mayor Pro Tempore Sayre has requested the Village staff to work on the history of Bald Head Island and collect the information on the dredging and with the Corp. Council discussed the dates and timeline to collect information on these issues.

11. **Closed Session Pursuant to N.C. General Statutes 143-318.11 (a), (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 4-0)

Mayor Lammert entertained a motion to come out of Closed Session at 1:30 p.m., with Councilor Morris making the motion. In a voice vote, all voted in favor.

(MOTION CARRIED 4-0)

12. **Adjournment-** Mayor Lammert entertained a motion for adjournment at 1:31 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