

**VILLAGE OF BALD HEAD ISLAND
PUBLIC HEARING & COUNCIL MEETING
November 14, 2008
3:00 P.M.
Bald Head Association Center**

COUNCILORS IN ATTENDANCE: Mayor Larry Lammert
Councilor Gene Douglas
Councilor Art Morris
Councilor John Pitera

STAFF PRESENT: Calvin R. Peck, Jr., Village Manager
Chris McCall, Assistant Village Manager / Director of Dev. Services
Deb Straub, Finance Director
Police Chief Richard Herring
Captain Danny Kiser
Ben Liddle, Public Works Director
Ken Bowling, Public Utilities Director
David Cox, Systems Administrator
Charles Baldwin, Village Attorney
Jason Kesler, Legal Assistant to Charles Baldwin

OTHERS PRESENT: Mark Pages, Brunswick County Planner
Peter Ravella, Ravella Consulting
Joyce Fulton, BHI Limited Director of Communications
Various Other Public & Residents

1. Call to Order & Approval of Agenda - Mayor Lammert called the November 14th 2008 Council Meeting to order and entertained a motion for approval of the agenda. Councilor Pitera made a motion to approve the agenda as presented. In a voice vote, all voted in favor.

(Motion Carried 4 – 0)

2. Presentation on Brunswick County Comprehensive Transportation Plan - Brunswick County Planner, Mark Pages presented an overview of the Brunswick County Comprehensive Transportation Plan, informing the audience that it is a 30-year basic road improvement and widening plan.

Public Hearing - Mayor Lammert opened the Public Hearing and invited comments and questions.

Mr. Pages clarified the definition, as worded in the plan, of a multi-lane highway when asked by an audience member.

Councilor Pitera asked how the plan correlates with the proposed Port, with Mr. Pages stating that, at this time, it will not address the potential impact of any proposed projects.

Mayor Lammert informed the audience of his own apprehension based on various factors such as the number of homes approved on Highway 211, the overflow of traffic onto Midway Road once the 2nd Oak Island Bridge is completed and safety issues such as the dangerous “Michigan Left Turns” and flood prone areas of roadways.

Subsequent to discussion’s end, Mayor Lammert closed the Public Hearing.

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3. Consent Agenda

- 3.1 Approval of Minutes
 - October 17, 2008 Council Work Session
 - October 17, 2008 Council Meeting
 - October 28, 2008 Special Meeting
- 3.2 Transportation Committee Member Recommendation
Michael Brown of 319 Stede Bonnet, BHI
- 3.3 Battery IV Site Lease

Councilor Douglas made a motion to approve the consent agenda as presented. In a voice vote, all voted in favor. **(Motion Carried 4 – 0)**

4. Ravella Consulting Report

Mr. Peter Ravella presented a PowerPoint presentation whereby he explained his recommendation to create 2 municipal service districts and 3 ad valorem tax zones. He stated that although the preservation of the beach is important to the Island as a whole, the proposed municipal districts comprised of the Beachfront and Dune Ridge/East Beach areas are in need of a higher level of maintenance and protection, thus calling for an additional \$.02 and \$.04 cents assessment, respectively.

Mr. Ravella further reiterated the clear 5-year expiration of the Integrated Shoreline tax assessment, but stressed Council's right to reinstitute if deemed necessary.

Mr. Ravella explained that although his plan is basically the same as presented at his October 24th workshop, he suggested to Council that it consider allowing him to revise his recommendation thereby omitting the professional lobbying services line item and allocating the \$145K into the East Beach portion, with the Village absorbing the cost for lobbying administratively.

An audience member asked how the zones were determined, with Mr. Ravella explaining that the concept is based on tax assessments and surveys.

Mr. Ravella stated that rates for unbuildable property will be based on assessed value when asked by a member of the audience.

When asked about concerns related to the Jay Bird Shoals area, Mr. Ravella explained that Olsen Associates is working on the matter.

Other concerns such as lobbying efforts and the limitations regarding hardened structures were brought up, with Mayor Lammert stating that Council and staff have worked aggressively over the years and are continuing to address both issues.

Mr. Winn Stevens stated that frustration dates back to 1994 when such a project would have cost approximately \$800K and now the Village is proposing a \$17M effort. Mayor Lammert stated that if anyone in the audience has another approach on how to resolve the issues sooner, Council will be most happy to consider it.

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5. Village Hall Bids - Mayor Lammert reported that due to the high bids received on November 12th for the proposed Village Hall Expansion project and the fact that regulations do not allow negotiations, Council will not accept the submittals and will direct staff to schedule a re-bid.

A member of the audience questioned why the Village could not lease space for its offices, with Mayor Lammert answering that for the past 3 years Council and staff has worked to cut expenses and save money for the expansion project. Councilor Morris added that an example of this is Council's decision to re-bid the project in an effort to receive lower bids.

6. Old Business - Integrated Shoreline Project - Mr. Peck versed the audience on the meaning of municipal service districts as defined in North Carolina General Statute 160A-536 and recommended to Council that a Public Hearing regarding the matter be set for January.

He further explained that upon approval, the zones and municipal districts will go into effect for the next fiscal year budget (09-10).

7. New Business

7.1 October Financial Report - Ms. Deb Straub reported that General Fund revenues are approximately 22% higher than last year this time, due primarily to the early billing and collection of property taxes by Brunswick County.

Ms. Straub further informed the audience that the Village had completed all necessary paperwork and will be receiving approximately \$60K in reimbursement from FEMA for expenses incurred during Tropical Storm Hanna.

Following her report, Ms. Straub introduced the Village's new accounting technician, Lori Frye.

7.2 Fiscal Year 07-08 VBHI Audit Report - Reporting an *Unqualified Opinion* (the best rating a local governmental unit can receive), Mr. Wayne Berry of Brock, Berry, Padgett & Chandler PLLC presented highlights of the Fiscal Year 2007 – 2008 financial audit, with two such points being the \$17,653,741 in net assets and a \$349K decrease in debt.

7.3 Consideration / Adoption of Brunswick County Comprehensive Transportation Plan
Councilor Morris made a motion to deny adoption of the Brunswick County Comprehensive Transportation Plan due to the opinion of Council that the plan is inadequate and does not address basic needs of the County. Councilor Pitera seconded and the motion for denial was unanimously approved.
(Motion to Deny 4 – 0)

7.4 Discussion of Westervelt Report & Recommendations - Mr. Peck stated that, per Dr. Suzanne Dorsey's request, he will delay making a recommendation regarding culling until she has had time to review and compare the Conservancy and Westervelt studies. Councilor Douglas noted that the process needs to begin no later than the end of January due to the maturation process.

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7.5 Consideration / Water & Sewer Tap Fee Policy Revision - Councilor Douglas made a motion to revise the January 1, 2009 Water & Sewer Tap Fee Policy (as approved during the October 17, 2008 Council meeting) so as to require the collection of tap fees at the time of the sheathing inspection request rather than at the time of application for the building permit. In a voice vote, all voted in favor.
(Motion Carried 4 – 0)

8. Committee Reports

Public Safety - Mayor Lammert announced the resignation of Ms. Ellen Steinberg.

Liaison - Mayor Lammert stated that one of the objectives of the Liaison Committee is to find ways to generate more revenue and to that end committee members have reviewed a local agreement between Onslow County and 7 municipalities whereas for Fiscal Year 08 – 09 sales tax revenue will be distributed via a “60% - 40% methodology. He explained that prior to the agreement the County’s methodology was solely ad valorem, which resulted in a loss of revenue for entities that would benefit from the per capita method.

Additionally, Onslow County has drafted a resolution requesting that the North Carolina General Assembly amend General Statute 105 – 472 so as to provide the County authority to distribute local sales tax revenues not only by the current methods of ad valorem or per capita, but via a proposed 3rd method comprised of a combination of ad valorem and per capita on a basis of no less than 40% and no more than 60%.

Mayor Lammert stated that if the Village received sales tax revenue distribution based on ad valorem it would realize between \$1.2M and \$1.4M rather than the \$59K it now receives under the per capita method. Per the combined route, he explained, the Village would receive \$700K or \$800K. Ending his report, Mayor Lammert stated other areas of work the committee is concentrating its efforts on, with those being County assistance with Island paramedic services, a twice-weekly summer trash pick-up schedule, as well as basing a medical helicopter at the Brunswick County Airport.

**There was no reporting from the Beach, Finance, Public Works, and Transportation Committees.

9. Monthly Reports -

9.1 Village Manager’s Report - Mr. Peck discussed improvements planned for Hole 14 and informed the audience that, among other things, the proposed changes will make for better golf play in the area.

Regarding Pond 5-A, he stated that a rain garden is planned which will ensure that infiltration occurs efficiently, while also blending in aesthetically and appropriately for the area.

Mr. Peck stated that once the aforementioned projects are completed the 15th Hole will be taken out and placed back into the storm water system so as to capacitate drainage. As for Lagoon 3, it will remain a part of the system for the time being.

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10. Comments, Reports, and Questions

10.1 Citizens - Mr. Richard Mesaris stated that he and Ms. Mesaris have been attending the Brunswick County Sheriff's Department Citizen Academy and reported that the program is most informative and interesting. He encouraged all audience members to consider enrolling for a session.

11. Mayor Lammert entertained a motion for adjournment, with Councilor Pitera making the motion and in a voice vote, all voted in favor. **(Motion Carried 4 – 0)**

Larry Lammert
Mayor

ATTEST:

Joy Barrow Davis
Village Clerk