

**Village of Bald Head Island
Public Hearing & Monthly Council Meeting
September 26, 2008
Location: Bald Head Association Center**

Council Present: Mayor Larry Lammert; Mayor Pro Tempore Andy Sayre; Councilor Gene Douglas; Councilor Art Morris (Councilor John Pitera was not in attendance).

Staff Present: Village Manager, Calvin Peck; Finance Director, Deb Straub; Human Resource Administrative Officer, Dawn Reno; Police Chief Richard Herring; Captain Danny Kiser; Public Works Director, Ben Liddle; Utilities Director, Ken Bowling; Systems Administrator, David Cox; Jason Kesler, Legal Assistant to Charles Baldwin; Village Clerk, Joy Davis (recording minutes).

Others Present : Dr. Richard Hearty with BHI Conservancy; BHI Limited Director of Communications, Joyce Fulton; State Port Pilot Reporter, Ben Brown; Sheriff John Ingram and Chief Deputy Charles Miller, Brunswick County Sheriff's Department.

Village of BHI Residents Present : Various residents

1. Call to Order/ Approval of Agenda

Mayor Lammert called the September 26, 2008 Village Council Meeting to order at 3:00 p.m. Councilor Morris made a motion to approve the Council Meeting Agenda as presented. In a voice vote, all voted in favor.

(Motion Carried 4-0)

Introduction of Sheriff John Ingram and Chief Deputy Charles Miller

Village of Bald Head Island Police Chief Richard Herring introduced Brunswick County Sheriff John Ingram and Chief Deputy Charles Miller, with Sheriff Ingram stating that he is visiting municipalities in an effort to get to know the people of Brunswick County and make them aware of various programs the Sheriff's Department is implementing or improving.

Sheriff Ingram stated that the department is placing an emphasis on Community Watch efforts and will assist the Island in its efforts to maintain a safe environment.

Related to storm events, the Sheriff's Department will be assigning an officer to assist the Village Police Department in their efforts to provide public safety. He further explained that a Marine Patrol is being implemented whereby an air boat and a dive team can assist during such events.

Ingram also informed the audience about Mobile Crime Scene Units which will be able to process evidence within 1 to 2 days, rather than awaiting results from an outside source.

The Sheriff reported on plans to form sub-detention centers in areas in the County that are not in close proximity to the jail, which will negate the expenses and time taken to transport inmates to Bolivia.

Sheriff Ingram reported on the Department's newly formed Citizen's Academy whereby interested people may enroll and learn what is involved in policing the community and operating a sheriff's department.

Lastly, Sheriff Ingram invited everyone to visit the Brunswick County Sheriff's Department in order to witness their tax dollars at work.

Mayor Lammert thanked Sheriff Ingram and Chief Deputy Charles Miller for their attendance.

2. Public Hearing on Flood Prevention Ordinance Amendment

Mr. Stephen Boyette provided specifics and explained that the amendment will update data as related to flood zones and map delineations. He further explained that the amendment will incorporate corrected FEMA maps which in 2006 designated some *AE* areas as *VE*, therefore resulting in lesser restrictions for the areas.

Public Comments

A resident asked why the changes would be less restrictive, with Mr. Boyette replying that *VE* areas are considered more flood prone and with a higher storm surge than *AE*, citing Village Hall as an example in that if the designation had not been corrected, structural changes would have been required so as to adhere to regulations.

Other residents asked if the flood zone revisions relating to areas of East Beach would increase flood insurance premiums, with Mr. Peck replying that based on the less restrictive zone, rates could actually decrease.

A resident asked what determines one flood zone from another, with Mr. Peck answering that elevation is the main factor.

Mayor Lammert thanked all for their comments and closed the Public Hearing.

3. Consent Agenda

3.1 Approval of Minutes

- August 15, 2008 Council Work Session
- August 15, 2008 Council Meeting
- August 22, 2008 Special Meeting

3.2 Approval of Budget Amendments

3.3 Resolution / Sale of Surplus Property Designated as Zodiac Boat & 2002 Micro Truck

3.4 Liaison Committee Appointments

Mayor Pro Tempore Sayre made a motion to approve the consent agenda and in a voice vote, all voted in favor. **(Motion Carried 4-0)**

4. Old Business - Integrated Shoreline Project

Mr. Peck reported on the recent meeting with the Corps of Engineers, stating that representatives now have a clearer understanding of the circumstances necessitating an urgent need for a permit so as to mitigate beach erosion. As a result of the meeting, Land Management and Marine Fisheries will gather on October 6th to discuss matters relating

to the project's impact on marine life and related studies which may be required prior to permitting

Reporting on the proposed rehabilitation of the groins, Mr. Peck explained that Limited and the Village have reached a conceptual consensus, the specifics of which are being researched with hopes that a formal agreement can be reached in a timely fashion.

Mr. Peck explained that Peter Ravella will discuss recommendations on how best to pay for the Integrated Shoreline Project as he conducts workshops on October 3rd and 4th at the Bald Head Association Center.

Regarding the issue of financing the project, Mr. Peck stated that the Village has found banks which are interested in approving a \$10M note for a 5-year term at an interest rate of 3.2%.

5. New Business

5.1 August Financial Statement

Ms. Deb Straub reported that financial statements for August were uneventful and in line with revenues and expenditures. Mayor Lammert complimented Ms. Straub on the new and improved statement, stating that he is pleased with the format.

5.2 Consideration of Resolution 2008 – 0903 / Resolution of Intent to Consider an Ordinance Amending the Charter of the Village of Bald Head Island Therefore Allowing the Direct Public Election of a Mayor

Subsequent to Mayor Lammert summarizing contents of the resolution, Councilor Douglas made a motion to approve the resolution as presented, with Councilor Morris seconding the motion and no dissenting votes voiced.

(Motion Carried 4 – 0)

5.3 Set Public Hearing on Proposed Ordinance to Amend the Village Charter Therefore Allowing the Direct Public Election of a Mayor

Councilor Douglas made a motion to set the proposed Public Hearing for October 17th at 3:00 p.m. with Councilor Morris seconding the motion and no dissenting votes voiced.

(Motion Carried 4 – 0)

5.4 Consideration of Flood Damage Prevention Ordinance Amendment

Councilor Douglas made a motion for approval of the Flood Damage Prevention Ordinance Amendment as presented, with Councilor Morris seconding the motion. In a voice vote, all voted in favor.

(Motion Carried 4 – 0)

5.5 Consideration Authorizing Calvin Peck to Sign Wireless Network Agreement

- David Cox and Wind Channel representative, Randy Choplan discussed the benefits of converting from the current AT&T telephone based service to Wind Channel the Village will realize a yearly savings of \$25,000 as it converts from DSL service to a system that will serve as the “backbone” of connection between all Village departments and inclusive of sewer and lift stations.

Questions from the audience dealt mainly with maintenance fees and additional personnel, with Mr. Cox reiterating the \$25K annual savings and stating that the annual maintenance expense will be approximately \$5000 per year with no additional personnel needed to operate the system.

When asked by an audience member what the start-up cost will be, Mr. Cox explained that the necessary connection equipment as stated in the agreement is approximately \$60K, with Mr. Peck adding that all but \$7K was approved in the 2008 – 2009 Fiscal Budget.

Councilor Douglas made a motion to approve the authorization, with Councilor Morris seconding the motion. In a voice vote, all voted in favor.

(Motion Carried 4 – 0)

- 5.6 Bid Secondary ***
- 5.7 RO Force Main ***
- 5.8 RO Expansion / SCADA ***

* Mr. Calvin Peck and Ken Bowling discussed various items relating to the 3 items explaining that Agenda Item #5.7 is the award to Sandy's Hauling & Backhoe Service for installation of the R.O. Reject Force Main so as to permanently divert reject water flow to the Bald Head Island Marina.

Mr. Bowling explained that the proposed award to Siemens, Agenda Item #5.6 is for the addition of a R.O. unit at the Village Water Plant so as to increase the capacity of the facility. As explained in the morning Council Work Session, this is a sole source bid pursuant to N.C. General Statute 143-129(e) (6) and based on the standardization and compatibility of the Siemens unit.

Lastly, Mr. Bowling explained that Agenda Item #5.8 is proposed so as to provide a full integration of the water and wastewater plants, and auxiliary equipment to the SCADA platform as well as the alteration and expansion of the existing R.O. main control panel.

An audience member asked if these changes will result in cheaper utility bills, with Mr. Peck answering reduced charges will be realized eventually but that the one primary, motivating factor is to halt sending water off of the Island.

Subsequent to discussion, Mayor Lammert entertained a motion for approval of Agenda Items #5.6; 5.7; and 5.8, with Mayor Pro Tempore Sayre making the motion. In a voice vote, all voted in favor.

(Motion Carried 4 – 0)

- 5.9 Consideration Authorizing Mr. Peck to Proceed With Bald Head Creek Project** - Mayor Lammert explained that this authorization will allow for the dredging of Bald Head Creek so as to use the sand on West Beach, and as emergency back-up if the Village is not successful in obtaining a permit.

Mr. Joe Brawner asked if this dredging would occur at the mouth of Bald Head Creek with Mayor Lammert answering in the affirmative and stating that surveys of the Creek must be done prior to permitting. Councilor Douglas made a motion to approve the authorization, with Councilor Morris seconding the motion. In a voice vote, all voted in favor.

(Motion Carried 4 – 0)

6. Committee Reports

6.1 Beach Committee - Councilor Douglas stated that the Beach Committee did not meet due to the storm event, but stated that as of Wednesday, September 17th beach Vitex had been eradicated due to the efforts of the Public Works department. He also reported that studies by the State indicated that Roundup is the best herbicide to use on Vitex.

6.2 Public Works

Public Works Director, Ben Liddle reported on recent storm debris collection efforts and stated that another collection would be done on Saturday, September 27th.

*Notation: There were no reports from Finance, Public Safety, or Transportation

7. Monthly Reports

Manager's Report

Infiltration Lagoons

Regarding the minor permit modification to the existing configuration of the Infiltration Lagoons, Mr. Peck reported that the application will be submitted, as planned, on September 30th.

Creek Access Project

Mr. Peck reported that the Bald Head Association will be voting to remove restrictions on using the second lot at their October meeting, with approval likely.

He also reported that Village Staff has met with CAMA representatives to discuss requirements of the CAMA major permit required for the Creek Access Expansion.

Village Hall Expansion Bids

Mr. Peck informed the audience of the pre-bid conference to be held on October 16th at the Bald Head Association and the subsequent bid opening on October 31st at the same location.

Groins

Mr. Peck reported on the damage to the groin field on South Beach, stating that was not quite as substantial as he thought it might have been, and that work has begun on it. With regards to damage to 2 other groins, he reported that materials have been ordered in order to begin work on them.

- 7.2 **Police Report** - Police Commander Chuck Evitt reported that after a busy summer, activities of the Island are slowing and State mandated training of officers is now being implemented. He also reminded everyone of the radar located at the Creek Access every Monday.
- 7.3 **Fire Report** – Captain Danny Kiser also reported a slow-down. He stated that there had been good responses during Tropical Storm Hanna and that the emergency notification system and website had worked well. He further reported that there was good attendance and a fun time at the annual PSA event

Captain Kiser stated that some members of staff including he and Chief Munna participated in the recent live burn held on Oak Island which resulted in 138 hours of training.

8. Comments, Reports, and Questions

8.1 Citizens – *Hardened Structures*

With regards to the Integrated Shoreline Project a Citizen asked why the Village cannot implement the use of hardened structures, which are more beneficial at protecting our beaches,

Mayor Lammert stated that per the Year 2000 Sand Management Plan, only the Corps of Engineers can call for the placement of such protective structures. He added that the Village had attempted to get the regulation changed but that it did not make it through Committee.

Mayor Lammert also stated that the Village is working with the Brunswick Consortium in order to continue to have the regulations revised.

Village Expenses

Mr. Brooke Williams commented that with the current economic problems, the Village might consider a moratorium on spending until the outlook is less bleak. Mayor Lammert stated that the Village is taking a look at all such matters, with Mayor Pro Tempore Sayre answering that there has been no commitment on projects such as Village Hall Expansion and the Integrated Shoreline Project.

Village Availability Fee

Mr. Joe Brawner commented that people are actually paying twice with regards to the availability fee and also a tap fee.

Mayor Lammert answered that when the Village bought Utilities from Limited they discontinued the availability fee which was already in place. Mr. Peck explained that the availability fee is for debt service and that it was reinstated so that tap fees would not have to be doubled.

Mr. Brawner replied that residents have also experienced a couple of water rate increases as well as a tax increase and asked why money being budgeted for the Creek Access project can't go towards debt service expenditures.

Sand Fencing

Ms. Fran Stevens asked if sand fencing along Bald Head Wyud will be constructed subsequent to its removal, with Ben Liddle answering that fencing along the road will not and that along the North Side of the beach there is enough vegetation to keep the area stable.

Mr. Peck informed Ms. Stevens that the planting of sea oats has been successful, with the Citizen asking how long it will take for the oats to grow and with him answering about 2 years.

Ms. Stevens stated that without fencing, the sand blows, with Mayor Lammert stating that is why sea oats are planted therefore creating a natural and pleasingly aesthetic buffer of protection.

Councilor Douglas commented that experts advise that it is best to avoid sand fencing because it does not grow with the dune.

Citizen's Academy

Ms. Diane Mesaris informed Council that she and Mr. Mesaris have enrolled in the Brunswick County Sheriff Department Citizen's Academy and that they will share the information upon their graduation.

8.2 **Bald Head Island, LTD** – Ms. Joyce Fulton reported that Limited is receiving calls and questions concerning the availability fee and suggested that the Village post information regarding specifics on the Village website.

8.3 **Bald Head Island Conservancy** – Dr. Paul Hearty reported 104 successful nests during the season. He also thanked Ken Bowling for providing a tour of the Utilities Department. Dr. Hearty reported that the deer census has begun and is going well. Lastly, he reported that the Conservancy's 25th anniversary party would be held the following evening.

***There were no reports from BHA , BHI Club or Mayor & Council**

9. Mayor Lammert entertained a motion for adjournment at approximately 4:10 p.m. with Mayor Pro Tempore Sayre making the motion. In a voice vote, all voted in favor. **(Motion Carried 4 – 0)**

APPROVED:

Larry Lammert, Mayor

Attest: _____
Joy Barrow Davis, Village Clerk