

Village of Bald Head Island

Council Work Session

September 21, 2007

9:30 a.m.

Location: Bald Head Association

Councilmembers Present: Mayor Larry Lammert, Mayor Pro Tempore Sayre and Councilors Gene Douglas and Art Morris.

Councilmembers Absent: John Pitera

Staff Present: Village Manager Calvin Peck, Assistant Village Manager/Planning Director Chris McCall, Police Chief Richard Herring, Chief of Emergency Services Chip Munna, Utilities Director Ken Bowling, Assistant Public Works Director Ben Liddle, Finance Director Deb Straub, Village Attorney Charles Baldwin and Village Clerk Amy Candler recording the meeting.

Others Present: Bald Head Island Limited Director of Transportation Woody Fulton, Bald Head Island Limited Director of Planning Jim Henry and Bald Head Association Manager Joey Hill

Citizens Present: Ray Webb and Bob Porter

1. Call to Order/Approval of Agenda Mayor Lammert

Mayor Lammert called the September 21, 2007 Village Council Work Session to order at 9:30 a.m. Councilor Douglas made a motion to approve the Work Session agenda as presented. In a voice vote, all voted in favor. **(Motion carried 5-0)**

2. Review of Agenda for the Regular Meeting of September 21, 2007.

Mr. Peck explained that there are additional items of surplus property that are not listed on the resolution. He advised that these items are not of a significant value. Therefore he is requesting that the Council set a dollar amount that will allow him to dispose of surplus property without coming before the Council. The Village Council agreed to set the limit at \$500.

Mayor Lammert explained that the Interlocal Agreement with the Brunswick County Animal Control will allow the County Animal Control Services to pick up dangerous animals on the Island. The Mayor further explained that the Village will pay the County \$50 per incident that they are called upon of in regard to a dangerous animal situation.

Chief Munna explained that the Interlocal Agreement with Brunswick County for Fire Services is the agreement signed each year to ensure that the Village receives their yearly \$50000 which is paid to the Village in quarterly payments.

Mayor Lammert explained that the budget amendments are to carry over open purchase orders from last fiscal year and to add an additional \$350000 to the Middle Island Capital Project Fund for the extension of sewer to Middle Island.

Mayor Pro Tempore Sayre updated the Council on the scoping meeting that was earlier in the week which was hosted by the Corps of Engineers. He advised that various agencies that will be involved with the sand placement project were in attendance at the meeting. He advised that there was not a regulator present that thought Bald Head Island

has a chance of meeting the time frame. Mayor Pro Tempore Sayre also commented that the Corps is pushing for an EIS instead of an EA. George House was hoping to talk with the Corps legal council and report to the Council during executive session.

Mr. Peck reported that the bids for the Utility and Public Works Buildings were opened last Thursday. He advised that this was the second bidding process and once again, the Village only received two (2) bids. Mr. Peck further advised that the bid for the Utility Building came in at \$555,830 and the bid for the Public Works Expansion came in at \$260,889. Mr. Peck reported that the potential bidders have not worked on the Island before but have preformed work with the Engineers, Mckim and Creed. Mayor Pro Tempore Sayre suggested that McKim and Creed check the contractor's references and provide the Council with an estimated timeline.

Ms. Straub reported that the Village received the local options sales tax and the hold harmless funds during the month of August. Mayor Lammert made the Council aware of the amount of funds that have been spent thus far on issues relating to the lagoons.

3. Discussion of the Proposed Amendments to the Dimensional Requirement Table—*Chris McCall*

Mr. McCall reported that he and Mr. Henry began working on amendments to the Dimensional Requirements Table in June of 2006. He advised that there were several inconsistencies throughout the table. Mr. McCall reviewed the changes and advised that the major change to the table is the increase of the height requirement in a PD-3C to fifty feet (50'). Mayor Pro Tempore Sayre advised that the main reason for the requested change in the PD-3C is due to the change in the flood elevation in that particular area. It was the consensus of the Village Council to add a first reading and set a public hearing date to the afternoon meeting.

4. Discussion of the use of Geothermal Heat and Cooling Systems and Proposed Amendment to the Utility Ordinance—*Chris McCall*

Mr. McCall explained that he has received a letter from a property owner proposing to install a geothermal heating system. Mr. McCall briefly explained the process behind how a geothermal system works. Mayor Pro Tempore Sayre shared his concerns regarding poking holes into the aquifer. Mr. McCall advised that Ms. Dorsey with the Conservancy is concerned that with this type system there would be leaching. It was the consensus of the Village Council to move forward with amending the text of the utility ordinance. A first reading and the setting of the public hearing was added to the afternoon agenda.

The Village Council directed staff to get with Mr. Cornett for additional information regarding the geothermal heat and cooling systems.

5. Discussion of Cross Connection Control Ordinance—*Ken Bowling*

Mr. Bowling explained that a Cross Connection Control Ordinance would place the Village in compliance with the North Carolina Administrative Code and protect the Village water system against possible backflow contamination. It was the consensus of the Village Council to add a first reading and set a public hearing date to the afternoon meeting agenda.

6. Discussion of the Public Safety Recommendation regarding Golf Cart Safety Issues

Mr. Peck explained that the Council has been asked by the Public Safety Committee to revisit their recommendation relating to the safety of golf carts. It was the consensus of Village Council to turn the recommendations over to staff for additional research and to look for vendors that have the capability of installing the recommended equipment. Mayor Pro Tempore Sayre and Councilor Douglas shared concerns regarding some of the safety equipment that the Committee is requesting. Mr. Peck advised that staff would perform additional research and provide Council with a draft ordinance.

7. Review of the Conceptual Plan for the Village Hall Expansion

Mayor Pro Tempore Sayre reviewed the Village Hall expansion conceptual plan. He explained the reasoning behind renovating the existing building into a meeting room for the Council and erecting an additional building to house new offices for the employees. He explained that due to the new flood zone the existing building is located below the base flood elevation and therefore will have to be raised if the expansion equals more than fifty percent (50%) of the building value. Mayor Pro Tempore Sayre advised that staff would continue to move forward with the current plan if there were no objections from the Council. Mayor Lammert advised that the architect will be here at 2:00 this afternoon to present the plan to the public and answer any questions.

8. Discussion of the Utility Department Maintenance Agreement

Mayor Lammert advised that there have been some misunderstandings regarding the date to sign up for the Utility Maintenance Agreement. Mr. Baldwin advised the Council that the Middle Island Sewer Extension should be complete before the maintenance agreement becomes effective. Mayor Pro Tempore Sayre suggested June 30th as the effective date of the maintenance agreement. Mayor Lammert advised that two (2) septic systems on the Island have failed in the past few months, therefore the Village should move forward as quickly as possible with the effective date of the maintenance agreement. It was the consensus of the Village Council to make the effective January 1, 2008 or upon the completion of the construction of the Middle Island Sewer Extension.

9. Planning Board Appointments/Re-Appointments

It was the consensus of the Village Council to appoint Ken Miller and Bob Porter to the Bald Head Island Planning Board to fill vacant positions. Mr. McCall advised that there is still a vacant alternate position that needs to be filled.

10. Discussion of the Proposed Personnel Policy

Mayor Lammert explained that he would like additional time to review the Report Recommendations and the Class Specifications that are being proposed for approval from the MAPS group. It was the consensus of the Village Council to move forward with the approval of the Personnel Policy portion of the MAPS study at the afternoon meeting. Mayor Lammert and Councilor Morris agreed to take a closer look at the Class Specifications before bringing them back before the Council.

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

- Howard Biggers III, vs. Village of Bald Head Island, et al
- Property and Facility Acquisition
- Legal Issues Regarding ICE Fees

Councilor Morris made a motion to enter into closed session pursuant to N.C. General Statutes 143-318.11(a) (3) and (5). In a voice vote, all voted in favor. **(Motion carried 5-0)**

The closed session began at 11:05 a.m.

Councilor Douglas made a motion to return to open session. In a voice vote, all voted in favor. **(Motion carried 5-0)** Mayor Lammert advised that no action was taken during closed session.

The open meeting reconvened at 12:35 p.m.

12. Adjourn

With no additional items for discussion, Mayor Lammert entertained a motion to adjourn the Work Session Meeting. Mayor Pro Tempore Sayre made the motion to adjourn. In a voice vote, all voted in favor. **(Motion carried 5-0)**

The September 21, 2007 Village Council Work Session adjourned at 12:35 p.m.

Approved:

Larry Lammert, Mayor

Attest:

Amy R. Candler, Village Clerk