

Village of Bald Head Island

Council Meeting

October 26, 2007

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

Staff Present: Village Manager Calvin Peck, Assistant Village Manager/Planning Director Chris McCall, Police Chief Richard Herring, Finance Director Deb Straub, Chief of Emergency Services Chip Munna, Tax Collector Dawn Reno, Utilities Director Ken Bowling, Public Works Director Ben Liddle, 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 Director of Communications Joyce Fulton, Bald Head Island Director of Planning Jim Henry, Bald Head Island Association Managers Joey Hill and Karen Moorefield and Ben Brown with the State Port Pilot.

Citizens Present: Approximately 10.

1. Call to Order/Approval of Agenda Mayor Lammert

Mayor Lammert called the October 26, 2007 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 5-0)**

2. Public Hearings

2.1 A Public Hearing on an Amendment to Section 32-127, Dimensional Density and Structure Requirements Table 1, of the Village of Bald Head Island Code of Ordinances

Mayor Lammert opened the public hearing regarding the Dimensional Requirements Table.

Richard Mesaris asked if the amended table clarifies the height limitation of dwellings on the Island. Mr. McCall confirmed that the height limitations are clarified.

With no additional citizen comments, Mayor Lammert closed the public hearing.

2.2 A Public Hearing on an Amendment to Section 30-131, Installment Regulated, Water Wells of the Village of Bald Head Island Code of Ordinances

Mayor Lammert opened the public hearing regarding the installment of water wells on the Island. Mr. McCall commented that the proposed change came from a request from a property owner to install a geothermal cooling and heating system. Currently the Utility Ordinance does not allow this type of system. With no comments from the citizens Mayor Lammert closed the public hearing.

2.3 A Public Hearing on an Amendment to the Utility Ordinance to Add Cross Connection Control Guidelines of the Village of Bald Head Island Code of Ordinances

Mayor Lammert opened the public hearing regarding the amendment to the Cross Connection Control Ordinance. Mr. Bowling explained that the addition to the utility ordinance is to protect the Village water system against possible backflow contamination. Mr. Mesaris asked a question regarding the replacement of the old water meters without

Village of Bald Head Island
Meeting Minutes, October 26, 2007
Page 2 of 6

valves. Ms. Hayden asked if a loss of power loss would affect the backflow. Mr. Bowling replied that the backflow is not affected by a power loss.

- 2.4 A Public Hearing on an Ordinance of the Village of Bald Head Island to adopt certain Articles of the Brunswick County Animal Control Ordinance as stated in the Interlocal Agreement between the County and the Village.

Mayor Lammert opened the public hearing regarding the Brunswick County Animal Control Ordinance. Mr. Manning asked what affect this ordinance will have on animal owners. Mr. Baldwin replied that the adoption of this ordinance will allow Brunswick County Animal Control to deal with dangerous dog issues on the Island. With no additional comments from the citizens, Mayor Lammert closed the public hearing.

3. Consent Agenda

- 3.1 Approval of Minutes September 21, 2007, Regular Meeting
September 21, 2007, Work Session Meeting

- 3.2 Authorization for the Collection of the 2007 Property Taxes

Mayor Lammert explained that the consent agenda consist of the minutes from the September Regular and Worksession Meetings and the authorization that allows the tax collector to mail tax notices. Council Pitera made a motion to approve the consent agenda. In a voice vote, all voted in favor. **(Motion carried 5-0)**

4. Old Business

- 4.1 Update on Beach Private Sand Placement Efforts

Mr. Peck reported that the Village is planning to meet the required deadlines for the private sand placement project to be in conjunction with the next channel maintenance dredging project. He added that Village Officials will be attending a meeting at the Corps on November 19th and hopefully more information will be provided at that time. Mr. Hayden asked how the Village is planning to fund this project. Mayor Lammert responded that funding has not been discussed that the Village is concentrating on the permitting phase.

- 4.2 Consideration and Approval of an Amendment to Section 32-127, Dimensional Density and Structure Requirements Table 1, of the Village of Bald Head Island Code of Ordinances

Mayor Pro Tempore Sayre made a motion to approve the amendment to the Dimensional Requirements Table. In a voice vote, all voted in favor. **(Motion carried 5-0)**

- 4.3 Consideration and Approval of an Amendment to Section 30-131, Installment Regulated, Water Wells of the Village of Bald Head Island Code of Ordinances

Mayor Pro Tempore Sayre commented that it is very important when installing a geothermal cooling and heating system that the holes that are bored in the ground are sealed properly. He advised that the Village needs to come up with some guidelines to

Village of Bald Head Island
Meeting Minutes, October 26, 2007
Page 3 of 6

follow when installing this type system. That being said, Mayor Pro Tempore Sayre made a motion to approve the amendment to the Water Wells Ordinance. In a voice vote, all voted in favor. **(Motion carried 5-0)**

4.4 Consideration and Approval of an Amendment to the Utility Ordinance to Add Cross Connection Control Guidelines of the Village of Bald Head Island Code of Ordinances

Mayor Pro Tempore Sayre made a motion to approve the proposed amendment to the Utility Ordinance adding the Cross Connection Control Guidelines for the Village. In a voice vote, all voted in favor. **(Motion carried 5-0)**

4.5 Consideration and Approval of an Ordinance of the Village of Bald Head Island to adopt certain Articles of the Brunswick County Animal Control Ordinance as stated in the Interlocal Agreement between the County and the Village.

Councilor Pitera made a motion to approve the articles of the Brunswick County Animal Control Ordinance that apply to the Village as stated in the Interlocal Agreement between the County and the Village. In a voice vote, all voted in favor. **(Motion carried 5-0)**

5. New Business

5.1 Financial Statement-September, 2007—*Debra Straub*

Ms. Straub reported that she is very please with the investments. She advised that they are very competitive at this time.

5.2 Consideration and Approval of a Resolution Enforcing Certain Water Restrictions as Identified by Governor Easley

Mr. Peck advised that the Village is currently under the water shortage plan that prohibits the use of outdoor potable water. He advised that this has placed a hardship upon island citizens as well as caused interruptions in business for contractors and subcontractors that work on the Island. Mr. Peck advised that the new restrictions as stated in the proposed resolution are more in line with the Governors recommended standards. He advised that there will be no changes to the regulations to the golf course. Councilor Douglas added that these restrictions do not apply to menial thing like cleaning fish and rods and reels. Mayor Pro Tempore Sayre added that the proposed resolution is a temporary fix until the Council can amend the ordinance at next months meeting. Mayor Pro Tempore Sayre made a motion to approve the proposed resolution. In a voice vote, all voted in favor. **(Motion carried 5-0)**

5.3 Consideration and Approval of Proposed Water and Sewer Rates

Mr. Bowling explained that the Village is proposing a two (2) tier rate structure for residential and non-residential water customers. He advised that this rate structure will eliminate the current Brunswick County surcharge, therefore placing the burden of the payment for Brunswick County water on the water users that exceed their water budget amount. The water rate changes do not affect the first 3,000 gallons of water

**Village of Bald Head Island
Meeting Minutes, October 26, 2007
Page 4 of 6**

used. Councilor Morris made a motion to approve the proposed changes to the water and sewer rates. In a voice vote, all voted in favor. **(Motion carried 5-0)**

5.4 A Proposed Amendment to the Village of Bald Head Island Code of Ordinances, Amending its Traffic and Vehicle Ordinance, Chapter 28

Mr. Peck reported that staff was directed by Council to make it less intrusive to do business on the Island. He advised that staff has worked closely with Bald Head Limited and is proposing the Village make a change in the way ICE vehicles that come to the Island are measured. He further advised that the Village will begin using the measuring system that Limited uses for the barge. Mr. Peck reported that beginning on January 1, 2008 all of the barge measurements and fee collection will take place before the vehicle gets on the Island. He added that this process will mean a loss of approximately 25% of the revenue collection for ICE fees. Joyce Fulton clarified that Limited will not be doing any enforcing only selling passes and collecting fees. Mayor Lammert reported that the second reading and public hearing will be held at the November 16th Council Meeting.

5.5 A Proposed Amendment to the Village of Bald Head Island Code of Ordinances, Amending it Water Conservation Standards Ordinance, Chapter 30

Mayor Lammert reported that the second reading and public hearing on the amendments to the Water Conservation Standards Ordinance, as stated earlier in the meeting will be held at the November 16th Council Meeting.

6. Committee Reports

6.1 Beach

Anne Kane

There was nothing to report from the Beach Committee at this time.

6.2 Finance

John Knott

There was nothing to report from the Finance Committee at this time.

6.3 Public Safety

Don Tillman

Councilor Morris reported that the Police and Fire Departments are working on putting together classes regarding public safety.

6.4 Public Works

Richard Mesaris

The Public Works did not meet in October.

6.5 Transportation

Wayne Lambert

There was nothing to report from the Transportation Committee at this time.

7. Monthly Reports

7.1 Manager's Report

Manager Peck

Mr. Baldwin clarified that the Village Council only adopted the articles of the Brunswick County Animal Control Ordinance that are specified in the Interlocal Agreement.

Mr. Peck reported that he met with officials from Brunswick County regarding putting a library on the Island. He advised that discussion will continue but this is in the very preliminary stages.

Village of Bald Head Island
Meeting Minutes, October 26, 2007
Page 5 of 6

Mr. Peck reported that the first draft of census data on deer was received yesterday. He advised that the report is very preliminary and Westervelt has not made a recommendation yet. He further advised that it appears the deer population on the Island is the lowest that has been seen on the Island in several years.

Mr. Peck reported that the Middle Island sewer extension is nearing completion. It is expected that the contractors will finish up sometime in November.

Mr. Peck reported that he will be attending the NCBIWA Annual Conference on November 12th and 13th in Carolina Beach.

At this time, Mayor Lammert asked Ms. Reno to give an update on recent tragedies that have occurred involving the Village Staff in the past few weeks.

Ms. Reno advised that Daralyn Spivey's brother was killed in motorcycle accident while riding with the Blue Knights. The services were in Missouri and have already been held with a turnout of more than 1000 people.

Ms. Reno further advised that Officer Scott Anderson's baby passed away on Wednesday night at 6:45 p.m. She added that the baby had been sick for over a month. The visitation is scheduled for Saturday night from 6:00 p.m. until 8:00 p.m. and the funeral services will be held at the Old Shallotte Baptist Church in Shallotte on Sunday.

Ms. Reno added that Ron Barbine's father passed away on Wednesday morning. A private family service is scheduled for Saturday morning.

7.2 Police Department

Chief Herring

Chief Herring reported that things have slowed somewhat but it is also the time of year that the Department has training to keep all the Officers certifications up to date. At this time Chief Herring introduced Shawn Freeman. Mr. Freeman filled a vacancy that was left when David Cox moved to the IT position.

7.3 Fire/EMS Department

Chief Munna

Chief Munna reported that last month deemed busy for the time of year. He reported on a call that occurred in the light house where the lady had to be transported from the top of the lighthouse. Chief Munna further reported that flu shots are still available and the funds goes to the Public Service Auxiliary. At this time, Chief Munna introduced Keith Van Housen as a new paramedic and firefighter.

8. Comments, Reports and Questions

8.1 Citizens

Mr. Stevens voiced his concerns to Council regarding the vine problem. He advised that the Club had the same problems and received help from David Nash and Todd Stevenson to help clear the problem at the Club. Mr. Stevens had pictures that he had taken of some of the vine problems and advised that he would give them to the Village Manager.

8.2 Bald Head Island Association—Bob Porter President

In the absence of Mr. Porter, Ms. Hill introduced Karen Moorefield, the new manager for the Association.

8.3 Bald Head Island, Ltd.—Joyce Fulton

Village of Bald Head Island
Meeting Minutes, October 26, 2007
Page 6 of 6

Ms. Fulton had nothing to report on behalf of Bald Head Island Limited at this time. Mayor Pro Tempore Sayre asked of the status of the Timber Bridge. Mr. Henry advised that Limited is still waiting on the permitting process. Councilor Morris asked about the walkway. Mr. Henry advised that Limited is working with the Building Inspection Department regarding handrails.

8.4 Bald Head Island Conservancy—Suzanne Dorsey

In the absence of Dr. Dorsey, Mr. Johnston reported that the Conservancy had a successful meeting on water quality issues. He advised that Nov 3rd and 4th is the Annual Conservancy Meeting and Celebration. The festivities will be held at the BHI Club.

8.5 Mayor and Council

There was nothing additional from the Mayor and Council at this time.

9. Adjourn

With no additional items for discussion, Mayor Lammert entertained a motion to adjourn the October Council Meeting. Councilor Morris made the motion to adjourn. In a voice vote, all voted in favor. **(Motion carried 5-0)**

The October 26, 2007 Village Council Meeting adjourned at 4:05 p.m.

Approved:

Larry Lammert, Mayor

Attest:

Amy R. Candler, Village Clerk

