

VILLAGE OF BALD HEAD ISLAND
COUNCIL WORK SESSION
November 18, 2011
Bald Head Association

COUNCILORS IN ATTENDANCE

Mayor Andrew Sayre
Mayor Pro Tempore John Fisher
Councilor Gene Douglas
Councilor Art Morris

STAFF PRESENT:

Calvin R. Peck, Jr., Village Manager
Chris McCall, Asst. Manager/ Shoreline
Protection Manager
Deb Straub, Finance Director
Chief Chip Munna
Stephen Boyett, Development Services
Daralyn Spivey, Tax Administrator
David Cox, Systems Administrator
Charles Baldwin, Village Attorney
Debra Talbert, Village Clerk

1. Call to Order/ Approval of Agenda

Mayor Sayre called the November 18, 2011 Council Work Session to order at 9:30 a.m. Mayor Sayre entertained a motion to approve the agenda as presented. Councilor Morris made motion, with all in approval.
(MOTION CARRIED 4-0)

2. Review of Council Meeting Agenda

3.1 Village Zoning Ordinances to Regulate Homeowners Association Amenities- Calvin reviewed the proposed ordinance. The ordinance will regulate Homeowners' association amenities located within the Village to include beach clubs, clubhouses and other amenities owned by a nonprofit homeowners' association. This will not affect the local associations on the island.

4.4 Amendment of Section 18-36 Creek Access Boat Storage- Calvin reviewed the proposed ordinance to amend Section 18-36. The amendment will include storage for trailers and will require a valid permit.

4.6 Parks & Recreation Committee Recommendation- Daralyn reviewed the committee recommendations for the purchase of signage for picnic area behind the Post Office, Old Baldy Lighthouse, Bald Head Association, Village Chapel and signage for the creek access picnic area. The second recommendation is for the purchase of four picnic tables for the use at the Creek Access and picnic area behind the Post Office. The last recommendation is for appropriate signage for the Public Works, Public Safety and Mayor's Oak trees designations. Calvin stated the approximate cost is \$5k. There is not a budget for Parks and Recreation so the monies will be drafted from the Managers Contingency fund. Councilor Douglas stated the committee has additional recommendation to plant trees at the dog park and asked Council for direction on expansion of Beach Access 23. This will require a CAMA permit and building supplies. Councilor Morris made motion to pursue the expansion of Beach Access 23. Council agreed to pursue the expansion.

Mayor Sayre asked on the State Legislation decision with mosquito spraying. Calvin stated he would research and report back to Council.

3. Confirmation of date for 2012 Council Retreat

Mayor Sayre stated the discussed dates for the Council Retreat in January are a conflict. Council discussed alternate dates. Council directed staff to contact the Bald Head Island Club for available dates.

4. Amendment for Section 18-36 Creek Access Boat Storage

Discussed earlier with Review of Council Meeting Agenda.

5. Planning Board Recommendation- Commercial Filming

Calvin reviewed the recommendation from the Planning Board. This would replace section 32-255 of the current Zoning Ordinance. Council and staff discussed the proposed guidelines and made recommendations with corrections. Calvin stated if acceptable to Council, this should be referred to the Attorney for formatting. Council agreed to forward the information to the Attorney for formatting.

6. Ordinance to Regulate Loud and Disturbing Noise

Calvin reviewed the proposed ordinance and asked for direction from Council. This ordinance was presented at a prior meeting and no decision made. Council asked how the noise level is measured to be considered a nuisance. Calvin stated this is based on the type of complaints received. Chief Munna stated this ordinance is with the sub-committee for their review. Calvin stated if Council approves, the sub-committee will continue to review and research further. Council and staff discussed the concerns and agreed to send back to the sub-committee for further research.

7. Ordinance to Amend ICE Provisions/ Electric Cars

Calvin reviewed the ordinance addressing the use of electrically-powered vehicles for uses presently performed by internal combustion engine vehicles. The Public Safety Committee had made two recommendations. The first was to add Section 28-61, use of electrically-powered vehicles in lieu of vehicles powered by internal combustion engines. The second recommendation is Section 28-92(f), horsepower limits for electric vehicles. Council discussed and agreed to place on the afternoon agenda for first reading and set public hearing for the December Council meeting.

8. Financial Report

Deb reviewed the October financial statements and report. The Ad Valorem tax collections are ahead of last year. The Accommodation taxes are 7.5% ahead of last year. The Operating expenditures are within budget. The Utilities Fund revenues are below last year and the expenditures are within budget. The Beach Fund balance is \$388k, Village Facilities is less than \$1k, Stormwater Management balance is \$63k, and the Infiltration Pond System fund is \$115k. The auditors will be presenting an unqualified report at this afternoon Council Meeting.

9. FEMA Worksheet Transmittal Record

The FEMA worksheets have been finalized. The total of nine projects; seven are considered small projects. The total of monies to receive is approximately \$2.2m. Mayor Pro Tempore Fisher asked if the Engineered Beach qualifies for FEMA reimbursement. Calvin stated yes it

does qualify. Calvin stated sand can be placed on the beach and FEMA will approve for 105k cubic yards in specific areas.

10. Manager's Report

Calvin reviewed the Scoping Meeting he and Attorney Baldwin attended regarding the Wastewater Treatment Plant with Bald Head Island Club. Attorney Baldwin reviewed the agreement entered into on September 16, 2011 with the Bald Head Island Club. The agreement requires the Village to meet standards and improvements for Phase 1, Phase 2 and Phase 3 in 2012 and 2013. An agreement was entered with Erik Lapula a Hydro Geologist with Eagle Resources. Attorney Baldwin reviewed the compliance and requirements for the Village. Mayor Sayre stated the Village is still in the scoping process. Council and staff discussed the discharge of water into the specific lagoons and the capacity of the Village permits. The cost of the upgrade and the additional cost for improvements for the Wastewater Treatment Plant were discussed. Council and staff discussed the concerns with the previous power surges and the damage done to the plant.

11. Closed Session Pursuant to N.C. General Statutes 143-318.11 (a)(1),(3),(5)and (6)

- ❖ Village of Bald Head Island vs. US Army Corps of Engineers Lawsuit
- ❖ Manager Annual Review

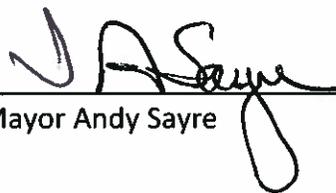
Pursuant to N.C. General Statutes 143.318.11(a) (1), (3), (5) and (6), Mayor Sayre entertained a motion to enter into Closed Session at 10:20 a.m., with Mayor Pro Tempore Fisher made the motion with all in favor. **(MOTION CARRIED 4-0)**

Mayor Sayre entertained a motion to come out of Closed Session at 1:15 p.m., with Councilor Morris made the motion with all in favor.

(MOTION CARRIED 4-0)

12. Adjournment

Mayor Sayre entertained a motion to adjourn at 1:16 p.m., with Councilor Douglas made the motion with all in favor. **(MOTION CARRIED 4-0)**



Mayor Andy Sayre

ATTEST:



Debra C. Talbert, Village Clerk

