

**VILLAGE OF BALD HEAD ISLAND
COUNCIL MEETING
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:

Councilor Bob Helgesen
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 Session to order at 3:00 p.m. Mayor Sayre entertained a motion to approve the amended agenda as presented. Councilor Morris made motion, with all in approval. **(MOTION CARRIED 4-0)**

2. Consent Agenda

2.1 Approval of Minutes

October 21, 2011 - Council Work Session

October 21, 2011- Council Meeting

Mayor Sayre entertained a motion to approve the consent agenda as presented. Councilor Douglas made motion, with all in approval. **(MOTION CARRIED 4-0)**

3. Old Business

3.1 1st Reading/ Set Public Hearing for Amendment to the Village Zoning Ordinances to Regulate Homeowners Association Amenities

Calvin reviewed the proposed text amendment of the Zoning Ordinance Section 32-129. Mayor Sayre entertained a motion to set a Public Hearing for December 16, 2011. Mayor Pro Tempore Fisher made the motion, all voted in favor. **(MOTION CARRIED 4-0)**

4. New Business

4.1 Oath of Office for New Councilors

Debra Talbert, the Village Clerk, swore in the Councilors as follows:

"I, Gene Douglas, do solemnly swear that I will support and maintain the Constitution and Laws of the United States of America, and the Constitution and Laws of the State of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as member of the Village Council of the Village of Bald Head Island, so help me God."

"I, Art Morris, do solemnly swear that I will support and maintain the Constitution and Laws of the United States of America, and the Constitution and Laws of the State of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as member of the Village Council of the Village of Bald Head Island, so help me God."

"I, Robert Helgesen, do solemnly swear that I will support and maintain the Constitution and Laws of the United States of America, and the Constitution and Laws of the State of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as member of the Village Council of the Village of Bald Head Island, so help me God."

4.2 Resolution of Appreciation- Councilor Pitera

Mayor Sayre reviewed the presented Resolution and plaque to outgoing Councilor John Pitera as follows.

WHEREAS, John Pitera has served as a Councilmember for the Village of Bald Head Island since November 2003; and

WHEREAS, John Pitera has put for the substantial effort toward improving the quality of life for the citizens of Bald Head Island; and

WHEREAS, John Pitera has served for the good of the Village of Bald Head Island, making sacrifices in personal and family time; and

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Bald Head Island, North Carolina, that John Pitera is hereby officially commended by this Village Council on behalf of the citizens of Bald Head Island for valuable service rendered to the Village of Bald Head Island in his official capacity of Village Councilor.

BE IT FURTHER RESOLVED that this resolution be made part of the permanent records of the Village of Bald Head Island and that a copy of this resolution be presented to John Pitera.

This the 18th day November 2011

4.3 Election of Mayor Pro Tempore

Mayor Sayre asked for nomination for the Mayor Pro Tempore. Councilor Douglas nominated Councilor John Fisher for Mayor Pro Tempore. Mayor Sayre entertained a motion to approve the nomination of Councilor John Fisher as Mayor Pro Tempore. Councilor Morris made the motion, with all in approval.

(MOTION CARRIED 5-0)

Debra Talbert, Village Clerk, swore in the Mayor Pro Tempore as follows:

"I, John Fisher, do solemnly swear that I will support Constitution and Laws of the State of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Mayor Pro Tempore of the Village Council of the Village of Bald Head Island, so help me God."

4.4 1st Reading/ Set Public Hearing for Amendment of Section 18-36 Creek Access Boat Storage

Calvin reviewed the proposed text amendment of Section 18-36 Creek Access Boat Storage. Mayor Sayre entertained a motion to set a Public Hearing for December 16, 2011. Mayor Pro Tempore Fisher made the motion, all voted in favor.

(MOTION CARRIED 5-0)

4.5 1st Reading/Set Public Hearing for Amendment of Section 28, Article II Division 2, Vehicles Powered by Internal Combustion Engines

Calvin reviewed the proposed text amendment of Section 28, Article II Division, and Vehicles Powered by Internal Combustion Engines. Mayor Sayre entertained a motion to set a Public Hearing for December 16, 2011. Councilor Douglas made the motion, all voted in favor.

(MOTION CARRIED 5-0)

4.6 Authorize Bid for Bald Head Creek Dredging Project

Calvin reviewed Erik Olsen's proposal for the Bald Head Creek dredging and to place the sand on certain areas of West and South Beach. This proposal authorizes Council to advertise for bids on this project. Bid opening should be set by December 20, 2011 and a special meeting should be scheduled on December

22 or 23, 2011. Calvin made recommendation to Council to authorize bidding for Bald Head Creek dredging. Calvin reviewed the reimbursement from FEMA. The reimbursement will be 75% of the project and the State will pay remaining 25%. Mayor Sayre entertained a motion to approve the proposal to authorize bids for Bald Head Creek dredging. Councilor Douglas made the motion, all voted in favor. **(MOTION CARRIED 5-0)**

4.7 Finance & Planning Committee Recommendation for Member

Mayor Sayre asked for a motion to appoint David Jessen to the Finance Committee. Councilor Douglas made the motion, with all in approval. **(MOTION CARRIED 5-0)**

Mayor Sayre asked for a motion to appoint Doug Ledgett to the Planning Board Committee. Councilor Morris made the motion, with all in approval. **(MOTION CARRIED 5-0)**

4.7a- Accept Resignation of Alternate Finance Committee Member

Mayor Sayre asked for a motion to accept the resignation for Alternate Finance Committee member Larry Lammert. Councilor Douglas made the motion, with all in approval.

(MOTION CARRIED 5-0)

4.8 Parks & Recreation Committee Recommendation

4.8a- Purchase signage for Picnic Area behind Post Office & Creek Access Picnic Area

Councilor Douglas reviewed the request to purchase signage for designated picnic area. Mayor Sayre asked for a motion to approve. Councilor Morris made the motion, with all in approval.

(MOTION CARRIED 5-0)

4.8b- Purchase picnic tables for Creek Access & Picnic Area

Councilor Douglas reviewed the request to purchase picnic tables for designated areas. Mayor Sayre asked for a motion to approve. Councilor Morris made the motion, with all in approval.

(MOTION CARRIED 5-0)

4.8c- Purchase Signage for the designated Mayors, Public Safety & Public Works Oak Trees

Councilor Douglas reviewed the request to purchase signage for the designated Mayors, Public Safety & Public Works Oak Trees. Mayor Sayre asked for a motion to approve. Councilor Morris made the motion, with all in approval.

(MOTION CARRIED 5-0)

4.9 October Financial Statement Report

Deb reviewed the October financial statement. The Ad Valorem and Accommodation taxes are ahead of last year. The total operating expenditures are within budget. The Utilities fund revenues are slightly ahead of prior years and the expenditures are within budget. The Capital Project Beach Fund balance is \$388k, the Village Facilities Construction/ Expansion is less than \$1k, the Stormwater Management balance is \$63k, and the Infiltration Pond System Fund balance is \$115k.

4.9a- FY 2010/2011 Financial Audit

Wayne Berry and Duncan Hilburn with Berry, Padgett, & Chandler, PLLC gave presentation of June 30, 2011 audit for the Village of Bald Head Island. Mr. Berry gave an un-qualified report for financial statements ending June 30, 2011. The Audited Financial Statement will be with approved Council minutes. Mayor Sayre asked for a motion to approve the Audited Financial Statement. Councilor Douglas made the motion, with all in approval. **(MOTION CARRIED 5-0)**

5. Committee Reports

5.1 Shoreline Protection- Attorney Baldwin reviewed the Judge's order concerning the dismissal of the lawsuit against the Corps of Engineers. The Village has been working with the Corps of Engineers and surrounding beach communities on the shoreline beach erosion issues. The Village is trying to politic with Raleigh NC and Washington DC to find funding and a legislative fix on the beach erosion caused by the Corps of Engineers. Attorney Baldwin stated the ruling was dismissed due to no jurisdiction over the

Village claims. The Village will appeal the ruling and report further information to the citizens of Bald Head Island when possible.

5.2 Finance- Committee meeting cancelled for November and December.

5.3 Public Safety & Transportation- Committee meeting cancelled for November and December.

5.4 Public Works & Utilities- No Report

5.5 Communications- No Report

5.6 Parks & Recreation- No Report

6. Monthly Reports

6.1 Manager's Report- Deb Straub reviewed the process of the FEMA funding. There were 9 separate projects; which 7 were small projects. The projects were damage to Village Hall roof and phone system, and the Utilities roof. Insurance claims were filed and checks have been received. The East Beach sand push reimbursement was included at \$22k. The 2 large projects include groin tube repair or replacement and sand placement on West Beach. The total for the 2 large projects were at \$2m. Reimbursement from FEMA for the large projects will be refunded to the Village at time of completion.

Daralyn spoke on the upgrade and expansion of Bald Head Creek access. Currently there are 126 canoe/kayak storage spaces and the expansion will total 276 storage spaces and 16 boat storage spaces. The completion date will be January 1, 2012 to include the annual permit process.

6.2 Department of Public Safety Report- Chief Munna reviewed the Public Safety monthly report. As a reminder, Chief Munna reminded persons with working fireplaces to have the chimneys cleaned.

6.3 Development Services Monthly Report- Stephen Boyett reviewed the October Building Inspection report. There was 1 new residential permit issued and 22 minor permits issued for October. Stephen reminded the safety precautions for frying turkeys for Thanksgiving. Kit Adcock asked if there was an area to dispose of the used cooking oil and asked if a public awareness could be given to remind persons to not put the cooking oil in the sewer systems.

Councilor Douglas stated Public Works does have a container for recycled oil. This is used for heating the building.

6.4 Shoreline Protection Manager Report- Chris McCall spoke on the placement of the sandbag revetment wall at 80% complete. This wall extends 350 feet from Groin 16 towards the West at the channel. The East Beach sand push is complete with the exception of dune plantings. Chris reviewed the Mayor request to contact your Senators for the Shoreline congressional issues. There was a mass mailing and email blast sent to the property owners asking to contact your local Senator for support on the shoreline issues Bald Head Island are facing.

Calvin stated the Council Retreat dates need to be decided on. The Club has been contacted and available dates are February 15- 16, 2012. The February Council meeting will be cancelled. The retreat will be held at the Bald Head Island Club.

7. Comments, Reports and Questions

7.1 Bald Head Association- Mayor Sayre stated the Association fire sprinkler system is out of commission and is being worked on at this time.

7.2 Bald Head Island, LTD- No Report

7.3 Bald Head Island Conservancy- No Report

7.4 Bald Head Island Club- No Report

7.5 Citizens- Richard Mesaris stated concerns with the historical markers on the island to be in poor condition. Calvin stated Public Works is beginning the process of sandblasting and refinishing the markers. Mr. Mesaris asked if the deer count is complete and when would the culling begin. Calvin stated the Conservancy has presented a deer count with recommendation of culling 125 deer this year.

7.6 Mayor and Council- Mayor Sayre stated there will be a Town Hall meeting November 26, 2011 at 10:00 a.m. to be held at the Shoals Club. This meeting will address the beach erosion issues and sand placement this winter.

8. Adjournment -

Mayor Sayre entertained a motion to adjourn at 3:58 p.m., with Councilor Morris made the motion with all in favor.
(MOTION CARRIED 5-0)



Mayor Andy Sayre

ATTEST:



Debra C. Talbert, Village Clerk

