

VILLAGE OF BALD HEAD ISLAND
Regular Meeting
October 20, 2006

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

Councilmembers Absent: Mayor Larry Lammert

Staff Present: Village Manager, Calvin Peck, Assistant Village Manager/Planning Director Chris McCall, Police Chief Richard Herring, Chief Chip Munna, Building Inspector Stephen Boyett, Public Works Director Ben Liddle, Tax Administrator Dawn Reno, Utilities Director Ken Bowling, Acting Village Attorney Michael Myers and the Village Clerk Amy Candler recording the meeting.

Others Present: Bald Head Island Limited Director of Communications Joyce Fulton, Bald Head Island Conservancy Director Suzanne Dorsey and Hillary Snow with the State Port Pilot.

Citizens Present: Charlie Himes, Richard and Diane Mesaris, Bob and Judy Porter, Brenda Quanstrom and Marianne Link.

1. Call to Order/Approval of Agenda Mayor Pro Tempore Sayre

Mayor Pro Tempore Sayre called the October 20, 2006 Regular Meeting to order at 3:00 p.m. Mayor Pro Tempore Sayre asked for amendments to the regular meeting agenda. With no changes to the Council Meeting Agenda, Councilor Morris made a motion to approve the agenda as submitted. In a voice vote, with Mayor Lammert being absent, all voted in favor. **(Motion carried 4-0)**

At this time Mr. Peck introduced and welcomed the newest addition to the Village Staff, Joyce Burke.

2. Public Hearings

2.1 A Public Hearing on an Ordinance Amending the Text of Section 8.7 (1) Entitled "Dimensional Density and Structure Requirements"

Mr. Boyett explained that the proposed amendment will change the reference mark for the overall building height to five foot mean sea level when the virgin low point is below five (5) under the footprint of the house.

There were no citizen comments.

2.2 A Public Hearing on an Ordinance Amending the Text of the Zoning and Subdivision to be in Compliance with 2005 Planning Legislation

Mr. McCall explained that the proposed changes are housekeeping issues that have been regulated by 2005 Legislation. He advised that the proposed amendments to the ordinance have been recommended for approval by the Village Planning Board.

There were no citizens' comments.

3. Consent Agenda

Mayor Pro Tempore Sayre advised that the consent agenda consists of the minutes of the August Regular meeting and the September Regular and Works Session meetings, the authorization to allow the Village Tax Collector the collection of the 2006 property

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taxes and a resolution that will designate the Village Manager as an authorized representative on behalf of the Village for First Citizens Bank. Councilor Pitera made a motion to approve the consent agenda as presented. In a voice vote, with Mayor Lammert being absent, all voted in favor. **(Motion carried 4-0)**

4. Old Business

4.1 Update on the Wilmington Harbor Project Maintenance Dredging Project
Mayor Pro Tempore Sayre reported that Congress is yet to pass a budget and is therefore operating under a continuing resolution. He advised that due to the turtle window the Dredging Project was included in the continuing resolution. The Corps estimate of the cost of the dredging exceeds the amount included in the resolution. Mayor Pro Tempore Sayre reported that it has been suggested that Bald Head Island contribute to the amount of the estimated short-fall. He advised that the Council met in Special Session to discuss a possible contribution to the short-fall. It was the consensus of the Council that the Village will adopt a resolution in the future to add to the amount of the shortfall only after the State has contributed the amount that they have committed to. Mayor Pro Tempore Sayre added that the Corps is continuing to hold firm to the start date of January 2, 2007. Mr. Peck added that he has spoke with the Corps Project Manager and they have agreed to place sand on groins as well as eastward on the beach.

4.2 Consideration and Approval of the Fort Holmes Trail Historical Site Lease Agreement

Councilor Pitera made a motion to approve the Lease Agreement with the Association regarding the Historical Site at Fort Holmes Trail. In a voice vote, with Mayor Lammert being absent, all voted in favor. **(Motion carried 4-0)**

4.3 Consideration and Approval of an Ordinance Amending the Text of Section 8.7 (1) Entitled "Dimensional Density and Structure Requirements"

Councilor Pitera made a motion to approve the text amendment to Section 8.7 of the Village Code of Ordinances. In a voice vote, with Mayor Lammert being absent, all voted in favor. **(Motion carried 4-0)**

4.4 Consideration and Approval of an Ordinance Amending the Text of the Zoning and Subdivision to be in Compliance with 2005 Planning Legislation

Councilor Pitera made a motion to approve the text amendments to the Village Zoning and Subdivision Ordinance to be in compliance with 2005 planning legislation. In a voice vote, with Mayor Lammert being absent, all voted in favor. **(Motion carried 4-0)**

5. New Business

5.1 Financial Statements—September, 2006—*Manager Peck*

Mr. Peck reported that the Village is currently working with the auditor to complete the financial statements for the month of September. He advised that a copy of the statements can be obtained from the Village Clerk next week.

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- 5.2 A Resolution Authorizing the Village Manager to enter into Contracts and Agreements Associated with the Services Needed to Maintain the Beaches of Bald Head Island

Mayor Pro Tempore Sayre explained that the resolution is needed to authorize the Village Manager to sign a contract for core sampling data to be retrieved for the beginning stages of a possible private sand placement project. Councilor Pitera made a motion to approve the resolution. In a voice vote, with Mayor Lammert being absent, all voted in favor. **(Motion carried 4-0)**

- 5.3 An Amendment to the Village of Bald Head Island Zoning Ordinance, Section 32-11, Entitled “Definitions” clarifying the differences between types of dwelling structures

Mr. McCall commented that the Planning Board has worked on the Village Zoning Ordinance to clarify the definition between duplexes and townhouses. He advised that a copy of the proposed amendment is available at the Village Hall. Mayor Pro Tempore Sayre reported that a public hearing will be held at the November Council meeting.

- 5.4 An Amendment to the Village of Bald Head Island Code of Ordinances adding Section 28-36, Entitled “Operation of Vehicles by Unlicensed Drivers”

Mr. Myers reported that the Public Safety Committee brought forth the topic of electric scooters. He advised that the Village Council agreed that persons operating these scooters should have a valid driver’s license. He further advised that a copy of the ordinance amendment can be obtained from the Village Clerk. Mayor Pro Tempore Sayre reported that a public hearing will be held at the November Council meeting.

- 5.5 An Amendment to the Village of Bald Head Island Code of Ordinances amending Section 10-121, Entitled “Definitions” and adding Section 10-126 Entitled “Non-Conforming Private Accesses”

Mr. McCall explained that the proposed amendment will require all property owners with non-conforming beach accesses to bring them to conformity within six (6) months upon adoption of the proposed amendment. He further advised that a copy of the ordinance amendment can be obtained from the Village Clerk. Mayor Pro Tempore Sayre reported that a public hearing will be held at the November Council meeting.

- 5.6 An Amendment to the Village of Bald Head Island Code of Ordinances amending various Sections to Article II, Flood Damage Prevention

Mr. Boyett explained that a FEMA Consultant came to the Island to review the Village Flood Ordinance. He advised that the consultant pointed out the proposed changes that need to be made for the Village to be in compliance with the new Flood Maps. He further advised that a copy of the ordinance amendment can be obtained from the Village Clerk. Mayor Pro Tempore Sayre reported that a public hearing will be held at the November Council meeting.

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6. Committee Reports

6.1 Beach

Anne Kane

In the absence of Ms. Kane, Councilor Douglas reported that the Beach Committee discussed additional measures to protect the dunes. He advised that the dunes are a vital need for the Island and need to be protected as much as possible.

6.2 Finance

John Knott

There was no report from the Finance Committee at this time.

6.3 Public Safety

Don Tillman

In the absence of Mr. Tillman, Councilor Morris reported that the Public Safety Committee discussed golf cart safety improvements and also worked with Chief Munna regarding the maintenance of fire suppression systems.

6.4 Public Works

Richard Mesaris

Mr. Mesaris reported that the Public Works Committee voted Dana Quanstrom as the new Vice-Chair of the Committee.

6.5 Transportation

Wayne Lambert

There was no report from the Transportation Committee at this time.

7. Monthly Reports

7.1 Manager's Report

Manager Peck

Mr. Peck reported that Ms. Boyd is no longer an employee of the Village. He advised that this is a personnel issue that cannot be discussed any further.

Mr. Peck reported that the Corps of Engineers and Congress are starting the process regarding the 50 Year Management Plan.

Mr. Peck reported that the Hurricane Floodwater Management Plan is in the final stages. The pumps will be shipped next week. The Cape Fear Trail leg of the project is within a couple hundred feet of completion. He advised that the Cape Fear Trail beach access will be put back to its original state and brought up to code.

Mr. Peck reported that the bid for the fall paving project has been awarded to Mac Construction.

Mr. Peck reported that the Village has not received the final results of the Westervelt Wildlife Study but it is his understanding that the numbers are slightly down from last year as well as the Conservancy Deer Study.

Mr. Peck reported that the Cape Fear Council of Government is compiling a Needs Assessment Study for all village departments. He advised that this study will help determine the needs for the Village Hall Expansion.

Mr. Peck reported that he and the Council will be attending the North Carolina Inlets, Waterway and Beaches Conference at Carolina Beach on November 13th and 14th.

7.2 Police Department

Chief Herring

Chief Herring reported that the month of September was a normal operating month. He advised that golf cart registration is scheduled to begin on November 20th.

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7.3 Fire/EMS Department

Chief Munna

Chief Munna reported that the Department responded to seventeen (17) fire calls and sixteen (16) medicals during the month of September. Chief Munna reported on the recent fire located on Sandpiper Trail. He advised that the cause of the fire is still under investigation. He thanked all of the entities involved with helping put the fire out.

8. Comments, Reports and Questions

8.1 Citizens

There were no citizens comments at this time

8.2 Bald Head Island Association—Bob Porter President

Mr. Porter gave his words of thanks to the Village Council for their support as well as the monetary contributions for the Fort Holmes Trail Historical Site.

8.3 Bald Head Island, Ltd.—Joyce Fulton

There were no comments from Bald Head Island Limited at this time.

8.4 Bald Head Island Conservancy—*Suzanne Dorsey*

Ms. Dorsey commented that the Conservancy and the Village came together and responded to the NC Wildlife Commission in regard to the removal of the alligator from the Island. She advised that the two (2) entities are working with the State regarding a notification process when it is requested that an alligator be removed from the Island.

8.5 Mayor and Council

There were no additional comments from the Mayor and Council at this time.

9. Adjourn

With no additional items for discussion, Mayor Pro Tempore Sayre entertained a motion to adjourn the October 20, 2006 Council meeting. Councilor Pitera made a motion to adjourn. In a voice vote, with Mayor Lammert being absent, all voted in favor. (Motion carried 4-)

The meeting adjourned at 3:40 p.m.

Approved:

J. Andrew Sayre, Mayor Pro Tempore

Attest:

Amy R. Candler, Village Clerk