

**VILLAGE OF BALD HEAD ISLAND**  
**Work Session 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, and Bald Head Association Manager Joey Hill.

**Citizens Present:** Ray Webb

**1. Call to Order/Approval of Agenda**

Mayor Pro Tempore Sayre called the October 20, 2006 Council Work Session to order at 9:30 a.m. Mayor Pro Tempore Sayre asked for any additions or deletions to the agenda. With no changes to the work session agenda Councilor Pitera 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)**

**2. Review of Agenda for the Regular Meeting of October 20, 2006**

Mayor Pro Tempore Sayre explained that there will be two (2) public hearings at the afternoon meeting. The first will be regarding the reference point for measuring building height and the second public hearing is to allow for comments regarding zoning and subdivision ordinance changes that were made due to 2005 Legislation.

Mayor Pro Tempore Sayre advised that the resolution to authorize the Village Manager to enter into a contract for the coring project should be moved to New Business due to the amount of the contract.

Mayor Pro Tempore Sayre reported that the Association contributed \$9700 to the Fort Holmes Trail project and therefore the amount should be added to the Lease Agreement. Mr. Baldwin confirmed that the changes would be made to the lease agreement before the afternoon meeting.

Mr. Peck advised that the financial statements are not complete at this time. He further advised that they will be available for Council review next week.

Mr. Liddle reported that the Public Works Committee discussed the chipping ordinance at their last meeting. He advised that the Committee also discussed changing the policy that allows public works to enter into houses and pick up large items. He advised that the Committee is concerned about liability issues regarding damages that could occur while picking up the large items.

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**3. Items of Discussion**

a. Village Water and Wastewater Ordinance

Due to the length and detail of the Water/Wastewater Ordinance, it was the consensus of the Village Council to continue the discussion regarding the ordinance at the November meeting. This will give the Council as well as staff more time to review the ordinance.

b. Proposed Text Amendment to the Definitions of the Village Zoning Ordinance—Chris McCall

Mr. McCall advised that he worked with Mr. Henry to come up with a more detailed definition of a duplex and a town home. Mr. Baldwin agreed that the revised definitions clarified any loop holes within the Zoning Ordinance regarding the duplex versus town home discussions. It was the consensus of the Village Council to add the amendment to the afternoon meeting for the first reading and set a public hearing for the November 17<sup>th</sup> meeting.

c. Beach Access Ordinance

Mr. Myers advised that he placed a two year amortization period within the ordinance to allow enough time for non-conforming property owners to repair their private beach accesses and bring them up to Village standards. After discussion regarding the time limitation for repairs to the accesses it was the consensus of the Village Council to allow owners a six (6) month amortization period from the date the ordinance is adopted. Councilor Douglas added that the Beach Committee has discussed the dune ordinance and feels that the number of people that walk on the dunes have decreased dramatically but there is still a problem with domestic animals crossing over the dunes. It was the consensus of the Village Council to add the first reading to the afternoon meeting and set the public hearing date for the November meeting.

d. House Moving Ordinance

Mayor Pro Tempore Sayre explained that this discussion came about as part of the recent problem that arose during a process of moving modular homes on to the Island. He further explained that some vegetative damage occurred during the moving of these homes. Mayor Pro Tempore Sayre suggested that the proposed ordinance outline the process as far as the route that will need to be taken during the delivery of these homes of damaged vegetation. Mr. Peck suggested that the Council refer the proposed ordinance to the Public Works Committee for further review. It was the consensus of the Village Council to have Staff and the Public Works Committee to further review the proposed ordinance and bring it back to the Council at a future meeting.

e. Flood Damage Prevention Ordinance

Mr. Boyett explained that a representative visited the Island to review the Village's current Flood Ordinance. He advised that the proposed changes were recommended by the representative. He further advised that the changes do not alter the content of the ordinance. It was the consensus of the Village Council to add the first reading to the afternoon agenda and set the public hearing date for the November meeting.

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f. Scooter Ordinance

Mr. Myers advised that as per Council's request he revised that unlicensed driver's ordinance to include electric powered scooters. After discussion, minor changes were made to the proposed ordinance. It was the consensus of the Village Council to schedule the first reading at the afternoon meeting and hold the public hearing at the November regular council meeting.

g. Fire Suppression Ordinance

Chief Munna explained that according to fire suppression regulations, in-home sprinkler systems are supposed to be serviced every year. He advised that he would like to start a public education process and refer this issue to the Public Safety Committee for a further recommendation. It was the consensus of the council to refer the issue to the Public Safety Committee for a recommendation at the December meeting.

h. Removal of Alligator from the Island

Mayor Pro Tempore Sayre explained that an alligator was recently removed from the Island without the permission of the Village, and advised that this has raised much concern from the Island citizens. Mr. Peck advised that the Village and the Conservancy have joined forces and contacted the North Carolina Wildlife Commission. The Conservancy and the Village have requested to the NC Wildlife Commission that both entities sign off on any applications before the removal of any alligators from the Island this point forward.

i. Southport Marina

Mayor Pro Tempore Sayre explained that as of Nov 1<sup>st</sup> the new owners of the Southport Marina are going to prohibit contractors to hold dock spaces and commute from the marina. He expressed concern for contractors that work on the island and that the contractors will have to bring their equipment over to the Island by the barge and their employees will have to ride the ferry, therefore imposing additional costs to the contractor which in turn will come back to the property owners of the Island. Ms. Fulton explained that the problem at the Southport Marina is the parking issue. Mayor Pro Tempore Sayre suggested that the Council continue the discussion of the legalities of this issue in closed session as well as options in the event the Village Council should have to retaliate.

j. Employee Salary Study

After a brief discussion regarding an employee salary study it was the consensus of the Village Council to include discussion of this topic during the budget process.

k. Mega Port/January 19,2007 Public Forum

Mayor Pro Tempore Sayre reported that there has been support for the Council to hold a public forum on January 19, 2007 regarding the North Carolina International Port. It was the consensus of the Council to move forward with the plans to hold a public forum with representatives for the port.

l. Re-Rate Wastewater Capacity Study

The Village Council directed Mr. Bowling to move forward with the modified proposal for the re-rate study.

**4. Update on Village Projects**

a. Beach Vitex

Councilor Douglas reported that David Nash met with Mr. McCall and Ms. Dewire regarding the eradication process of beach vitex, he advised that Mr. Nash concluded that approximately ninety-five percent (95%) of the vitex on the Island has been successfully removed. Councilor Douglas further reported that Mr. McCall drafted a letter to send to the affected property owners detailing the requirements for the restoration process. He further explained that the letter states that if the property owner produces the original landscape plan, the Village will reimburse for them for the amount of the vitex. It was the consensus of the Village Council to move forward with this project.

b. Existing Jetty Extension

Mr. Henry reported that the permit for the jetty extension is now in the hands of the corps.

c. Hurricane Floodwater Management Project

Mr. Peck reported that the pipes have been installed under the road and Mr. Bowling s working with Thompson's Pump on the details of the delivery of the mobile pumps. He advised that Village Staff will have some guidelines set regarding the pumping process at the November meeting.

d. Middle Island Sewer Extension

Mr. Bowling reported that the application has been submitted to the State for the Middle Island Sewer Extension. He advised that the request for bids will not go out until the first waves of questions come from the State regarding the permit.

e. Wilmington Harbor Project-Status/Funding

Mayor Pro Tempore Sayre reported that the Wilmington Harbor Project is on schedule and is moving forward. He advised that the project is scheduled to start in the winter time after the Federal Budget has been approved. He further advised that the citizens need to continue to lobby their State and Federal Representative regarding the funding.

**5. Manager's Update on Village Projects and Other Matters for Consideration**

Mr. Peck reported that the low bid to rebuild the Cape Fear Trail Access was submitted by Project Works for approximately \$55,000.

Mr. Peck reported that the infiltration system is currently in the permitting phase.

Mr. Peck reported that the Village has received the deer count from the Westervelt Wildlife Study and is waiting for the final report from the Conservancy to confirm that the numbers from each study agree.

Mr. Peck reported that the expansion of Village Hall has been put on hold until the Cape Fear Council of Government complete the needs assessment study for the Village.

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Mr. Peck reported that the Village is moving forward with the search for a new Finance Director. He advised that the first review of the application will be on November 8<sup>th</sup>.

Councilor Morris commented that the Public Works area looks much better than it has in the past.

- 6. Closed session (pursuant to N.C. General Statutes 143-318.11 (a) (3) (5) and (6))**
- **Howard Biggers III, vs. Village of Bald Head Island, et al**
  - **Village of Bald Head Island, vs. US Army Corps of Engineers**
  - **Legal Issues Regarding Utilities Operations**
  - **Property Acquisition**
  - **Personnel**

Councilor Douglas made a motion to enter into closed session pursuant to N.C. General Statutes 143-318.11 (a) (3) (5) and (6). In a voice vote, with Mayor Lammert being absent, all voted in favor. (Motion carried 4-0)

Closed session began at 11:20 a.m.

Councilor Pitera made a motion to return to open session. In a voice vote, with Mayor Lammert being absent, all voted in favor.

**7. Adjourn**

With no additional items of discussion, Councilor Douglas made a motion to adjourn the October 20, 2006 Council Work Session. In a voice vote, with Mayor Lammert being absent, all voted in favor. (Motion carried 4-0)

The meeting adjourned at 12:20 p.m.

Approved:

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J. Andrew Sayre, Mayor Pro Tempore

Attest:

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Amy R. Candler, Village Clerk