

VILLAGE OF BALD HEAD ISLAND
Regular Meeting
November 17, 2006

Councilmember's 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, Chief Chip Munna, Building Inspector Stephen Boyett, Tax Administrator Dawn Reno, Utilities Director Ken Bowling, Village Attorney Charles Baldwin and the Village Clerk Amy Candler recording the meeting.

Others Present: Bald Head Island Limited Director of Communications Joyce Fulton, Bald Head Island Limited Director Of Planning Jim Henry, Bald Head Association Manager Joey Hill, Bald Head Island Conservancy Director Suzanne Dorsey.

Citizens Present: Ray Webb, Diane Mesaris, Brooks Powell, Dana Quanstrom, Juanita Roushdy, Anne Kane and Marianne Link.

1. Call to Order/Approval of Agenda Mayor Lammert

Mayor Lammert called the November 17, 2006 Regular Meeting to order at 3:00 p.m. Mayor Lammert asked for amendments to the regular meeting agenda. With no changes to the Council Meeting Agenda, Councilor Pitera made a motion to approve the agenda as submitted. In a voice vote all voted in favor. **(Motion carried 5-0)**

2. Public Hearings

- 2.1 A Public Hearing on 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 reported that at the request of the Planning Board, he and Mr. Henry worked closely together to clarify the definition of single family attached dwelling, a duplex and single family detached dwelling. He advised that none of these type dwellings were not changed in the permitted uses table that is included in the Village Zoning Ordinance. Mr. McCall further reported that the Planning Board has reviewed the proposed changes and has recommended the Village Council accept the changes.

Mayor Lammert opened the floor for comments. There were no citizens' comments at this time.

- 2.2 A Public Hearing on an Amendment to the Village of Bald Head Island Code of Ordinances adding Section 28-36, Entitled "Operation of Vehicles by Unlicensed Drivers"

Chief Herring explained that the proposed amendment to the Unlicensed Drivers Ordinance will prohibit unlicensed drivers to operate electric or gas powers scooters on the streets of Bald Head Island.

Mayor Lammert opened the floor for comments regarding the proposed ordinance. Ms. Roushdy asked if battery powered scooters are included in the list of prohibited vehicles. Mayor Lammert replied that electric scooters are prohibited by the proposed ordinance. There were no additional comments at this time.

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- 2.3 A Public Hearing on 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 private beach accesses to be brought up to compliance with the Village standards. Village standards will require that the new accesses be built over the newly created primal frontal dune ridge. He advised that property owners will have six (6) months to comply with the proposed ordinance.

Mayor Lammert opened the floor for public comments. There were no comments from citizens at this time.

- 2.4 A Public Hearing on an Amendment to the Village of Bald Head Island Code of Ordinances amending various Sections to Article II, Flood Damage Prevention

Mr. Boyett reported that FEMA representatives came to the Island and reviewed the Village Flood Damage Prevention Ordinance. He advised that the representative has recommended a few minor changes to the ordinance.

At this time, Mayor Lammert opened the floor for public comments. Mr. Henry commented that he was just made aware of on email from the FEMA representative that addresses the issue of the definition of the lowest floor and asked the Village Council to postpone adopting the revisions to the ordinance until the December meeting. Mr. Boyett commented that he will write a letter addressing the fact that the Village is moving forward with the Public Hearings and the amendments to the ordinance. It was the consensus of the Village Council to continue the Public Hearing at the December meeting.

3. Consent Agenda

Resolution

- 3.1 A Resolution Authorizing the Approval of a Facsimile Signature Stamp for the Village Manager

Mayor Pro Tempore Sayre 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 Wilmington Harbor Project Maintenance Dredging Project

Mayor Lammert reported that the bids for the dredging of the inner bar are scheduled to be opened on December 14th. The inner bar is the area of which Bald Head Island will receive the sand to be placed upon the beach. Mayor Lammert emphasized that he does not think there will be a problem with the placement of sand on the Bald Head Island Beaches. Mayor Lammert reported that the Village has also moved forward with the first stages of a private sand placement project. He advised that the coring vessel has completed the testing for beach quality sand on Jay Bird Shoals. He further advised that the Village Council directed Staff to move forward with a contract for a

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magnetometer survey. This is a survey that looks for shipwrecks. Mayor Lammert reported that he has talked with Mary Ellen Simmons from Congressman McIntyre's office to ensure that Bald Head Island will get included in the legislation this year for funding of the beginning stages of the fifty (50) year plan. Mayor Lammert continued explaining that several of the Council Members attended a two (2) day meeting at Carolina Beach. He advised that Mr. Olsen made a presentation on the groinfield. Mr. Peck reported that the Bathometric study is complete and a copy is available for public review today on the back wall.

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

Mayor Pro Tempore Sayre made a motion to approve the amendment to the Village of Bald Head Island Zoning Ordinance, Section 32-11, Entitled "Definitions" clarifying the differences between types of dwelling structures. In a voice vote, all voted in favor. **(Motion carried 5-0)**

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

Mayor Pro Tempore Sayre made a motion to approve the amendment to the Village of Bald Head Island Code of Ordinances adding Section 28-36, Entitled "Operation of Vehicles by Unlicensed Drivers." In voice vote, all voted in favor. **(Motion carried 5-0)**

- 4.4 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"

Councilor Douglas made a motion to approve the 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." In a voice vote, all voted in favor. **(Motion carried 5-0)**

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

Mayor Pro Tempore Sayre made a motion to continue the discussion and the Public Hearing on the amendment to the Flood Damage Prevention Ordinance at the December meeting. In a voice vote, all voted in favor. **(Motion carried 5-0)**

5. New Business

- 5.1 Financial Statement-October, 2006—*Manager Peck*

Mr. Peck reported that the auditor was present at the work session meeting to report on the cash audit that was completed for the first quarter of fiscal year 2006-2007. He advised that there were no problems for the first quarter. Mr. Peck explained that this is a normal operating procedure when there is a change in the financial staff.

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- 5.2 An Ordinance Allowing the Village Police Department to Perform Criminal Background Checks using the Division of Criminal Investigations (DCI)

Chief Herring reported that the recent changes by the NC General Statutes requires counties and towns to have an ordinance in place that will allow the Police Departments to perform criminal background checks using the Division of Criminal Information Network. He advised that the Village will basically be doing the same thing that they always have except now an ordinance has to be in place. Mayor Lammert reported that the Council has set the public hearing date for the December meeting.

- 5.3 An Amendment to the Village of Bald Head Island Code of Ordinances, Chapter 30 Entitled "Utilities"

Mr. Bowling advised that this is a complete ordinance of the Village of Bald Head Island that governs every aspect of the Utility Department. Mayor Lammert explained that a public hearing date as been set for the December meeting.

6. Committee Reports

- 6.1 Beach

Anne Kane

Ms. Kane reported that Maureen Dewire was present at the Beach Committee meeting and talked with the Committee regarding the installation of container that is designed for recycling fishing wire. Ms. Kane advised that the Beach Committee would like to recommend to the Village Council that access #39 be used as a test site for this project. It was the consensus of the Village Council to move forward with the test site.

- 6.2 Finance

John Knott

In the absence of Mr. Knott, Mayor Lammert advised that the Finance Committee is scheduled to meet on Monday.

- 6.3 Public Safety

Don Tillman

In the absence of Mr. Tillman, Councilor Morris reported that the Public Safety Committee is scheduled to meeting on Monday.

- 6.4 Public Works

Richard Mesaris

In the absence of Mr. Mesaris, Mayor Pro Tempore Sayre advised that there is nothing to report for the month from the Public Works Committee.

- 6.5 Transportation

Wayne Lambert

In the absence of Mr. Lambert, Councilor Pitera advised that there is nothing to report for the month from the Transportation Committee.

Managers-

7. Monthly Reports

- 7.1 Manager's Report

Manager Peck

Mr. Peck reported that Progress Energy will start replacing the main feeder line on North Bald Head Wynd and Stede Bonnet Wynd beginning on November 27th. He advised that this is part of an ongoing maintenance process.

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Mr. Peck reported that he has talked with Tom Padgett regarding removal process of alligators on the Island and Mr. Padgett advised that he needs more knowledge of the process. Mr. Padgett will visit Bald Head in the late winter or early spring to review the process. Mr. Peck advised that Mr. Padgett will not sign the letter until after he visits the Island.

Mr. Peck reported that Mr. Padgett also commented that he is comfortable with the Deer Management Process on the Island and does not foresee a problem with the issuance of the depredation permit. Mr. Peck further reported that the Village sent out RFP's to four (4) individuals. He advised that the date for the bid opening is December 8th.

Mr. Peck reported that the Floodwater Management Plan is complete and Thompson Pumps will be on the Island on November 28th to conduct a dry run at the Stede Bonnet site.

Mr. Peck reported that the Village has received the sedimentation erosion control permit and has made the appropriate adjacent property owner notifications in regard to the Middle Island Sewer Extension Project. He further advised that the Village is still waiting on the CAMA permit. Mr. Peck reported that it will more than likely be sixty (60) days before the permit is obtained from the Division of Water Quality.

Mr. Peck reported that the paving project is complete and the contractor is demobilized. He advised that the contractor is well within the time frame that he was allowed.

Mr. Peck reported that the Village has received the information from the NC Division of Emergency Management regarding the Flood Map Appeal. He advised that the data process will be complete by January '07 and the new maps will be in the hands of the Village in May '07.

7.2 Police Department

Chief Herring

Chief Herring reported that October was a slow month that presented no problems. He advised that the Police Officers completed the required training during the month of October to keep all of their certifications current.

7.3 Fire/EMS Department

Chief Munna

Chief Munna reported that it was a routine month for the Fire Department. He advised that the department will be giving flu shots during the next few weeks. Chief Munna also asked that everyone keep the tornado victims in Columbus in their thoughts.

8. Comments, Reports and Questions

8.1 Citizens

There were no citizen comments at this time.

8.2 Bald Head Island Association—Bob Porter President

There were no comments from the Association at this time.

8.3 Bald Head Island, Ltd.—Joyce Fulton

Ms. Fulton reported that effective November 28th, Indigo and Bald Head Island Ferry Landing's will be smoke free. She advised that this policy will not be implemented

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at Deep Point because Bald Head Island Limited does not have the adequate staff to implement the new policy. Councilor Morris asked if the new policy also includes the ferry staff. Ms. Fulton replied that all of Bald Head Island Limited staff is included in the new policy. Mr. Henry reported that the sign has been installed at Maritime Way.

8.4 Bald Head Island Conservancy—Suzanne Dorsey

Ms. Dorsey reported that the fall deer survey will be available in early December. Ms. Dorsey further reported that the Conservancy is continuing to work on the Beach Vitex Project and advised that they will be conducting extensive education programs over the Thanksgiving Holiday in regard to the Vitex Program.

8.5 Mayor and Council

Mayor Lammert thanked the Village Council and Staff for participating in red Friday. He explained that “Red Shirt Friday” is in support of our troops.

9. Adjourn

With no additional items for discussion, Mayor Lammert entertained a motion to adjourn the November 17, 2006 Council meeting. Councilor Pitera made a motion to adjourn. In a voice vote, all voted in favor. **(Motion carried 5-0)**

The meeting adjourned at 3:44 p.m.

Approved:

Larry Lammert, Mayor

Attest:

Amy R. Candler, Village Clerk