

Village of Bald Head Island

Council Work Session

December 15, 2006

Councilmembers Present: Mayor Larry Lammert and Councilors Gene Douglas and Art Morris.

Councilmembers Absent: Mayor Pro Tempore Andy Sayre and Councilor John Pitera

Staff Present: Village Manager Calvin Peck, Assistant Village Manager/Planning Director Chris McCall, Chief of Police Richard Herring, Chief of Emergency Services Chip Munna, Tax Collector Dawn Reno, Administrative Assistant for Utilities Cathy Briggs, Public Works Director Ben Liddle, Building Inspector Stephen Boyett, Permit Clerk Jen O'Brien, Village Attorney's Charles Baldwin and Micheal Myers, Village Auditor Wayne Berry and Village Clerk Amy Candler recording the meeting.

Others Present: Bald Head Island Limited Director of Transportation Woody Fulton, Bald Head Island Limited Director of Planning Jim Henry, Bald Head Association Manager Joey Hill and Hillary Snow with the State Port Pilot.

Citizens Present: Ray Webb and Bob Porter

1. Call to Order/Approval of Agenda

Mayor Lammert called the December 15, 2006 Village Council Work Session to order at 8:35 a.m. Mayor Lammert added 4a Brunswick Beaches Consortium to the work session agenda. Councilor Morris made a motion to approve the agenda as amended. In a voice vote, with Mayor Pro Tempore Sayre and Councilor Pitera being absent, all voted in favor. **(Motion carried 3-0)**

2. Review of Agenda for the Regular Meeting of November 17, 2006

Mayor Lammert reviewed the topics of the Public Hearings as well as the items of the Consent Agenda.

Mayor Lammert advised that the Corps of Engineers called on Wednesday and reported that one of the potential bidders for the dredging of the Wilmington Harbor Project called and requested additional information. Therefore the bid opening has been delayed until Monday, December 18th.

Mayor Lammert advised that the bids for the Deer Management Program were opened earlier in the week. He asked Mr. Peck if the bid has been awarded. Mr. Peck advised that he wanted the Council to review the bids before the award. Council directed Mr. Peck to move forward with the award of the bid and the contract. Mr. Peck further advised that his intentions are to award the contract to the lowest bidder.

Mr. Peck reported that property tax collections are coming in much slower this year compared to last year. Ms. Reno advised that the collections are several hundred thousand behind this time last year.

3. Discussion of the Live Burn Exercise by the Village Fire Department—*Chief Munna*

Chief Munna explained that the live burn exercise will be a training course for the Community College. He advised that several of the surrounding Fire Departments will be part of this training exercise. Chief Munna further advised that the house is located on

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Sandpiper Trail which is a great location because of the number of houses that are located beyond the site that will have limited access to their residence are minimal. Chief Munna explained that all of the proper permitting has been obtained by Brunswick Community College as well as notification to the surrounding property owners. He advised that the controlled burn is scheduled for January 15th through the 20th, 2007. He further advised that the appropriate Island entities have been made aware of the controlled burn. The liability of the controlled burn was questioned. Chief Munna replied that the liability is covered by the Community College. Mayor Lammert asked about the amount of equipment that will have to come over on the barge. Chief Munna explained that the Village fire equipment will be the primary source of apparatus, but the surrounding fire departments will bring their equipment over to the Island also. Mr. Fulton emphasized that Bald Head Island Limited has always supported exercises such as these and offered free barge fees for this training session. Mr. Peck asked where the water will be pulled from. Chief Munna replied that there is a fire hydrant across the road from the house as well as another within a short distance. Ms. Hill asked the details of the clean-up procedure. Chief Munna replied that Island Contracting has been scheduled for clean-up and the property owners intend to start rebuilding on the lot at the end of January.

4. Discussion of the Transportation Fringe Benefit Issue—Wayne Berry

Mr. Berry explained that this process started back in the summer when the IRS claimed that transportation to and from the Island is a taxable fringe benefit to the employees. He advised that the Village sought legal support and was advised that there is no reason to appeal this IRS decision. Mr. Berry advised that if the Village Council agrees to cover the cost of the fringe benefit for the employees it will cost the Village approximately \$11,000 to \$12,000 a year. He further advised that the Village will also have to go back to 2004 and submit new W-2's to the employees and therefore, the Village employees will have to file an amended tax return. Mr. Porter commented that if the Village pulls away from this issue it will set a bad precedent. He also asked about parking and if that will also be considered a fringe benefit. Mr. Peck replied that parking allows for a larger monthly stipend by the IRS of which is higher than the amount it costs the Village for parking per month. Councilor Douglas made a motion to approve that Village cover the cost of the fringe benefit for the employees. In a voice vote, with Mayor Pro Tempore Sayre and Councilor Pitera being absent, all voted in favor.
(Motion carried 3-0)

4a. Brunswick Beaches Consortium Request

Mayor Lammert reported that the Brunswick Beaches Consortium has requested that the Village of Bald Head Island join the rest of the Brunswick County Beaches with the funding of Marlowe and Company for lobbying efforts for our local beaches. Mayor Lammert made the motion to join the rest of the Brunswick County Beaches with the funding of the lobbyist. In a voice vote, with Mayor Pro Tempore Sayre and Councilor Pitera being absent, all voted in favor. **(Motion carried 3-0)**

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5. Closed Session (pursuant to N.C. General Statutes 143-318.11(a) (3) and (5))
• Howard Biggers III, vs. Village of Bald Head Island, et al

Councilor Morris made a motion to enter into closed session pursuant to N.C. General Statutes 143-318.11(a) (3) and (5). In a voice vote, with Mayor Pro Tempore Sayre and Councilor Pitera being absent, all voted in favor. **(Motion carried 3-0)**

The closed session began at 9:20 a.m.

Councilor Douglas made a motion to return to open session. In a voice vote, with Mayor Pro Tempore Sayre and Councilor Pitera being absent, all voted in favor. **(Motion carried 3-0)** Mayor Lammert advised that no action was taken during closed session.

The open meeting reconvened at 10:00 a.m.

6. Adjourn

With no additional items for discussion, Mayor Lammert entertained a motion to adjourn. Councilor Morris made the motion to adjourn. In a voice vote, with Mayor Pro Tempore Sayre and Councilor Pitera being absent, all voted in favor. **(Motion carried 3-0)**

The December 15, 2006 Village Council Work Session adjourned at 10:00 a.m.

Approved:

Larry Lammert, Mayor

Attest:

Amy R. Candler, Village Clerk