

# Village of Bald Head Island Council Work Session

April 20, 2007

**Councilmembers Present:** Mayor Larry Lammert, Mayor Pro Tempore Andy Sayre and Councilors Art Morris and John Pitera.

**Councilmembers Absent:** Gene Douglas

**Staff Present:** Assistant Village Manager/Planning Director Chris McCall, Chief of Police Richard Herring, Chief of Emergency Services Chip Munna, Tax Collector Dawn Reno, Utilities Director Ken Bowling, Public Works Director Ben Liddle, Finance Director Deb Straub, Village Attorney Charles Baldwin and 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 and Tony Boahn with McKim and Creed.

**Citizens Present:** Ray Webb

## **1. Call to Order/Approval of Agenda Mayor Lammert**

Mayor Lammert called the April 20, 2007 Village Council Work Session to order at 9:32 a.m. Councilor Pitera made a motion to approve the Work Session agenda as presented. In a voice vote, with Councilor Douglas being absent, all voted in favor. **(Motion carried 4-0)**

## **2. Review of Agenda for the Regular Meeting of April 20, 2007**

Mr. McCall brought up concern that the ordinance amendment regarding the pickup of major discarded items could cause a hardship for Island residents that cannot remove large items from their homes without assistance. After a Council discussion, it was the consensus of the Council to allow the Public Works Department to enter homes for the removal of large items to be discarded but the property owners would have to sign a waiver that would not hold the Village or the employee liable if any damages were to occur. The Council agreed to make these changes before the public hearing at the afternoon meeting.

Mayor Lammert reported that the Corps of Engineers will not commit to placing sand on the beach any further than station 170 which is the Killagrey area. He advised that the estimated date of completion of the dredging process is April 27<sup>th</sup> all variables permitting. Mayor Lammert further advised that a request was made to North Carolina Fish and Wildlife for a two (2) week extension for the dredging project in regard to the May 1<sup>st</sup> turtle season deadline and the Village was denied this extension. It was the consensus to contact Mr. House in regard to the denial.

At this time, Mayor Lammert brought forward task orders between the Village and Olsen and Associates for the beginning stages/services of a private sand placement project. It was the consensus of the Village Council to commit to the funding of these tasks.

Mayor Lammert distributed a letter for the North Carolina Beaches, Inlets and Waterways Association (NCBIWA) which he wrote requests funding for their organization through donations made by individuals. Mayor Pro Tempore Sayre

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commented that if the Council has confidence in the NCBIWA then the Village should move forward with sending the letter to the property owners. It was the consensus of the Council to move forward with adding the letter to the mass mailing to property owners that is scheduled to go out in May with Hurricane Passes.

Ms. Straub reported that the Village had a couple of notes that came due during the month of March. She advised that the Village is getting a 5.28 percentage rate. She further advised that the main expenditure for the month of March was the quarterly waterline payment.

**3. Discussion of the Planning Board Recommendation of the Proposed Modification to the Timber Bridge—Chris McCall**

Mr. McCall reported that the Planning Board recommends approval of the Timber Bridge at its original accepted design but take out the inside guard rail system that previously provided for a pedestrian walkway. The walkway will be provided as part of the bulkhead construction and the bridge will become completely pedestrian free. Mr. Henry requested that the Council approve the bridge at sixteen (16) feet versus the recommendation of the Planning Board at eighteen (18) feet. Councilor Pitera made a motion to approve an eighteen (18) foot bridge with the caveat that the pedestrian walkway around the marsh be complete before the bridge C.O.'s. In a voice vote, with Councilor Douglas being absent, all voted in favor. **(Motion carried 4-0)**

**4. Discussion of the Proposed Text Amendment to the Village Street Acceptance Standards—Chris McCall**

Mr. McCall explained that Council directed staff at the Council Retreat to develop additional requirements for street acceptance standards that addressed assessment if drainage for right-of-ways being proposed for maintenance by the Village. He advised that the proposed amendment to the ordinance addresses the drainage issues in more detail and requires an engineers certification. It was the consensus of the Village Council to pass the amendment to the Village Attorney for further review and recommendation and bring back to the Council at the May meeting.

**5. Discussion of the Request from Ibis Roost HOA to accept the Rights-of-Ways for Maintenance within the Ibis Roost Development—Chris McCall**

Mr. McCall explained that the Ibis Roost HOA submitted a request in August of 2006 that the Village accept the right-of-way for maintenance within the Ibis Roost subdivision. At this time the Village Staff conducted an inspection and identified several areas in need of repair and repaving. Mr. McCall advised that the repairs have now been completed and the Ibis Roost HOA have also submitted a letter from Coastal Land Design indicating that there have been no drainage issues. It was the consensus of the Village Council to add the request from the Ibis Roost HOA to the afternoon agenda for approval.

**6. Review the Status of the Middle Island Sewer Extension—*Ken Bowling***

Mr. Boahn with McKim and Creed was present to discuss the bids for the extension to Middle Island sewer. Mr. Boahn advised that the low bid came in substantially higher than anticipated. He recommended that the Village Council rebid the project and cut costs by omitting the ABC stone, the ICE fees, and as well as a few other options. Mayor Pro Tempore Sayre asked how long the rebid process would take. Mr. Boahn estimated a thirty (30) to Forty (40) day delay. Mr. Bowling indicated that the estimated delay would not create a problem because the Utilities Department has not yet received the permit. The Village Council directed Mr. Boahn and Mr. Bowling to work out the logistics of the bid and bring back to the Village Council at the May meeting for review. Councilor Pitera brought up the idea of eliminating the project if the second bids come in elevated.

**7. Update and Discussion of the Median Maintenance Project on South Bald Head Wynd—*Ben Liddle***

Mr. Liddle asked the Council for direction in regard to continuing the median maintenance project along South Bald Head Wynd. He advised that the irrigation is already in the cut-throughs and the plan is to continue with similar plantings of which is already along South Bald Head Wynd. Mayor Pro Tempore Sayre made a motion for the staff to move forward with additional medians along South Bald Head Wynd. In a voice vote, with Councilor Douglas being absent, all voted in favor. **(Motion carried 4-0)**

**8. Discussion of the Resolution Concerning Brunswick County 2007 Property Tax Revaluation**

Mayor Lammert brought forth a resolution concerning the 2007 property tax evaluation. He advised that several of the other Brunswick County municipalities have adopted the resolution in an effort to postpone the date of which the revaluation will go into affect. It was the consensus of the Village Council to join in with other municipalities in Brunswick County and add the resolution on the afternoon agenda for approval.

**9. Discussion of Recommendation from the Public Safety Committee Regarding Golf Carts**

As the Council liaison to the Public Safety Committee, Councilor Morris brought forward a recommendation from the Public Safety Committee of which would require all golf carts that are being registered for the first time with the Village to be equipped with headlamps, front and rear turn signals, tail lamps, stop lamps, reflectors on each side, one (1) exterior mirror, a parking brake, a windshield, seat belts and an odometer. Council discussed the necessity of all the safety devices that the Public Safety Committee recommends. It was the consensus of the Village to leave this recommendation in the hands of the Village Attorney for research on legal issues and bring back to the Council at the May Work Session Meeting.

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At this time Mayor Lammert shared a Position Statement that was adopted by the Brunswick Beaches Consortium regarding the approach to oceanfront development and the static vegetation line rule.

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

In the absence of Mr. Peck, Mr. McCall reported that in regard to the Village Hall Expansion, the current structure was built three (3) feet below the base flood elevation. He advised that the expansion may turn out to be a bigger project than first anticipated.

In regard to the flood maps, Mr. McCall reported that the Village has still not received any word from FEMA concerning the appeal.

Mr. McCall reported that the Village is still waiting on the latest Water Quality Test in regard to the Bald Head Island Creek Dredging Project. He advised that the results should be available at the May Council Meeting.

Mayor Pro Tempore Sayre suggested that Mr. Olsen look at the Harbor Groins when he is on the Island to inspect the Wilmington Harbor Project Sand Placement.

**11. 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**
- **Facility Easements and Properties**

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 Councilor Douglas being absent, all voted in favor. **(Motion carried 4-0)**

The closed session began at 11:55 a.m.

Mayor Pro Tempore Sayre made a motion to return to open session. In a voice vote, with Councilor Douglas being absent, all voted in favor. **(Motion carried 4-0)** Mayor Lammert advised that no action was taken during closed session.

The open meeting reconvened at 12:16 p.m.

**12. Adjourn**

With no additional items for discussion, Mayor Lammert entertained a motion to adjourn. Councilor Pitera made the motion to adjourn. In a voice vote, with Councilor Douglas being absent, all voted in favor. **(Motion carried 4-0)**

The April 20, 2007 Village Council Work Session adjourned at 12:18 p.m.

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Approved:

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Larry Lammert, Mayor

Attest:

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Amy R. Candler, Village Clerk