

**VILLAGE OF BALD HEAD ISLAND**  
**Regular Meeting**  
**May 19, 2006**

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

**Staff Present:** Village Manager Jon Middleton, Planning Director/Assistant Village Manager Chris McCall, Police Chief Richard Herring, Captain Danny Kiser, Building Inspector Stephen Boyett, Public Works Director Ben Liddle, Finance Director Shelia Boyd, Tax Administrator Dawn Reno, Utilities Director Ken Bowling 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 Island Limited Director of Construction Eric Coffey, and Hillary Snow with the State Port Pilot.

**Citizens Present:** Approximately 45

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

Mayor Lammert called the May 19, 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 agenda, Councilor Pitera made a motion to approve the agenda as presented. In a voice vote, all voted in favor. **(Motion carried 5-0)**

**2. Public Hearing**

**2.1 A Public Hearing on the Proposed Amendment to the Ordinance of the Village of Bald Head Island, Amending the Flood Damage Prevention Ordinance**

Mayor Lammert explained that the State is requiring all municipalities to update their flood ordinances before June 2, 2006. He advised that the Village Staff have made several appeals to the State to point out that the new Flood Maps are flawed. The appeals will be heard shortly after the June 2, 2006 deadline date. Mayor Lammert explained that the main issue with the amendments to the Village Flood Damage Prevention Ordinance is the freeboard issue. He added that the Council decided to submit the ordinance with at zero foot (0') freeboard versus the two-foot (2') freeboard as first submitted. Mayor Lammert advised that the Village Council have also selected a commission to work on the freeboard issue and resubmit to the Council at the July Council Meeting.

At this time, Mr. Bruce gave a presentation explaining the reasons behind the changes to the Flood Damage Prevention Ordinance. He explained that due to the datum change, a correction factor of -1.06 is applied to measurements taken by surveyors. Due to this datum change, the Village Staff recommends a two-foot (2') freeboard. This two-foot (2') freeboard will give property owners a financial break on their flood insurance and in the opinion of the Village Staff, will provide better construction practices and a safer living environment.

Mr. Henry commented that if the Village were to go with a two-foot (2') freeboard, then one foot (1') of buildable space would be lost. He advised that Bald Head

**Village of Bald Head Island**  
**Regular Meeting Minutes, May 19, 2006**  
**Page 2 of 6**

Island Limited has spoken with the Village regarding this and a difference of opinion has been formed regarding the loss of the foot.

Mayor Lammert emphasized that if the Village Council had decided to move forward with the two-foot (2') freeboard then it would have saved property owners money on their flood insurance. Mr. Henry stated that Bald Head Island Limited is totally against anything except a zero foot (0') freeboard due to the loss of building space and the Village height requirement of thirty-five feet (35'). There was further discussion regarding the height requirement. Mr. Middleton advised that the thirty-five foot (35') height limitation has been in effect as per the Village Zoning Ordinance for several years. He further advised that thirty-five feet (35') is a standard height limitation in North Carolina.

Mr. Coffey suggested leaving the freeboard as currently is in the ordinance and adding a statement to the Building Permit Application that explains the savings the property owners will acquire if they choose to build their homes with a two-foot (2') freeboard.

Ms. Webb asked the Village Council to consider a grace period if they do decide to move forward with a two-foot (2') freeboard. She explained that she currently has house plans underway of which do not include a two-foot (2') freeboard and would not desire the expense to change those plans to accommodate a change in the ordinance. At this time, Mayor Lammert closed the Public Hearing. He explained that the Ad Hoc Committee would have something back to the Village Council at the July meeting.

2.2 A Public Hearing on the Proposed Manager's Budget for Fiscal Year 2006-2007

Mr. Middleton reported that the Manager's proposed budget for Fiscal Year 2006-2007 maintains the same tax rate of 46.5 cents. He advised that all Department Head requests were approved and included in the proposed budget. Mr. Middleton further advised that the budget includes a new position for the Administration Department that will take over the barge collections, fill in at the post office and be an accounts receivable person. Mr. Middleton also stated his request for three (3) new positions for the Public Works Department, one (1) mechanic and two (2) maintenance workers. The two new maintenance worker positions will allow for the public works site to be open longer hours and on weekends. The capital outlay items in this 2006-2007 budget include the expansion of Village Hall, a new golf cart for the Building Inspector, ortho-photography for the Planning Department and the upgrading of several of the Village Departments computer systems. Mr. Middleton explained that the budget this year also includes the Village Utility Department, which is a stand-alone budget, as the department has to be maintained from its own revenues. Therefore, the Utility Department has its own capital outlay of which includes an expansion to their facilities.

Mr. Porter asked if the Utility Department budget broke even. Mayor Lammert advised that the Village is still looking into the possibility of raising the rates.

**Village of Bald Head Island**  
**Regular Meeting Minutes, May 19, 2006**  
**Page 3 of 6**

**3. Consent Agenda**

- 3.1 Approval of Minutes April 28, 2006, Regular Meeting  
April 28, 2006, Worksession Meeting

*Resolutions*

- 3.2 A Resolution Designating an Official to Sign Papers and to Otherwise Represent the Board in Connection with Mosquito Control
- 3.3 A Resolution Providing for Authorized Signatures on Behalf of the Village Bank of America Banking Account; and Providing for an Effective Date
- 3.4 A Resolution Providing for Authorized Representatives on Behalf of the Village for First-Citizens Bank and Trust Company Investment Management Account

*Ordinance Amendments*

- 3.5 Request to Amend Budget Ordinance—To record the acceptance of the street named Sabal Palm Court.
- 3.6 Request to Amend Budget Ordinance—To record the receipt of monies transferred from the Capital Project Fund (45) for Bald Head Island Creek Dredging. The funds will be transferred to the Capital Project Fund (41) Beach Stabilization
- 3.7 Request to Amend Budget Ordinance—To record the receipt of property tax revenues and interest earnings throughout the fiscal year over and above the original projected amount. Funds will be allocated for transfer to the Beach Stabilization Capital Project Fund (41).
- 3.8 An Ordinance Amendment to Amend its Capital Project Ordinance Regarding the Stabilization of Village Beaches (41)
- 3.9 An Ordinance Amendment to Amend its Capital Project Fund (45) for the Implementation and Completion of Improvements Associated with Bald Head Creek

Mayor Lammert explained that the consent agenda consists of the minutes of the April meeting, resolutions removing Jon's name from several accounts and replacing it with Mr. McCall's, and budget amendments moving approximately \$665,000 to the Beach Fund. Councilor Morris 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 Various Beach Meetings

Mayor Lammert reported that the Village Officials are continuing to attend various meetings regarding the Beach and the Mega Port. He further advised that there are numerous people working with the Village to assist in the process of trying to get the channel moved.

**Village of Bald Head Island**  
**Regular Meeting Minutes, May 19, 2006**  
**Page 4 of 6**

4.2 Presentation on Bald Head Island Limited's Vision of the Nature Trail  
(Blueway/Greenway)—*BHI Limited*

Mr. Henry explained that the Developer, Kent Mitchell has always had a vision of an island wide path system. When this vision first came to Mr. Mitchell, Bald Head Island Limited began the process of obtaining easements for the path system. Mr. Henry advised that ninety percent (90%) of the easements are in place for the path system. Mr. Henry compiled a brief Power Point presentation outlining the scenery along the path system.

*Ordinances*

4.3 Second Reading and Consideration and Approval  
An Amendment to the Ordinance of the Village of Bald Head Island,  
Amending the Flood Damage Prevention Ordinance

Mayor Pro Tempore Sayre made a motion to approve the amendment to the flood damage prevention ordinance with the zero foot (0') freeboard. In a voice vote, all voted in favor. (Motion carried 5-0)

**5. New Business**

5.1 Financial Statements—April 2006

Ms. Boyd reported that during the month of April, the Village collected approximately \$172,000 in revenues of which were mostly building permit fees, and that the Village Utility Company collected \$163,000.

5.2 Avian Bird Flu Presentation—*Chief Munna*

Due to the amount of time taken by the public hearing regarding the amendments to the Flood Damage Prevention Ordinance, Mayor Lammert announced that Chief Munna had agreed to wait until the June meeting for his Avian Bird Flu Presentation.

**6. Committee Reports**

6.1 Beach

**Anne Kane**

There were no comments from the Beach Committee at this time.

6.2 Finance

**John Knott**

There were no comments from the Finance Committee at this time.

6.3 Public Safety

**Don Tillman**

There were no comments from the Public Safety Committee at this time.

6.4 Public Works

**Richard Mesaris**

There were no comments from the Public Works Committee at this time.

6.5 Transportation

**Wayne Lambert**

There were no comments from the Transportation Committee at this time.

**Village of Bald Head Island**  
**Regular Meeting Minutes, May 19, 2006**  
**Page 5 of 6**

**7. Monthly Reports**

7.1 Manager's Report

**Manager Middleton**

Mr. Middleton reported that the Village now has all of the permits regarding the Utility Company in hand.

Mr. Middleton reported that the Village is currently working on a contract with UNCW for monitoring the creek. The Village should have the contract in place in the near future so it can be determined if the dredging project did indeed improve the water quality.

Mr. Middleton reported that Jason Simmons is currently planting sea oats on the manmade dune on South Beach and the area of which sand was placed from the Creek Dredging Project.

Mr. Middleton reported that the groinfield is doing the job of which it is supposed to. He advised that it appears that sand is building up as planned.

Mr. Middleton reported that in regards to the stormwater that the two (2) stationary pumps are under construction. The third pump and the six (6) inch mobile pumps are on order.

At this time, Mr. Middleton made his final comments regarding working on Bald Head Island for the past five (5) years. He thanked the Village Council and Staff for the confidence and support they have shown him during this time.

7.2 Police Department

**Chief Herring**

Chief Herring reported a routine month for the Police Department. He presented Mr. Middleton with a plaque of appreciation from the Police Department.

7.3 Fire/EMS Department

**Chief Munna**

Chief Munna reported that the Fire Department had twenty-six (26) calls during the month of April, ten (10) fire calls and sixteen (16) EMS calls. At this time, Chief Munna presented Mr. Middleton with a leather patch of the Bald Head Island Fire Department logo and a sign with the Old Baldy Lighthouse to show appreciation from the Department during his reign as Manager.

**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

Mr. Porter told Mr. Middleton that the Bald Head Association has enjoyed working with him over the past few years and advised that he will be missed.

8.3 Bald Head Island, Ltd.—Joyce Fulton

Ms. Fulton and Mr. Henry both gave their best kindest regards to Mr. Middleton and commended him for his positive attitude and his straight forwardness.

Ms. Fulton reported that during Memorial Day weekend, the ferry would run on a thirty (30) minute schedule and she further advised that during the summer months there would be no dinner breaks for the ferry. Ms. Fulton reported for informational purposes, that in the future, the ferry mates will begin scanning ferry tickets on both the mainland

**Village of Bald Head Island**  
**Regular Meeting Minutes, May 19, 2006**  
**Page 6 of 6**

and the Island. Ms. Fulton further reported that there is also going to be some parking changes to take effect on June 1<sup>st</sup>, she advised that day parking would not be impacted, but that nighttime parking would no longer be allowed in the circle at the River Pilot Café. She informed that an unsafe situation has been created in the circle and that no parking will be allowed in the area from midnight to 6:00 a.m. She further advised that the marina area would remain a no parking area except for the trams and the transportation buses.

8.4 Mayor and Council

At this time, the Mayor and Council showed their appreciation for Mr. Middleton by presenting him with a plaque and symbols of his accomplishments during his tenure with the Village.

Ms. Boyd presented Mr. Middleton with a picture of Old Baldy and expressed her appreciation for his support from the entire staff.

**9. Adjourn**

Mayor Lammert asked for any additional items for discussion. With no additional items for discussion, Mayor Pro Mayor Sayre made a motion to adjourn the May 19, 2006 Council Meeting. In a voice vote, all voted in favor. **(Motion carried 5-0)**

The meeting adjourned at 5:00 p.m.

Approved:

---

Larry Lammert, Mayor

Attest:

---

Amy R. Candler, Village Clerk