

Village of Bald Head Island

Council Worksession

July 14, 2006

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

Councilmembers Absent: Art Morris

Staff Present: Interim Village Manager Gus Ulrich, Chief of Police Richard Herring, Chief of Emergency Services Chip Munna, Tax Collector Dawn Reno, Finance Director Shelia Boyd, Utilities Director Ken Bowling, Public Works Director Ben Liddle, Building Inspector Stephen Boyett, Village Attorney Charles Baldwin and Village Clerk Amy Candler recording the meeting.

Others Present: Bald Head Limited Director of Communications Joyce Fulton, Bald Head Island Limited Director of Planning Jim Henry, Bald Head Association Manager Joey Hill and Warren Wilson and Lauren Zindel with Warren Wilson Architects

Citizens Present: Brooks Powell

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

Mayor Lammert called the July 14, 2006 Work Session meeting to order at 9:35 a.m. Mayor Lammert advised that he would like to add an agenda item to discuss clutter that is being left overnight on the beaches. Mayor Lammert made a motion to approve the agenda with the noted changes. In a voice vote, with Councilor Morris being absent, all voted in favor. **(Motion carried 4-0)**

2. **Review of Agenda for the Regular Meeting of July 14, 2006**

Mayor Lammert commended Ms. Reno on her superb tax collection rate. Mayor Lammert advised that a tax release request needs to be added to the consent agenda for the afternoon meeting.

Mayor Lammert advised that he would update the citizens on recent meetings that the Village Council has attended regarding the Bald Head Island Beaches and funding for sand placement. He further advised that Congressman Mike McIntyre is working on getting Bald Head Island on the fifty (50) year plan. Mayor Pro Tempore Sayre reported that George House has set up a meeting on July 24th with the Corps of Engineers and their representatives. He added that several of the Village Council members should attend. Mayor Lammert emphasized that a tentative meeting has been scheduled for Colonel Pulliam with the Corps of Engineers to visit the Island on July 26th.

Mr. McCall reported that the Ad Hoc Committee formed to review the freeboard issue came to an agreement regarding the elevation limit. He advised that the committee is recommending the freeboard stay at zero (0) feet elevation therefore there will not be a change in the ordinance. Mr. McCall explained that the Ad Hoc Committee also discussed the issue of maximum building height requirements. The Village Staff will come forward with a recommendation after Stage I ARC, Stage II ARB in concert with the Village agrees upon the height requirement. Mr. McCall reminded the Council that representatives from NC Floodplain Management Branch under the NC Emergency Management will be in the Island July 20th at 11:00 a.m. to discuss the changes that should be made to the Flood Maps.

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Ms. Boyd explained that due to issues with the computer system that the financial statements will be delayed. She advised that she will distribute the statements to the Council upon their availability. Ms. Boyd reported that the interest revenue has greatly improved during fiscal year 2005-2006. She further reported that vehicle permit fees were down approximately \$40,000 from last year. Ms. Boyd advised that the Utility Department revenues are approximately 10% above the projected amount.

Mayor Lammert reported that the Council will be discussing beach related issues at a later time during the meeting. Councilor Pitera reported that the Transportation Committee discussed an Island private taxi service. He advised that the Committee determined that there are very stringent rules regarding the insurance and liability of such service.

3. Discussion of the Village Hall Expansion—Warren Wilson & Lauren Zindel

Mr. McCall explained that the Village Council reviewed two (2) drafts of the Village Hall Expansion at the last Council Meeting and asked that Village Staff arrange for the Architects to be present at today's meeting. Mr. Wilson explained that a site plan will be compiled once a final draft of the expansion is agreed upon. Mayor Lammert advised that at the last meeting the Village Council discussed the size and the need for an Assembly Room within the Village Hall when a large assembly room is in the plans for the new Public Safety facility. Councilor Pitera suggested downsizing the Assembly Room rather than doing away with the entire room. He further suggested that the assembly room at the Village Hall should house approximately 15-20 persons so that the Council could hold the majority of their meetings at the Village Hall. Mayor Pro Tempore Sayre emphasized that the Village is yet to acquire any property for the proposed Public Safety Building, furthermore there needs to be some type of understanding of what the future holds for the Police and Fire Departments. Mayor Pro Tempore Sayre added that the needs of the Village Staff as a whole needs to be looked into as well. As the population of the Island increases the need of Village Staff will also increase. Mr. Henry advised that Bald Head Island Limited has compiled the same type of study in the past and he will call Mr. McCall with the name of the consultant that was used. It was the consensus of the Village Council to move forward with the hiring of a consultant to review the future needs of the Village and Village Staff as a whole.

4. Discussion of the Village of Bald Head Island Code of Ordinances

Mr. Baldwin reported that he would feel more comfortable if the Village Council allow for a two (2) year provision regarding the repeal of the current Village ordinances. The Village Council directed Mr. Baldwin to proceed forward with an ordinance allowing for a two (2) year provision of the repeal of the current Village Ordinances.

5. Appointments to the Planning Board, Beach Committee and Public Works Committee

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Councilor Pitera made a motion to approve Sky Conklin as a member of the Planning Board. In a voice vote, with Councilor Morris being absent, all voted in favor. **(Motion carried 4-0)**

Mayor Lammert advised that he attended the Beach Committee meeting this month and was very impressed with Mr. Paul Mugge. Mayor Lammert made the motion to appoint Mr. Mugge to the Beach Committee. In a voice vote, with Councilor Morris being absent, all voted in favor. (Motion carried 4-0)

6. Discussion of the Controlled Burn at 11 Sandspur Trail

Chief Munna reported that a neighbor has expressed concerns regarding the controlled burn and wants proof of liability insurance from the college. Chief Munna advised that the burn will be very beneficial training to Bald Head's Fire Department as well as surrounding Fire Departments that will be coming over to the Island and assisting in the controlled burn. He further advised that he is working on obtaining proof of liability insurance from the college as this exercise will be considered training for the College. Mayor Lammert emphasized that the Council has already directed Chief Munna to move forward with the burn project and asked that Chief Munna keep the Council informed of the status.

7. Discussion of the Beach Clutter

Mayor Lammert advised that he has had several complaints regarding beach paraphernalia being left on the beaches over night. Mayor Lammert handed out pictures of beach clutter that is causing problems for nesting sea turtles. Chief Herring advised that the Beach Patrol will start making people aware that they need to remove their beach clutter on a daily basis. Chief Herring further suggested compiling a pamphlet to address the problem and hand out to rental agencies as an educational tool to supply in the rental homes.

8. Manager's Update on Village Projects and Other Matters of Consideration

Mr. Ulrich reported that Springsted has narrowed the Village Manager search down to nine (9) candidates. He advised that Springsted would supply Council with their top five (5) picks around the first of August.

Mr, Ulrich reported that there were several road signs damaged during the July 4th holiday. He advised that the Police Department has located the vandal and will be taking care of the situation. Mayor Pro Tempore Sayre suggested that the Village consider replacing the road signs with concrete to make them harder to vandalize.

Mr. Ulrich reported that Atlantic Diving will be on the Island to make repairs to groin 16 next week.

Mr. Ulrich reported that the plantings on South Bald Head Wynd came in yesterday and will be completed today. The irrigation is installed and the rope and pole fencing will be completed next week.

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Mr. Ulrich reported that he has instructed the Engineers to move forward with the bid process regarding the buried pipe portion of the stormwater project at lagoons 8 and 17.

Mr. Ulrich reported that the Village is exploring several different alternatives regarding the pumping of stormwater. He reviewed the different alternatives with the Council and provided the comparison in the pricing. He advised that he would forward the Council additional information after the meeting.

Mayor Pro Tempore Sayre asked for an update on the Spur Project. Mr. Henry advised that they applied for the permit two (2) months ago and Bald Head Island Limited is yet to hear anything back. He advised that Limited has been told informally that CAMA is not in favor of an additional hardened structure. Mayor Pro Tempore Sayre asked if CAMA has any type of timeframe window they have to follow regarding the permitting process. Mr. Henry reported that the permit is only a modification of the original permit and is not sure what the time span is on a modification. Mayor Lammert asked if approval of the modification is permitted, would it include the 100-foot extension. Mr. Henry advised that it would be a waste of time to pursue this until the modification of the permit is granted.

Mayor Pro Tempore Sayre asked if the Village Staff is working on the ICE ordinance. Mr. Ulrich reported that he has observed the barge fee operation on the Island and plans to go to the mainland next week to observe the operation on that side.

Mayor Pro Tempore Sayre commented that the Village Council agreed to spend \$15,000 on the Historical Projects and asked that the Village move forward with the bid process.

Councilor Pitera asked of the status of the Timber Bridge. Mr. Henry reported that Limited has tried to apply for an express permit but the bridge does not qualify for express permitting, therefore Limited is moving forward with the permitting process.

9. 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

At this time, Mayor Lammert advised that the Council will enter into closed session. Councilor Pitera 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 Councilor Morris being absent, all voted in favor. **(Motion carried 4-0)**

Closed session began at 11:25 a.m.

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Councilor Douglas made a motion to return to open session. In a voice vote, with Councilor Morris 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 12:05 p.m.

10. Adjourn

Mayor Lammert asked for any additional items for discussion. With no additional items for discussion, Councilor Douglas made a motion to adjourn the July 14, 2006 Council Work Session meeting. In a voice vote, with Councilor Morris being absent, all voted in favor. **(Motion carried 4-0)**

The July 14, 2006 Council Work Session Meeting adjourned at 12:01 p.m.

Approved:

Larry Lammert, Mayor

Attest:

Amy R. Candler, Village Clerk