

VILLAGE OF BALD HEAD ISLAND
Regular Meeting
August 18, 2006

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

Staff Present: Interim Village Manager Gus Ulrich, Planning Director/Assistant Village Manager Chris McCall, Police Chief Richard Herring, Chief Chip Munna, Building Inspector Stephen Boyett, Public Works Director Ben Liddle, Finance Director Shelia Boyd, 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 and Hillary Snow with the State Port Pilot.

Citizens Present: Dick Johnston, Marilyn Ridgeway, Pat Lammert, Bob Porter

1. Call to Order/Approval of Agenda Mayor Lammert

Mayor Lammert called the August 18, 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 Hearing

2.1 A Public Hearing on the Intent to Extend the Sewer System of the Village of Bald Head Island and Assess the Cost against the Land Assessable

Mr. Elrod explained that an email transmission was forwarded to the Village Council detailing the concerns of several of the Middle Island property owners. He advised that the property owners felt it unfair that they are being forced to pay for infrastructure for the Village even though it is within the Village's statutory rights. Mr. Elrod further commented that the Village has the authority to allow for discounts in regard to the assessment and asked the Village Council to consider this option.

Mr. Young commented that there are several untrue statements circulating the Island regarding the sewer extension and the assessment. He advised that he still owns approximately fifteen (15) lots within the subdivision and will be responsible for approximately \$45,000 of the initial costs. He further advised that the extension will increase the property values for Middle Island.

Mr. Henry commented that he would like to reiterate the comments that he made at last month's meeting. He advised that Bald Head Island Limited only concern regarding the extension is the possibility of adverse affect on the system and most importantly the Cape Fear Station PUD at the time of build out on the Island

Mr. Mesaris asked of the driving force behind the Village extending sewer to Middle Island. Mayor Pro Tempore Sayre advised that when the Village agreed to purchase the water/wastewater system it was the consensus of the Council to ensure that sewer is available to the entire Island.

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Mr. Young emphasized that extending the sewer system to Middle Island will save approximately 2.5 acres of the maritime forest.

Mr. Coryell commented that one of the selling points that were used during the purchase of his property was the "Brunswick Gold Dirt." He advised that it leaves a hollow feeling to know that there are people that have just recently installed a septic system and are now going to be forced with the initial costs of the sewer extension as well as be forced to tap onto the system possibly within five (5) to ten (10) years.

Mayor Lammert commented that at this time the Council is dealing with the resolution that is on the agenda for approval. He advised that the Council intends to deal with the tap on policy at a later date.

Mr. Baldwin advised that a discussion of the timeframe regarding tapping on to the Village System will be a topic of discussion at the September or October Meeting.

Mr. Raynor was very upset regarding the possibility of an assessment to the Middle Island property owners for the extension of the sewer services and advised Council that it would be in their best interest to allow for some type of discount during the tap on process.

Mr. Alpert commented that the sewer line is considered infrastructure for the Village. Therefore, infrastructure makes money and he feels like the property owners of Middle Island should be burdened with the initial costs that will make money for the Village.

Mayor Pro Tempore Sayre explained that the Village Utility Department is an enterprise fund of which cannot make a profit for the Village. Therefore the fund is not cash generating and the tap fee will remain the same.

With no other citizens wishing to speak, Mayor Lammert closed the public hearing.

3. Consent Agenda

- 3.1 Approval of Minutes
July 14, 2006, Regular Meeting
July 14, 2006, Worksession Meeting
- 3.2 Approval of Certificate of Mailing of the Preliminary Resolution to all Property Owners of Middle Island
- 3.3 A Resolution Amending the Personnel Policy to Add an Administrative Assistant as Approved in the 2006-2007 Fiscal Year Budget
- 3.4 A Resolution Declaring Items Surplus Property and Authorizing the Sale of Said Property Through an Online Internet Auction
- 3.5 A Resolution in Support of Ensuring that the Oak Island and Sunset Beach Bridge Projects Proceed Without further Delays
- 3.6 An Ordinance to Amend the Capital Project Ordinance--Bald Head Creek Dredging
- 3.7 A Proclamation in Support of Fall 2006 Litter Sweep

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Mayor Lammert reviewed the items of the consent agenda. Councilor Morris made a motion to approve the consent as submitted. 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 he has met with various representatives regarding federal funding for Bald Head Island sand placement project. He advised that the first of three dredging bids came in below budget forecast therefore the shortfall in the President's Budget is less than expected. He further advised that at this point funding is looking good for Bald Head but it is still uncertain as to the shortfall that Bald Head could be looking at. Mr. Ulrich reported that he has confirmed with Erik Olsen's availability for the August 25th meeting with the Corps of Engineers.

4.2 Update on the Status of the Village Manager Position

Mayor Lammert reported that the Village Council will be interviewing five (5) candidates for the Village Manager position on August 23rd. He advised that the process is moving forward.

4.3 Update on FEMA Flood Map Appeal—*Chris McCall*

Mr. McCall reported that the new Flood Maps were accepted by the State and went into effect on June 2, 2006. He advised that copies of the new maps are available at Village Hall. Mr. McCall explained that the Village is currently going through the appeal and protest process in regard to the changes that were made to the flood maps. He further explained that representatives came to the Island and reviewed the appeal and stated that the Village should have no problem with the approval of the changes.

4.4 Consideration and Approval of a Resolution Directing that the Village of Bald Head Island Extend Sewer Service to Middle Island

Mayor Lammert explained that the Village Council had extensive discussion at the morning meeting regarding the extension of sewer to Middle Island Plantation. Mayor Pro Tempore Sayre advised that the Council discussed the option of allowing for some type of discount to the Middle Island property owners in regard to the assessment. Councilor Douglas commented that he believes that any type of break should be given within the policy. Mayor Pro Tempore Sayre proposed in the form of a motion to amend the resolution directing the Village to extend sewer service to Middle Island to include a 5% discount if their balance is paid within thirty (30) days from the date of issuance of the assessment. In a voice vote, all voted in favor. **(Motion carried 5-0)**

5. New Business

5.1 Financial Statements—July, 2006—Shelia Boyd

Ms. Boyd reported that the cash balance at the end of July was \$8.7 million. She added that the Village accrued \$38,000 interest, which is up from the same month last year, but the vehicle permit fees were less compared to last year. Ms. Boyd reported that

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the major expenditures for the month of July was \$108,000 in liability insurance and \$4,000 on road materials.

5.2 An Ordinance Adopting and Enacting a New Code of Ordinances for the Village of Bald Head Island

Mayor Lammert explained that the Code of Ordinances for the Village has been an ongoing project for the past several years. He advised that the Village Council has decided to allow for a two (2) year grace period to ensure that all of the ordinances are complete and accurate within the codification. He further advised that the Village Council will hold the second reading and public hearing at the September Council Meeting.

5.3 An Ordinance Amending the Text of Section 3.4, Item A, Entitled "Issuance of Landscape Permit"

Mayor Lammert explained that the Village Council agreed via the recommendation of the Planning Board to amend the text of landscape ordinance to allow for the pruning of limbs larger than five inches (5") in caliper by obtaining the proper landscape permit from the Village. He advised that the second reading and the public hearing will be held at the September Council Meeting.

5.4 An Ordinance Adopting and Enacting an the Removal of Beach Equipment from the Village of Bald Head Island Beaches

Mayor Lammert explained that there has been a noticeable problem this summer with beach paraphernalia being left on the beach overnight. He explained that this has become a problem for nesting and hatching sea turtles. He advised that the Village Council has agreed to hold the second reading and set a public hearing date at the September Village Council Meeting.

6. Committee Reports

6.1 Beach

Anne Kane

Councilor Douglas reported that the Beach Committee is currently working on reviewing the beach access ordinance as it relates to private accesses and walking across the dunes to get to the beach. He advised that hopefully the Committee will have something to the Council for review in the next 30-60 days.

6.2 Finance

John Knott

There was nothing to report from the Finance Committee at this time.

6.3 Public Safety

Don Tillman

There was nothing to report from the Public Safety Committee at this time.

6.4 Public Works

Richard Mesaris

There was nothing to report from the Public Works Committee at this time.

6.5 Transportation

Wayne Lambert

There was nothing to report from the Transportation Committee at this time.

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7. Monthly Reports

7.1 Manager's Report

Interim Manager Ulrich

Mr. Ulrich reported that the pipe is currently being placed on South Bald Head Wynd for the stormwater project.

Mr. Ulrich reported that the bids have been received for the Fort Holmes Project. He advised that the low bid came in at \$39,000 for Wayne Lambert construction.

7.2 Police Department

Chief Herring

Chief Herring reported that the month of June was a busy month for the Police Department. He advised that the Department working on some vandalism cases as well as a larceny investigation. He further advised that the Department has been receiving a number of calls regarding underage driving.

7.3 Fire/EMS Department

Chief Munna

In the absence of Chief Munna, Captain Kiser reported the Department received eighty-six (86) calls during the month of July. He advised that seven (7) of the calls were considered aquatic life injuries. Captain Kiser further reported that Chief Munna is in Pennsylvania inspecting the new fire truck, which will be on the Island within the next few weeks. At this time Captain Kiser presented a new golf cart safety poster and explained that it will hopefully improve the awareness of golf cart safety.

8. Comments, Reports and Questions

8.1 Citizens

Ms. Quanstrom commented that she has noticed several people driving around the Island with open containers. She questioned the Village's enforcement of the open container law.

Ms. Roushdy advised that she is curious about the procedure of the discount allotted to the Middle Island property owners in regard to the extension of the sewer system. Mayor Lammert advised that the Village will work on the provisions for relief and discuss at a future meeting.

Mr. Hahn advised that he has received a lot of second hand information in regard to the sewer extension project and was also told that information has been withheld from the Middle Island Association. He apologized for the group as for the misinformation that has been floating around Middle Island.

Mr. Raynor commented that he did not feel that the Middle Island Association was treated fairly and appropriately informed during the beginning stages of the Middle Island sewer extension process.

8.2 Bald Head Island Association—Bob Porter President

Mr. Porter thanked the Village Council for their positive approach and their very generous offer for the Fort Holmes project.

8.3 Bald Head Island, Ltd.—Joyce Fulton

There were no comments from Bald Head Island Limited at this time.

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8.4 Mayor and Council

Mayor Lammert thanked the Village Staff for all of their hard work during the Manager transition period and the busy summer months. He advised that the Council is going to continue to work on funding for the sand placement project. He asked that all citizens continue to write our State and Federal Representative requesting funding.

8. 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 August 18, 2006 Council Meeting. In a voice vote, all voted in favor. **(Motion carried 5-0)**

The meeting adjourned at 4:10 p.m.

Approved:

Larry Lammert, Mayor

Attest:

Amy R. Candler, Village Clerk