

# Village of Bald Head Island

## Council Worksession

August 18, 2006

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

**Staff Present:** Interim Village Manager Gus Ulrich, Assistant Village Manager/Planning Director Chris McCall, Chief of Police Richard Herring, Chief of Emergency Services Chip Munna, Tax Collector Dawn Reno, Finance Director Shelia Boyd, Administrative Assistant to the Utilities Director Cathy Briggs, 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 and Bald Head Association Manager Joey Hill.

**Citizens Present:** Ray Webb, Joe Elrod, Norm Coryell and Alan Rayner

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

Mayor Lammert called the August 18, 2006 Work Session meeting to order at 9:30 a.m. Councilor Pitera made a motion to approve the agenda as presented. In a voice vote, all voted in favor. **(Motion carried 5-0)**

### 2. Review of Agenda for the Regular Meeting of August 18, 2006

The Village Council reviewed the Consent Agenda. There were questions regarding the resolution declaring items surplus property and the process that is involved with selling the surplus items. Ms. Candler explained that the Village will use GovDeals.com which is a government based type ebay.

Mayor Lammert advised that he will give an update on all beach meetings that the Council attended during the past month. He further advised that Federal funding for the beaches seems to be taking a more positive position.

Mayor Lammert reported that the Village Council will be interviewing five (5) candidates for the Village Manager position at a Special Meeting next week.

Ms. Candler advised that the Village has not yet received the final copy of the franchise agreement with Brunswick County regarding the EMS services mutual aid and funding. Therefore, the agenda item needs to be removed and postponed until next month.

Councilor Douglas reported that the Beach Committee reviewed the current ordinance dealing with the requirements and regulations regarding beach accesses. He advised that the Beach Committee is concerned that the current ordinance does not adequately cover private beach accesses. Mr. McCall advised that it is not in the Village's authority to require property owners to extend their beach accesses. Councilor Douglas added that the Beach Committee is recommending that letters go out requesting property owners to extend their private access ways past the dune. There was additional discussion regarding an amendment to the ordinance as well as the request to send letters to all of the affected property owners. It was the direction of the Village Council for the

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Village Attorney to look into amending the ordinance regarding the private beach accesses and Village Staff to send letters to property owners.

**3. Discussion of the Middle Island Sewer Extension**

Mayor Lammert advised that at the previous Council Meeting the Village Council adopted a preliminary assessment resolution that will assess the property owners of Middle Island for the extension of the sewer lines. He further advised that there was discussion regarding the amount of time that property owners throughout the Island will be allotted to tap onto the Village sewer system. Mr. Ulrich made the recommendation to set no deadline for connection to the Village wastewater system as long as the existing systems are functioning properly. There was discussion amongst the Council regarding the definition of a failed septic system. Mr. Ulrich explained that Brunswick County has specific guidelines that are required and enforced by the County. Councilor Douglas commented that from an environmental standpoint, he has a problem with people that want to maintain a septic tank when a viable sewer main is available. There was continued discussion regarding the timeframe of tapping on to the Village system as well as the option of giving the Middle Island property owners a break on the expense of the assessment. Mayor Pro Tempore Sayre suggested giving the property owners a \$1000 discount with a fifteen (15) year option to tap on to the system. After further discussion, it was the consensus of the Council to leave the assessment amount to the Middle Island property owners as is and to take the recommendation of Mr. Ulrich regarding the allotted time for property owners to tap onto the system.

**4. Discussion of the Proposed Ordinance to adopt the Village of Bald Head Island Code of Ordinances**

Mayor Lammert explained that the Council discussed their options of adopting the Code of Ordinances at their July meeting. He advised that the Village Attorney suggested a two (2) year provision that would allow the Village insurance that everything is adequately covered in the codification. It was the consensus of the Village Council to add the first reading and set a public hearing date at the September meeting for the purpose of adopting the Village of Bald Head Island Code of Ordinances.

**5. Discussion of the Ordinance to Amend the Landscape Ordinance**

Mr. McCall advised that the Village is amending the landscape ordinance to regulate the pruning of limbs and branches. Mayor Pro Tempore Sayre was concerned that the Village is making it harder for people of the Island to maintain their trees. The discussion continued regarding changing the caliper regulation from three (3) inches to five (5) inches. It was the consensus of the Village Council to change the caliper to five (5) inches and add the first reading and set the public hearing date for the September meeting to the afternoon meeting.

**6. Discussion of the Proposed Beach Equipment Ordinance**

Mayor Lammert explained that the proposed beach equipment ordinance will not allow for beach paraphernalia to be left on the Bald Head Island beaches during the night time hours. It was the consensus of the Village Council to add the first reading and set a public hearing date to the afternoon agenda.

**7. Appointments tot the Planning Board and Public Works Committee**

Mayor Lammert made a motion to appoint Kenneth Miller to the Planning Board and John May to the Public Works Committee. In a voice vote, all voted in favor.  
**(Motion carried 5-0)**

**8. Discussion of Audio Tour Markers**

Mr. McCall presented the design that is being requested to paint on the road at each stop of the audio tour. The Village Council discussed the request and came to the consensus that Village Staff conduct a site inspection of each of the proposed sites and determine if there is adequate parking. The Council also directed staff to come up with an alternative solution for identifying each location.

**9. Discussion of Construction Trailers Removal at Merchant's Row**

Ms. Fulton updated the Council on the status of the removal of the construction trailers at Merchant's Row. She advised that the removal of the trailers are the responsibility of each individual or business. She further advised that to her knowledge, all of the construction trailers are to be removed on or before September 4<sup>th</sup>.

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

Mr. Ulrich reported that the pipe to connect lagoons and eight (8) and seventeen (17) to the outfalls is on the Island and the contractor has begun work on Lagoons 17. He advised that the Village is still waiting on the design of the pumps. Mr. Ulrich reported that the two (2) six inch (6") pumps should be to the Village by the end of the month.

Mr. Ulrich reported that the Village is still working on the utility easement agreements with Charlie Young. He advised that the Village should be ready to advertise for bids to extend the sewer lines in December.

Mr. Ulrich reported that the Public Works Department will start the deer baiting process after Labor Day. The infrared deer study is scheduled for September and the final report should be to the Village in October.

Mr. Ulrich reported that the bid for the Fort Holmes project came in at \$39,000. He asked for Council's direction as to the amount of funds the Village wants to spend on this project. The Village Council agreed to appropriate \$30,000 for the Fort Holmes project.

Mr. Ulrich reported that he has researched the ICE permit fees and cannot recommend making any changes to the permit fees. He advised that he worked with

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several of the Village Staff members on this project and a logical way of lowering or eliminating daily permit fees could not be obtained.

Mr. McCall advised that the Public Works site is scheduled to be paved around the second week of November.

Mr. McCall reported that he is to meet with the engineers next week regarding the permit for stormwater and elevating one lane of South Bald Head Wynd.

Mr. Ulrich reported that he will be on vacation during the month of September and Mr. McCall will be stepping in to take his place during this time.

Mayor Pro Tempore Sayre reported that the Club would like to place a container behind the tennis courts for storage during this winter. He advised that this will be a temporary deal and asked Mr. Boyett to look into the request.

The Council asked the status of the Timber Bridge as well as the status of the CAMA permits for the spur. Mr. Henry advised that there have been no changes since last month.

The Council expressed concern regarding the trash problem on the Island. Mayor Lammert commented that maybe the Village and the Association could work together to reform the adopt-a-wynd program.

Mr. Liddle reported that the additional maintenance people have been hired and the weekend shift will start in the near future.

**11. 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, all voted in favor. **(Motion carried 5-0)**

Closed session began at 11:10 a.m.

Councilor Douglas made a motion to return to open session. In a voice vote, all voted in favor. **(Motion carried 5-0)** Mayor Lammert advised that no action was taken during closed session.

The open meeting reconvened at 12:05 p.m.

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**10. Adjourn**

Mayor Lammert asked for any additional items for discussion. With no additional items for discussion, Councilor Pitera made a motion to adjourn the August 18, 2006 Council Work Session meeting. In a voice vote, all voted in favor. **(Motion carried 5-0)**

The August 18, 2006 Council Work Session Meeting adjourned at 12:08 p.m.

Approved:

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Larry Lammert, Mayor

Attest:

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Amy R. Candler, Village Clerk