

VILLAGE OF BALD HEAD ISLAND
Work Session Meeting
January 21, 2005

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

Staff Present: Village Manager Jon Middleton, Finance Director Shelia Boyd, Chief of Police Richard Herring, Chief of Emergency Services Chip Munna, Assistant Village Manager/Planning Director Chris McCall, Tax Collector Heather Hardee, Public Works Director Ben Liddle, Chief Building Inspector Bill Bruce, Assistant Building Inspector Stephen Boyett, Village Attorney Charles Baldwin and Village Clerk Amy Candler recording the meeting.

Others Present: Bald Head Island Limited Director of Communications Joyce Fulton and Bald Head Association Manager Joey Hill.

Citizens Present: Dick Johnston, Bob Liesegang and Marilyn Ridgeway.

1. Call to Order/Approval of Agenda

Mayor Lammert called the January 21, 2005 work session meeting to order at 9:30 a.m. Mayor Lammert deleted the closed session pertaining to the Village of Bald Head Island versus Bald Head Island Utilities from the work session agenda based on a successful meeting earlier in the week between the two (2) entities. He advised that it was agreed at the meeting that the Village will move forward with the purchase of the Utility Company within the next one hundred fifty (150) days.

Councilor Pitera made to motion to accept the work session agenda as amended. In a voice vote, all voted in favor. **(Motion carried 5-0)**

2. Review of Agenda for the Regular Meeting of January 21, 2005

Councilor Pitera noted one typographical error in the Council meeting minutes.

Ms. Hardee advised that she amended the tax release request from what was originally submitted in their packets. She further advised that Brunswick County originally billed Bald Head Island Limited in error for 112.2 acre parcel that should have been billed as a 7.89 acre parcel. Ms. Hardee reported the original taxable value was \$12,342,000 with the total taxes due being \$57,390.30. She further reported that the amended value is \$7,890 which made the total taxes due \$36.69. Ms. Hardee explained that the Brunswick County Tax Department should have decreased the acreage of the parent parcel for Cape Fear Station as individual parcels were split out of the parcel throughout the years. Ms. Hardee advised that Bald Head Island Limited has the right to request refunds for several of the past years, but has agreed not to go back any further than this year. Ms. Hardee noted that the remainder of the tax release requests were billed as income producing parcels. She advised that most of the releases are for The Hammocks since it is stated in the restrictive covenants that The Hammocks are not to be rented and therefore are not income producing properties.

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Mr. McCall reported that the Village currently has in existence a Hazard Mitigation Plan that was adopted in 2002. Due to new guidelines from FEMA, the original plan needed to be amended. Mr. McCall advised that he met with a FEMA representative to discuss the new guidelines and is requesting approval of the resolution to amend the Hazard Mitigation Plan so the amended plan can be submitted to the State.

Ms. Boyd reported that monies for stormwater were approved in the Capital Project Fund during the 2003-2004 budget. She advised that the ordinance amendment will allow approximately 1/3 of those funds to be transferred to the stormwater fund. She further advised that the Village has no current contracts with regard to the stormwater project but the bulk of the money will be transferred to the construction line item. Ms. Boyd added that \$100,000 will be added for the purpose of engineering, \$5,000 for administrative costs and \$25,000 for legal fees. Mayor Lammert advised that the ordinance amendment will create a reserve for future projects pending Council approval. Mr. Middleton advised that the Stormwater Capital Project Fund was created on a five (5) year timeframe.

Mayor Lammert advised that the Corps is moving forward with the sand placement project and has released part of beach to Village. He further advised that the sand placement project should be complete next week. He added that the first (1st) trench has been dug for the installation of the groinfield and the first (1st) groin should be completely installed by the end of the day. Mayor Lammert reported that groinfield tubes are not completely in the water. Based on the template and low water line the groinfield will extend approximately three hundred feet (300') seaward. Mayor Lammert concurred that the Village is also continuing to move forward with working on an environmental structure. He advised that a letter was written to Representative Bonner Stiller and the Village received a letter in return stating that he will work with us on this project. He further advised the he hopes to meet with the River Pilots and the State Port Authority to acquire as much support as possible. Mayor Pro Tempore Sayre stated that the Council had talked as a group regarding a sand plan before the next sand placement project was due to take place. Mr. Middleton advised that Erik Olsen is currently working on that plan for the Village.

Mayor Lammert advised that the Village is moving forward with the purchase of the Utility Company. He emphasized that the meeting between the Village Council and representatives from Bald Head Island Utilities proved very successful and the purchase should be complete within the next one hundred fifty (150) days.

Ms. Boyd advised that the interest on the investments line item are increasing due to the increase in the over night treasury float. The Village has increased that line item \$15,000 due to earned income with First Citizens Bank. Ms. Boyd explained that the expenses for the month of December relates to the purchase of two (2) unbuildable lots,

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the deer culling activities and attorney fees for the Utilities Acquisition. She emphasized that she attended a capital finance conference in Chapel Hill last week. She also relayed that United Health Care is working to update the Village health insurance policy and will hopefully have the new policy in place by March. Ms. Boyd reported that she, Mr. Middleton and Mayor Lammert met with representatives from RBC Centura Bank to discuss financing options in relation to the Utility Company. She further reported that she along with Mr. Middleton have an appointment in Raleigh on February 2nd to meet with the Local Government Commission (LGC) for their advice in regard to moving forward with the purchase of the Utility Company.

Ms. Boyd advised that Wayne Berry will be at the afternoon meeting to present the audit for fiscal year 2003-2004 to the Council. She further advised that Exhibit 5 provides an overview of the changes in the fund balance. Ms. Boyd reported that the only finding the auditors provided was segregation of duties. This finding is due to a small staff. Mayor Lammert advised that Mr. Baldwin has inquired about the bonding issue which protects any unauthorized use of funds from the Finance Officer and the Tax Collector. Ms. Boyd commented that she has talked with a professor from the Institute of Government and he is providing the Village with some documentation in that regard. Mayor Lammert added that the Council should look into increasing the liability insurance for the Village Staff and Council during the next budget process.

3. Appointments of Committee Members to the Finance, Public Safety and Transportation Committees and the Zoning Board of Adjustments

Councilor Douglas advised that in order to realign the expiration terms of the Beach Committee members, Fran Dolan and Judy Porter have asked to resign and be re-appointed to the Beach Committee for a three (3) year term which will conclude in December of 2007. He further advised that Dr. Berne no longer wishes to serve as Chairman to the Beach Committee; therefore the Committee is recommending that Anne Kane be appointed as Chair. Councilor Douglas made the motion to re-appoint Fran Dolan and Judy Porter to the Beach Committee with terms expiring in December of 2007 and to appoint Anne Kane as Chairperson to Beach Committee. In a voice vote, all voted in favor. **(Motion carried 5-0)**

Mayor Lammert provided that Bill Johnson has agreed to serve on the Finance Committee and John Knott has agreed to serve an additional term as Chairman. Mayor Pro Tempore Sayre made a motion to appoint Bill Johnson to the Finance Committee and John Knott as Chairman to the Finance Committee. In a voice vote, all voted in favor. **(Motion carried 5-0)**

Mayor Lammert advised that the Village received four (4) applications from citizens that are interested in serving on the Public Safety Committee, but there are only three (3) available positions. Councilor Morris made a motion to appoint Bob Liesegang, Don Tillman and Colleen Johnson to the Public Safety Committee and appoint Mr.

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Liesegang to the Chairman position. In a voice vote, all voted in favor. **(Motion carried 5-0)**

Mayor Pro Tempore Sayre advised that there were no expired terms on the Public Works Committee. Mayor Pro Tempore Sayre made a motion to re-appoint Joe Ridgeway as Chair of the Public Works Committee. In a voice vote, all voted in favor **(Motion carried 5-0)**

Councilor Pitera advised that Ben Baker has opted not to fill an additional term as Chairman of the Transportation Committee. He further advised that Mike Boozell has agreed to serve as a member of the Transportation Committee. Councilor Pitera made a motion to appoint Jeff Turner as Chairman to the Transportation Committee and Anne Boozell as a member. In a voice vote, all voted in favor. **(Motion carried 5-0)**

Councilor Morris made a motion to move Richard Mesaris to a regular position on the Zoning Board of Adjustments and fill the two (2) alternate positions with Dana Quanstrom and Ann Cary Hevener. In a voice vote, all voted in favor. **(Motion carried 5-0)**

4. Appointment of Chairpersons to Village Committees

This agenda item was covered under agenda item number 3.

5. Update on Historical Markers

Ms. Hardee explained that the Historical Marker Project turned out to be a rather substantial task that took longer than first anticipated. She further explained that the State Division of Archives and History has reviewed the language and the information has been forwarded to *Sewah Studios* for manufacturing. Ms. Hardee advised that language was also provided for three (3) additional markers. These three (3) markers and the associated funding needs to be approved by the Village Council. Mayor Lammert asked if there are any financial savings if purchased this year compared to next year. Ms. Hardee replied that *Sewah Studios* has agreed to the original quote for the three (3) additional signs of \$1680. Mayor Pro Tempore Sayre made a motion to move forward with the manufacturing of the three (3) additional signs. In voice vote, all voted in favor. **(Motion carried 5-0)**

Mayor Lammert advised that he met with Kent Mitchell and Dick Johnston regarding the Battery Four site. He advised that the three (3) of them discussed ownership of this property as well as several potential tax provisions which may prove advantageous.

6. Discussion of Deer Management Program

Mr. Middleton advised that before the deer culling began, he as well as the Police Department spent time meeting with concerned citizens and parents of school aged children. He advised that the Police Department was willing to provide pick up service for children arriving at the Ferry Landing after 8:00 p.m. and take them home to ensure their safety. Mr. Middleton reported that the public notices regarding the Deer

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Management program were printed on bright blue paper versus the normal paper. He further reported that the Public Works Department created a field dressing site on which the deer were cleaned and then stored in a refrigerated truck. Mr. Middleton emphasized that the depredation permit prohibited the use of silencers for the sharp shooters weapons as well as limited them to cull one hundred (100) antler-less deer. That being said, the sharp shooters along with two (2) of the Village Police Officers culled fifty-five (55) deer on Monday night, thirty (30) deer on Tuesday night and fifteen (15) deer before 12:30 a.m. on Wednesday night. Mr. Middleton concurred that out of the one hundred (100) deer seventy-eight (78) were does, all of which were impregnated with twins except for two (2). Of the twenty-two (22) antler-less bucks, two (2) were diseased and buried on the Island. The culled deer were then taken off Island and delivered to *Hunters for the Hungry* for processing and then donated to local charitable organizations. Councilor Douglas expressed his appreciation for the time Mr. Middleton spent with the Oakley's explaining the process. Councilor Douglas reported that the Oakley's main concern is that they feel the Village is only paying lip service to other methods of deer management. He agreed that other methods of deer management are currently being tested in various areas but nothing has been proven effective at this time. Councilor Douglas added that a serious error occurred in Westervelt report. The error was noted in the portion of the report that spoke of the number of deer per square mile on the Island. This error is currently being corrected and a corrected copy of the report will be distributed to the Village. Councilor Morris asked if the sharp shooters recognized any noticeable damage to the Maritime Forest caused by the deer. Councilor Douglas advised that there is browsing in the Maritime Forest but according to Dr. Doehr an annual deer culling needs to be performed to cut down on the noticeability of the browsing. Councilor Pitera asked if the Village is going to continue performing the three (3) deer studies each year. Councilor Douglas recommended the continuation of the three (3) deer studies each year. Mayor Lammert advised that the funding for this project will be decided on during the budget process.

7. Managers Update on Village Project and Other Items of Consideration

Mr. Middleton reported that the Village is looking into the use of rope fencing to create barriers for several medians and other high traffic areas on the Island where there is a problem with traffic cutting into shoulders and damaging the shoulders and vegetation. He advised that he has received complaints from some homeowners regarding the damaged caused by this traffic. Mr. Middleton explained that one of the best methods to correct this problem is the installation of the rope fencing. Mayor Pro Tempore Sayre commented that he agrees it is a good idea but he doesn't know if the Village should be responsible for installing this type fencing for private property owners. Mr. Middleton advised that the rope fencing would be installed in the road right-of-way. Mayor Lammert advised that the placement of mulch in the medians on South Bald Head Wynd has helped with the problem of the wearing away of shoulders of the roads. It was the consensus of Council to move forward with the installation of the rope fencing at a test

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site. Mr. Middleton further advised that the Council should consider the installation of rollover curbing on the shoulders of the roads owned by the Village. Councilor Douglas reported that the Public Works Committee has suggested that rollover curbing be investigated. This would be an expensive project in the short term but it has long term advantages. Council directed Village Staff to investigate the cost effectiveness of this project and bring the findings back to the Council.

Mr. Middleton reported that he has been talking with the Wildlife Commission regarding alternative methods of deer management. He advised that he would like to set up a meeting with Rick Naugle with the United States Humane Society for a question and answer session. He asked the Council if they would rather have an open forum with the Village Citizens or a meeting first with the Council. Mayor Pro Tempore Sayre commented that Mr. Naugle should meet with the Council first and then if Council agrees that this alternate method is reliable, then they can move forward with a public forum. Councilor Douglas reminded the Council that Mr. Naugle is trying to sell a product. This service has not been proven as an effective method of deer management by the North Carolina Wildlife Commission. The Council directed Mr. Middleton to meet with Mr. Naugle and report back to them.

Mr. Middleton reported that Operation Clean Sweep is almost complete. He advised that the sand placement is estimated to reach Station 137. He further advised that the Corps has turned the portion of the beach for the groinfield over to the Village. The installation of the groinfield has begun. Mr. Middleton reported that the first groin should be completely installed by this afternoon. Mayor Pro Tempore Sayre asked of the projected timeframe of completion for the groinfield. Mr. Middleton replied that as per the contract the groinfield should be installed by April 1st. The contractor has estimated that one (1) groin every four (4) days will be installed. Councilor Douglas asked if the contractor is planning to work on the weekends. Mr. Middleton advised that working on the weekends will be at the discretion of the Contractor.

Mr. Middleton reported that Erik Olsen has provided a proposal to Council regarding additional sand sources. Mr. Middleton asked that the Council to read over the proposal and be ready for discussion at the February meeting. Mayor Pro Tempore Sayre explained that the next time the Corps is scheduled to perform maintenance dredging, it would be much easier to tie into the contractor and get them to do additional dredging for the Village at that time. Mr. Middleton advised that there is a substantial permitting process involved in a project of this magnitude. Mayor Lammert advised that this process is well worth looking into because the dredge had time left this year to perform additional dredging for the Village but appropriate permits were not in place therefore no additional dredging could occur. Mayor Pro Tempore Sayre suggested the Village ask Mr. Olsen to provide estimates to the Village for this project that includes the cost of permitting and 1 million cubic yards of sand. Mr. Middleton advised that Mr. Olsen has

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suggested that the cost will be approximately \$2.00 per cubic yard of sand. The Village Council directed Mr. Middleton to find out the timeframe that this process will need as well as the cost estimates and bring the information back to the Council at the February meeting. Mr. Middleton reminded the Council that this project is not a budgeted item. Mayor Lammert advised that the funds for this project would have to come out of the 1.7 million in reserve for the beach.

Mr. Middleton reported that there seems to be lots of confusion regarding the legal aspects of what the Village is allowed to do to repair the destroyed area of South Bald Head Wynd. First, Mr. Brooks with the Division of Coastal Management will allow the Village to repair and pave the one existing lane of the road that was not completely destroyed. The boundaries of the asphalt can extend to the levels that the rock once existed, which would add anywhere between 2-4 feet to the lane without having to deal with requesting a variance from the Coastal Resources Commission (CRC). Councilor Morris asked if there are any utilities that will have to be removed. Mr. Middleton replied that they are in the existing footprint of the road now. Therefore, all utilities should be able to stay in place. Mayor Lammert advised that we are talking of the original lane that is closest to the Club. Mayor Pro Tempore Sayre inquired of the width that the road could be built at. Mr. Middleton advised that Mr. Brooks has not given him an exact measurement as of yet. Mayor Pro Tempore Sayre further inquired if the lane would have to be the same width that the single lane was before. Mr. Middleton advised that he has spoke to Mr. Brooks and they will work out the details. Mr. Baldwin advised that the width of the road would be the old rock boundaries and possibly 2-4 foot wider of which we would want our engineers to determine where the old rock boundaries are located. Mayor Lammert inquired if the road is repaired at sixteen (16) foot wide, would the new dune have to be cut into. Mr. Middleton replied that there is a strong possibility that any minor sand movement that would have to take place to repair the road would not affect the new dune. Mr. Middleton added that to relocate the road there are several things the Village would have to consider. First, CAMA will not let the Village move the road without a variance from the CRC because it is seaward of the first line of stable vegetation and being a large structure it would have to meet the setbacks for large structures, which are five hundred and eighty-five feet (585'). The first line of stable vegetation was marked at the Club pool by Mr. Brooks. Mr. Middleton reported that Mr. Brooks agreed that the Village would never meet the setback requirement so a variance would have to be acquired to relocate the road. If the variance were granted to relocate the road it can only be repaired with gravel. This is the precedence that has been set in the past with this type of variance, which would allow a road to be forward of the first line of stable vegetation. However, if the variance request is to have the road moved, then the Village can also request to have the road paved at the same time. Mr. Middleton advised that the same instance occurred at Hatteras Village and they opted to keep the road in its original place. He further advised that the North Carolina Department of Transportation is exempt from CAMA regulations. Mr. Middleton asked the Council for

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direction on how to proceed with the repairs to South Bald Head Wynd. Option one (1) to apply for the variance to relocate the road, which the CRC may grant to the Village with the possibility that the Village may never be allowed to pave the road. Councilor Douglas asked how long the variance process will take. Mr. Middleton answered that the next CRC meeting will be held in March or April. Councilor Pitera asked if the Village could pave the road back to its original state and then apply for the variance to move the road. Mr. Middleton answered that we could definitely try that process, but the CRC will more than likely not look favorably upon the Village paving the existing road and then trying to move the road back and pave it also. Councilor Pitera asked of the negatives to paving the road as allowed right now. Mr. Middleton advised that South Bald Head Wynd could be reduced to a one (1) lane road in that area versus the two (2) lane road. Councilor Douglas asked if reflectors could be placed in the middle of the road to distinguish between the two (2) lanes. Chief Munna provided that the reflectors do not work well on the Island due to the type of pavement that is used on our roads. Mayor Pro Tempore Sayre asked if Cape Fear Engineering has done any type of analysis to see how a one (1) lane road would fit in this area. Mr. Middleton advised that Cape Fear Engineering is currently surveying the existing road and looking at what the Village would need to bifurcate the lanes. Councilor Pitera asked if the road could at least be opened with stone so traffic can at least pass through the area. Mr. Middleton advised that the Village can repair the existing lane with ABC stone whenever the Council wishes to do so. Mr. Baldwin stated that if Council decides to move forward with the repairs, they may as well go ahead and pave because it all falls under the same exemption of the CAMA permit process. Mr. Middleton advised that the Village can move forward with the repair and maintenance of the original road but the paving part of the process will have to wait until the spring paving project to take place. Councilor Morris emphasized the importance of receiving the survey from Cape Fear Engineering before any final decisions are made regarding the repair of South Bald Head Wynd. Chief Munna reported that it is very important the road be wide enough for two (2) large vehicles to pass. He advised that a twenty (20) foot road would be suitable for two (2) large vehicles to pass. Mr. Middleton inquired if Council wanted to wait until the survey is received to make a final decision. He emphasized that if the Council wishes to apply for a variance, the application process would need to begin immediately. Councilor Douglas emphasized that asking for a variance from the CRC does not sound like a very viable option for the Village. Mr. Middleton explained that it would be viable for relocating the road but it really comes down to the asphalt. Mayor Pro Tempore Sayre asked if applying for a variance would include the hiring of an attorney and political lobbying for the Village. Councilor Pitera advised that he felt the Village would have to have the road in front of the Club paved. Mayor Lammert asked of the costs included in applying of the variance. Mr. Middleton advised that it could possibly be a costly endeavor because the Village will have to hire an attorney to prepare the variance request application. It was the consensus of Council to wait until Cape Fear Engineering completes the survey and then after it is determined how wide the road can be in that area, Council will make a

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final decision as to whether to proceed with one large lane or apply for a variance to move the road. Mr. Baldwin suggested that Village Staff establish the first line of stable vegetation before Mr. Brooks comes out to the Island to make his determination. Mr. Middleton advised that Mr. Brooks has been coming to the Island to deal with the CAMA issues for eighteen (18) years and is very familiar with the Island logistics. Mayor Pro Tempore Sayre asked if CAMA will go along with not disturbing the newly constructed dune. Mr. Middleton replied that there will be minimal sand to remove from the dune to repair the road because the second lane of the road will be the only one that is available for repair. Mayor Lammert re-emphasized that once the survey is complete from Cape Fear Engineering, the size of the road that can be reconstructed would be confirmed and Council would make a definite decision regarding the variance at that time.

Mr. Baldwin advised that the owners of Lot #1071 have refused to grant the Village an easement for the installation of the groinfield, therefore he will be submitting a condemnation action with Brunswick County on February 4, 2005 on behalf of the Village. Mr. Middleton advised that the Village has checked into moving the groinfield so the easement from this particular property owner would not be needed but due to the location of the property, the groin cannot be moved.

Mr. Middleton reported that he will be getting together with Mr. Fulton to review filming of the water line damage. He advised that Progress Energy will not begin their repairs to the waterline until May. Mr. Middleton emphasized that the water supply to the Island cannot wait until May, therefore the Village along with Bald Head Island Limited will be engaging in our own repair. Mayor Pro Tempore Sayre asked what is happening with the insurance claim. Mr. Baldwin reported that as of now the insurance company is in the waiting stages. Mayor Pro Tempore Sayre asked of Great Lakes Dredging & Dock's responsibility as far as the insurance and repairs are concerned. Mr. Baldwin replied that the Village has applicable insurance to cover the damage but they may have to move forward with additional measures to cover the cost of the deductible.

Mayor Lammert advised that due to a conference call scheduled at 11:30 a.m., with one of the Village Attorneys, the Council would need to move into closed session. The Manager's Report would continue after the closed session.

8. Closed Session (pursuant to N.C. General Statutes 143-318.11(a)(3) and (5))
• **Village of Bald Head Island vs. US Army Corps of Engineers**

Mayor Pro Tempore Sayre made a motion to enter into closed session pursuant to North Carolina General Statutes 143-318.11(a)(3) and (5). In a voice vote, all voted in favor. **(Motion carried 5-0)**

Closed session began at 11:25 a.m.

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Councilor Pitera 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.

7. Managers Update on Village Project and Other Items of Consideration Continued

Mr. Middleton reported that the plans for the Public Works Expansion have been reviewed by the Village Staff and Public Works Department. The changes will be taken to the Engineers next week and then put out to bid. The Village Council will be asked to award the bid within the next few months.

Mr. Middleton reported that the Public Works Department has been installing parallel sand fencing at the toe of the dune on the landward side. He advised that David Nash stated that American Beach Grass is the best choice of vegetation for the dunes this time of year. Councilor Douglas reported that the Beach Committee made a recommendation that the beach accesses be reconstructed as soon as possible and additional rope fencing be placed along the entire six (6) mile stretch of the Bald Head Island beaches. He further advised that this project is not an extremely big item but very time consuming. Mayor Lammert commented that the Village should wait until the sand placement and groinfield installation is complete before restoring the beach accesses ongoing. Councilor Douglas reported the consensus of the Beach Committee is the fencing should be in place before the vegetation is installed. Mr. Middleton advised that he will get Ms. Hardee to look into the cost of the rope fencing and report back to the Council at the next Council meeting. Mayor Pro Tempore Sayre asked if Mr. Nash is concerned about the sand blowing from the dunes before the vegetation is installed. Mr. Middleton reported that the beach grass will be installed within the next few weeks.

Mr. Baldwin reported that as soon as the survey for the parking area at the Conservancy is complete he will move forward with the language for the easement.

Mr. Middleton advised that the Amendments to Personnel Policy will be on the February meeting agenda.

Mayor Lammert commented that the American Shore and Beach Meeting will be held in Washington D.C. in early March. He inquired if the Village Clerk would need to attend with the Council if a quorum attends. Mr. Baldwin answered that the meeting is for informational purposes and the Clerk will not need to attend.

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Mayor Lammert inquired of the status of the Village Hall Expansion. Mr. Middleton replied that with the other major projects that are currently going on with the Village the expansion to the Village Hall has been put on the back-burner, but an engineer will be in place by the end of the fiscal year.

Mayor Lammert advised that the Village needs to start working on a timeline for the purchase of the Utility Company. He further advised that there are several aspects the Village will have to consider within the next six (6) months. He suggested the activation of a Utility Acquisition Committee and further suggested including Mr. Fulton and Mr. Bowling on the committee. Councilor Morris mentioned getting Gerry Hartman involved with the timeline whereas he has extensive experience with this type of business.

Mayor Pro Tempore Sayre inquired about the Creek Dredging Project. Mr. Middleton advised that there is nothing new to report regarding the Creek Project.

Mayor Pro Tempore Sayre asked if Cape Fear Engineering is continuing to work on the stormwater plan. Mr. Middleton advised that the Village is continuing to move forward with the stormwater plans. Councilor Pitera asked if there are going to be any interruptions on the golf course during the installation of the irrigation system. Mr. Middleton advised that it is his understanding that the irrigation water is going to be moved from lagoon to lagoon. Mayor Lammert shared his concern regarding the ability to remove stormwater from the golf course. Councilor Douglas advised that there should not be any problem removing stormwater from the golf course. The only lagoon in question is #11. He advised that currently the water can be moved from lagoon #11 to lagoon #10 by pumps and from there the system is all gravity. Mayor Pro Tempore Sayre commented that raising the pond will be very disruptive to the area of the creek outfall structure. Councilor Pitera advised the front nine and the back nine are scheduled to be closed at different times for the installation of the irrigation system. It seems the best time to complete the stormwater project would be during the scheduled closings. Mayor Pro Tempore Sayre suggested the Village Staff ask Mr. Davis the current status of the plans and let him know the projects need to coincide. Mayor Lammert asked if the parcel at the creek outfall structure is included with the purchase of Utilities. Manager Middleton advised that the parcel is included with the purchase. Councilor Douglas advised that the opinion from the Kimley-Horn study is that there will not be a problem pumping stormwater if no effluent is involved in the process. Councilor Douglas also stated that there is nothing in the study that should affect the purchase of the Utility Company.

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9. Adjourn

With no additional items of discussion, Mayor Lammert entertained a motion to adjourn the January 21, 2005 Village Council Work Session. Councilor Douglas made the motion to adjourn. In a voice vote, all voted in favor. **(Motion carried 5-0)**

The meeting adjourned at 12:40 p.m.

Approved:

Larry Lammert, Mayor

Attest:

Amy R. Candler, Village Clerk