

**Village of Bald Head Island**  
**Council Meeting**  
**September 16, 2005**

**Councilmembers Present:** Mayor Larry Lammert and Councilors Gene Douglas and John Pitera.

**Councilmembers Absent:** Mayor Pro Tempore Andy Sayre and Councilor Art Morris

**Staff Present:** Village Manager Jon Middleton, Police Chief Richard Herring, Public Works Director Ben Liddle, Planning Director/Assistant Village Manager Chris McCall, 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, Bald Head Island Director of Operations Woody Fulton, Bald Head Island Association Manager Joey Hill and Hillary Snow with the State Port Pilot.

**Citizens Present:** Bob and Judy Porter, Bob Flynn, Juanita Roushdy, Joe Elrod, Bill and Billie Jean Berne and Marianne Link.

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

Mayor Lammert called the September 16, 2005 Council meeting to order at 3:00 p.m. Councilor Pitera made a motion to approve the agenda as presented. In a voice vote with Mayor Pro Tempore Sayre and Councilor Morris being absent, all voted in favor. **(Motion carried 3-0)**

**2. Consent Agenda**

- 2.1 Approval of Minutes August 19, 2005, Regular Meeting  
August 19, 2005, Worksession Meeting

Mayor Lammert explained that the consent agenda consisted of the minutes of the August 19, 2005 Regular and Work Session Meetings. With no changes to the minutes, Councilor Pitera made a motion to approve the consent agenda. In a voice vote, with Mayor Pro Tempore Sayre and Councilor Morris being absent, all voted in favor. **(Motion carried 3-0)**

**3. Old Business**

- 3.1 A Resolution Authorizing the Purchase of Assets of Bald Head Island Utilities, Inc.

Councilor Douglas made a motion to approve the Resolution Authorizing the Purchase of Assets of Bald Head Island Utilities. Mayor Lammert advised that Mayor Pro Tempore Sayre and Councilor Morris, even though absent from the meeting, have both agreed to the Asset Purchase Agreement with Bald Head Island Utilities. He further advised that on January 19<sup>th</sup> there was a Letter of Intent signed between the Village and Bald Head Island Utilities. On September 2<sup>nd</sup> the Asset Purchase Agreement was signed by all parties and will be filed with the Utilities Commission today. Mayor Lammert continued stating that the Request for Proposals for the financing of the Utility Company will be sent to the Banks on October 3<sup>rd</sup>, opened on October 18<sup>th</sup> and therefore come before Council for approval of the financing at the October 21<sup>st</sup> Council Meeting. On November 4<sup>th</sup> all of the documentation associated with the purchase will be delivered to

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the Local Government Commission (LGC) and ruled upon by the LGC on December 6<sup>th</sup>. At the December 9<sup>th</sup> Village Council Meeting, the Council will approve the purchase and close the deal on December 15<sup>th</sup>. Mayor Lammert explained that from now until the closing date, the Village will be working with Bald Head Island Utilities to transfer permits as well as compiling additional documentation needed for the closing. In a voice vote, with Mayor Pro Tempore Sayre and Councilor Morris being absent, all voted in favor. **(Motion carried 3-0)**

3.2 An Update on Process and Projected Timeline of the Purchase of Bald Head Island Utilities, Inc.

Mayor Lammert completed the timeline of the purchase of Bald Head Island Utilities, Inc. while discussing the Resolution Authorizing the Purchase of Assets.

**4. New Business**

4.1 Financial Statements—August, 2005

In the absence of Ms. Boyd, Mr. Middleton reported that the month of August resulted in normal operating expenses. He advised that the major expenses were in regard to the Creek Dredging Project as well as legal fees and engineering services associated with beach stabilization. He further advised that the majority of the revenues consisted of Accommodation Tax, Vehicle Permit Fees/Renewals and Intergovernmental Funds.

4.2 First Reading and set Public Hearing Date

An Ordinance of the Village of Bald Head Island to Amend the Dune Protection Ordinance to Declare Beach Vitex (*Vitex Rotundifolia*) a Highly Invasive Plant and therefore a Public Nuisance and make it Unlawful to Plant Beach Vitex on Bald Head Island and Outlining a Program of Eradication and Restoration

Councilor Douglas explained that Beach Vitex is a highly invasive plant and dangers the native vegetation which exists on the island dunes. He advised that Beach Vitex first became apparent on the South Carolina coastline at Debidue Beach. At this time a task force was formed to eradicate the plant species and prohibit the planting of this species in South Carolina. Since that time, North Carolina has followed suit and is in the process of forming our own task force. Councilor Douglas explained that David Nash has already visited the Island and along with Maureen Dewire from the Conservancy discovered thirty-three (33) different sites where Beach Vitex is located, three (3) sites of which has excreted over the dunes. Councilor Douglas further explained that the Village Council has agreed to take the first steps of prohibiting this plant from the Island by considering an Ordinance to declare the plant invasive and laying out the process for eradication. Mr. Elrod asked if the Village is planning to fund the eradication process for private property owners. Councilor Douglas advised that Clemson University is currently researching methods of eradication of the Beach Vitex plant. It has been estimated that the cost of eradication is \$5000 per acre. Councilor Douglas emphasized

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that the Village is applying for grants to help fund the eradication process. Councilor Douglas announced that David Nash with the New Hanover County Cooperative Extension Service will be at the October 21<sup>st</sup> Regular Council Meeting to discuss the negative impact of the Beach Vitex plant. Mayor Lammert advised that the second reading and public hearing is scheduled of the October 21<sup>st</sup> Council Meeting.

**5. Committee Reports**

5.1 Beach

**Anne Kane**

There was no report from the Beach Committee at this time.

5.2 Finance

**John Knott**

There was no report from the Finance Committee at this time.

5.3 Public Safety

**Bob Liesegang**

There was no report from the Public Safety Committee at this time.

5.4 Public Works

**Joe Ridgeway**

In the absence of Mr. Ridgeway, Mr. Liddle reported that the Public Works Committee is continuing to discuss the cost of alternate options for recycling.

5.5 Transportation

**Wayne Lambert**

In the absence of Mr. Lambert, Councilor Pitera reported that there was not a quorum present at the Transportation Committee meeting but the Village Council appointed Don Tillman and Ann Cary Hevener to the Committee at today's Work Session Meeting.

**6. Monthly Reports**

6.1 Manager's Report

**Manager Middleton**

Mr. Middleton thanked everyone for their help during Hurricane Ophelia. He advised that the State of Emergency has been lifted as of 12:00 p.m. today and the water has now been deemed safe for drinking without boiling. He advised that there were a hand-full of houses that had flooding and some that the sewer had to be turned off. The houses without sewer service are being monitored and when the water level returns to normal the sewer service will be restored. Mr. Middleton emphasized that there are numerous places with standing water which will become a haven for mosquitoes. He advised the citizens to call the Public Works Department and report the standing water and the Department will place mosquito brisquettes in them.

Mr. Middleton reported that the Village is moving forward with the repairs to the portion of the roof that is damaged at Village Hall. He advised that the contract has been awarded and the repairs will begin in approximately two (2) weeks.

Mr. Middleton reported that he met with the engineers and the contractors regarding the expansion to the Public Works Department. He advised that there had been some difference of opinions but things haven been agreed upon and the beginning stages of the construction should begin in the near future.

Mr. Middleton reported that Ms. Hardee submitted a grant application to aid in the funding of the Creek Dredging Project. After a resubmitted application was filed the

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Village has received word that the grant has been recommended for the approval of \$286,000. A final decision regarding the grant should be received in the near future.

Mr. Middleton reported that the deer camera study has been temporarily put on hold due to Hurricane Ophelia. He advised that a final report should be in the hands of the Village by the first or second week of October.

At this time Mr. Middleton recognized the Public Works Director, Ben Liddle for his five (5) years of service with the Village. He advised that Mr. Liddle came to the Village as a Maintenance Worker and has moved up to Director of his Department within his five (5) year tenure.

**6.2 Police Department**

**Chief Herring**

Chief Herring thanked everyone for their assistance during Hurricane Ophelia. He advised that the month of August showed no major problems on the Island except for the usual traffic violations. He commended Officers Anderson and Ludlum for volunteering to stay on the Island during the Hurricane and thanked everyone for obeying the curfews set forth by the Village.

**6.3 Fire/EMS Department**

**Chief Munna**

Mayor Lammert advised that Chief Munna is currently representing the Village at a meeting at Brunswick County with the Governor regarding the Hurricane. He thanked Chief Munna for remaining on the Island during the Hurricane and commended him for a job well done.

Mayor Lammert commended all of the Village Staff, Volunteers and Citizens for their work and assistance during Hurricane Ophelia. He advised that within thirty-six (36) hours of the storm, the Village had renewed all services to and from the Island and felt everyone involved did a wonderful job.

**7. Comments, Reports and Questions**

**7.1 Citizens**

Mr. Fulton commented that the ferry system returned to a normal schedule to all guest and visitors at 12:00 p.m. today. He advised that the barge ran all day and the contractor ferry also returned to normal service at noon. Mr. Fulton further advised that the boiling water notice was also discontinued this morning at approximately 10:30 a.m.

Mr. Elrod asked for the reasoning behind the water supply failure on the Island during the storm. Mr. Fulton answered that the generators that run the Utility Company were checked on Monday and would not start. At that time, the attempt was made to repair them. The attempt was unsuccessful. Mr. Fulton confirmed that the generators would not have made a difference at the time the power was lost to the Island. When there is a power outage to the Island, the water is automatically shut down due to the grinder pumps. Mr. Elrod then complained that the Village website was somewhat

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inoperable during the Hurricane. He advised that the website is where he went for updates during the power outage. Mr. Middleton advised that there were some problems with the website in the beginning but the discrepancies were corrected. He further advised that the Village website has been under construction for sometime now but hopefully before the next Hurricane the site will be up and running.

Ms. Roushdy emphasized that she is very grateful for the entire Village Staff for the extra hours and work that they put in during the Hurricane. She advised that there seemed to be some criticism from visitors that opted to stay on the Island but she is most appreciative for the work. Ms. Roushdy also emphasized the importance of maintaining an old rotary dial phone for situation that come up when there will be possible power outages.

Ms. Link thanked the Staff and Volunteers for the work that was done during Hurricane Ophelia.

7.2 Bald Head Island Association—Bob Porter President

Mr. Porter thanked the Village Staff and Council for the work and services that was upheld during Hurricane Ophelia.

Ms. Hill echoed his appreciation and added that she was able to keep the Association website update due to the constant contact she had with the Village Staff.

7.3 Bald Head Island, Ltd.—Joyce Fulton

Ms. Fulton update the citizens on the status of the Island facilities. She advised that the Market reopened this morning at 9:00 a.m., the River Pilot will reopen on Monday and Eb and Flo's will open tonight.

7.4 Mayor and Council

Mayor Lammert thanked the Staff, Volunteers and Council for the hard work they preformed during the storm. He advised that everything is back in full operation only thirty-six (36) hours after the Hurricane and all involved should be highly commended.

**8. Adjourn**

With no additional items of discussion, Mayor Lammert entertained a motion to adjourn the September 16, 2005 Village Council Meeting. Councilor Pitera made the motion to adjourn. In a voice vote, with Mayor Pro Tempore Sayre and Councilor Morris being absent, all voted in favor. **(Motion carried 3-0)**

The meeting adjourned at 3:35 p.m.

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Approved:

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Larry Lammert, Mayor

Attest:

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Amy R. Candler, Village Clerk