

**VILLAGE OF BALD HEAD ISLAND**  
**Work Session Meeting**  
**November 11, 2005**

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

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

**Others Present:** Bald Head Island Limited Director of Communications Joyce Fulton and Bald Head Island Limited Director of Planning Jim Henry.

**Citizens Present:** Anne Boozell.

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

Mayor Lammert called the November 11, 2005 Work Session meeting to order at 9:30 a.m. Mayor Lammert asked for amendments to the Work Session agenda. With no changes to the agenda, 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 October 21, 2005**

Mayor Lammert advised that he would like to add a proclamation honoring military veterans for Veteran's Day to the afternoon meeting agenda under the consent agenda. There were no objections from Council. Mayor Lammert continued with the consent agenda, explaining that Branch Banking and Trust (BB&T) was the low bidder for the financing of the purchase of the Utility Company. He advised that the low bid rate from BB&T came in at 3.97%. The Village is currently paying a finance rate of 7.65% for the waterline. Councilor Morris asked if there are any penalties for early payoff of the waterline. Ms. Boyd answered that there is a 2% penalty for early payoff but the Village will come out better in the long run due to the lower rate. Councilor Pitera asked if the 3.97% interest rate is a fixed rate. Mayor Lammert advised that it is fifteen (15) year fixed rate. Ms. Boyd added that Mr. Lloyd with BB&T has agreed to give the Village an extension on the percentage rate until December 31<sup>st</sup> in the event that the closing takes longer than projected.

Ms. Boyd explained that the resolution regarding the signatures on the bank card will add Ms. Candler and Mr. McCall to the signature list and take Ms. Hardee's name off the list. Ms. Boyd added that the final item on the consent agenda is a budget transfer for funds expended due to Tropical Storm Tammy and Hurricane Ophelia. She advised that Tammy has not yet been declared for Public Assistance through FEMA.

Mayor Lammert advised that the Village is moving forward with the December 15<sup>th</sup> closing date of the Utility Company. He further advised that the application has been filed with the Local Government Commission (LGC) and the Village Attorneys are working toward approval from the Utilities Commission. Councilor Morris stated that there are lots of rumors floating around the Island regarding the agreement between the Village and the Club. He asked if the signed agreement is public record. Mr. Baldwin

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advised that the agreement is a matter of public record and can therefore be shared with the public.

Ms. Boyd reported that the audit is complete and all of the adjusting entries have been entered and are reflected in the October financial statements. She further advised that interest rates on the investments with Finstar continue to increase and therefore increasing the amount of revenue received through interest income. Ms. Boyd explained that Wayne Berry will be at the afternoon meeting for the audit report.

Mayor Lammert explained that the Interlocal Agreement between the Village and Brunswick County will allow Waste Industries to continue to pick up residential waste through June of 2011.

Councilor Douglas reported that the Beach Committee discussed an eradication program for Beach Vitex. He further reported that more Vitex is being found on the Island every day. Mr. Liddle reported that the Public Works Committee is looking into ways to deal with flooding issues. Councilor Pitera reported that the Transportation Committee discussed the need for the Village to purchase pumps for the removal of water from the Island during a storm.

**3. Discussion of Proposed Text Amendment to Allow Interlocking Pavers at the Entrance of Driveways**

Mr. Middleton reported that a submission was made by Lynn Stephens requesting that interlocking pavers be allowed as a driveway apron. Mayor Pro Tempore Sayre shared his concerns regarding the Village paving over the interlocking pavers during the Spring and Fall paving projects. Mr. Middleton commented that the intent would be to remove the pavers before the paving commences. Councilor Pitera asked if that would be a Village expense or the expense of the property owner. Mr. Middleton advised that removing pavers would not be the responsibility of the Village. After further discussion regarding the current ordinance and the need of improvement, it was the consensus of the Village Council to table this discussion until the December worksession meeting and return the amendment to the Village Staff for further review and recommendations.

**4. Discussion of Request for Permanent Mile Markers**

Mr. Middleton explained that Bald Head Island Limited has submitted a request to install permanent mile markers throughout the Island for the purpose of creating and official "running course." Mr. Henry added that Bald Head Island Limited is working with the Wilmington Road Runners on this request. Councilor Douglas asked what these mile markers would look like. Mr. Henry replied that they would be very similar to the bollards. Mr. Middleton advised that the Village Staff does not recommend approval of permanent mile markers. After the Council had further discussion regarding the pros and cons of installing permanent mile markers, Councilor Pitera made a motion to deny the request for the permanent mile markers. In a voice vote, all voted in favor. **(Motion carried 5-0)**

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

Mr. Middleton reported the infrared camera study being compiled by Westervelt Wildlife Services, Inc. will be complete within the next couple of weeks.

Mr. Middleton reported that the permit for the Creek Dredging Project will have to be modified to move the sand to West Beach. He advised that the standard permitting modification process will take approximately sixty (60) days and will cost \$500. He further advised that there is a fast track permit modification process available that can be complete in a week's time and will cost between \$1000 and \$2000. Mr. Middleton asked for Council's direction in regard to the permitting process for the Creek Dredging Project. Mayor Pro Tempore Sayre commented that with the expected savings from the dredging, he feels the Village should move forward with the fast track process. Councilor Pitera asked if the Village was expected to gain approval of the modification to the permit. Mr. Middleton advised that approval is expected. Mayor Pro Tempore Sayre made a motion to move forward with the fast track modification permit for the Creek Dredging Project. In a voice vote, all voted in favor. **(Motion carried 5-0)**

Mr. Liddle reported that the foundation has been poured for the Public Works Expansion and the building will be delivered next week. He advised that construction will begin shortly after the delivery. Mr. Middleton thanked Woody Fulton for running an extra barge during the process of which the foundation was being poured.

Mr. Middleton reported that the Village has recently completed the six (6) month update of the beach profiles. He advised that the last monitoring survey was completed by the Village in May of 2005. Mr. Middleton explained that the Corps also performs bi-annual surveys which will give four surveys performed approximately three months apart. Mayor Lammert asked if the Village has heard any thing from the Corps monitoring surveys. Mr. Middleton explained that we have not received any information from the Corps at the present time. Mayor Pro Tempore Sayre suggested that Mr. Middleton find out if the Corps completed the September monitoring surveys and request their information. Mayor Lammert suggested that Erik Olsen also be contacted for information on other ongoing projects as well.

Mr. Middleton reported that the intervention filed by the Bald Head Island Club has cost the Village approximately \$24,000 in unanticipated expenses at this time.

Mr. Middleton reported that the bids for the Beach Vitex Eradication Project will be opened around the first of December. He advised that the project consists of three (3) phases. Phase one (1) is the removal of plants that are visible in January. Phase two (2) is retreating the new-growth with herbicide in the spring and phase three (3) is the restoration of the areas where the Beach Vitex was removed.

Mr. Middleton reported that he has had contact with the USDA regarding services for sharp shooters. He further reported that he has also talked with Suzanne Dorsey from the Conservancy regarding lethal and non-lethal ways of controlling the deer population on the Island.

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6. **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
  - Village of Bald Head Island, vs. Bald Head Island Utilities
  - Howard Biggers III, vs. Village of Bald Head Island, et al
  - Discussion of Utilities Commission Hearing

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

Closed session began at 10:30 a.m.

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 10:55 a.m.

At this time there was discussion regarding the location and the date of the upcoming Council Retreat. It was the consensus of the Village Council to hold the retreat on January 16<sup>th</sup> and 17<sup>th</sup> 2006 in Charleston.

7. **Adjourn**

With no additional items of discussion, Mayor Lammert entertained a motion to adjourn the November 11, 2005 Village Council Worksession. Mayor Pro Tempore Sayre made the motion to adjourn. In a voice vote, all voted in favor. **(Motion carried 5-0)**

The meeting adjourned at 11:00 a.m.

Approved:

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Larry Lammert, Mayor

Attest:

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Amy R. Candler, Village Clerk

