

**VILLAGE OF BALD HEAD ISLAND**  
**Work Session Meeting**  
**February 17, 2006**

**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, Tax Collector Dawn Reno, Utilities Director Ken Bowling, 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 and Bald Head Association Manager Joey Hill.

**Citizens Present:** None

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

Mayor Lammert called the February 17, 2006 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 Morris 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 February 17, 2006**

Mayor Pro Tempore Sayre had one (1) change to the minutes, stating that Mr. Mitchell did not agree to the stainless steel hardware and the wear-decking. The two (2) of them discussed the idea.

Mayor Lammert advised that there is a resolution on the consent agenda, supporting continued maintenance of the Atlantic intracoastal waterway, shallow draft inlets, and inlet crossings by the US Army Corps of Engineers.

Mayor Lammert advised that the budget ordinance is for the purpose of moving the accommodations tax collected last year, of which was placed in reserve, to the beach fund. Mayor Lammert noticed that there was a new financial recap included in the Council packets. Ms. Boyd reported that she met with Mayor Pro Tempore Sayre to revamp the financial recap page due to the inclusion of the newly added Enterprise Fund. There was further discussion regarding the new financial recap statement. Mayor Pro Tempore Sayre commented that it is a work in progress and open for changes. Mr. Middleton asked if the current amount of funds available could be added to the Capital Projects Funds. Ms. Boyd explained that she is open for any changes, additions and deletions. She added that the second page is the cash flow.

Councilor Douglas reported that the Beach Committee took a look at the public access ways. He advised that it was determined that several of them need to be raised due to the amount of sand building up underneath them. The Village Council endorsed this process of raising these public access ways. Councilor Morris reported that the Public Safety Committee is asking that the Village fund the costs associated with mailing a brochure for public safety. There was confusion from the Village Council regarding the brochure as to whether this was a request from the Public Safety Committee or the

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Community Watch Program. Chief Munna emphasized that Captain David Cox played a part in the creation of the flyer and was produced to help with the education and awareness of Public Safety. There was further discussion regarding the amount of funds that the Public Safety Committee is requesting. Councilor Morris advised that it would cost approximately \$200 for the mailing.

Once it was understood that this was a request from the Public Safety Committee, Councilor Morris made a motion to approve the recommendation from the Public Safety Committee and approve the funding to cover the cost of mailing the Public Safety brochure. In a voice vote, all voted in favor. **(Motion carried 5-0)**

**3. Discussion of Requests made by Bald Head Island Limited Regarding the Timber Bridge—*Jim Henry***

Due to the absence of Mr. Henry, Ms. Fulton advised that letters have gone back and forth between the Village and Bald Head Island Limited. She further advised that in response to a letter from Mr. McCall, Limited set up a mock run of the bridge that allowed trams, golf carts, pedestrians and etc., to pass on the bridge at the same instance. Ms. Fulton explained that Mr. Hayworth, Chairman of the Planning Board was at the mock run and gave his blessing to allow tram traffic on the bridge on behalf of the Planning Board. Mayor Lammert reported that there were several members of the Council also present at the mock run and they also agreed to allow tram traffic on the Timber Bridge with the stipulation that the trams will only be allowed to travel on the bridge in one (1) direction. The direction being from the intersection of West Bald Head Wynd and North Bald Head Wynd over to Keelson Row. The return traffic will travel through the barge area.

Mayor Lammert reported that the next piece of this discussion has to do with the Village cost sharing the expense of the stainless steel hardware and the wear decking with Bald Head Island Limited. Mayor Pro Tempore Sayre commented that he will more than likely not be in favor of any type of cost sharing for the required additions of stainless steel hardware and wear-decking. The reason being, Bald Head Island deserves the highest quality bridge available and the Developer should want to build the best possible bridge available. Councilor Douglas agreed with Mayor Pro Tempore Sayre regarding his stand on cost sharing. Mayor Lammert asked what the estimated cost to do both would be. Ms. Fulton advised that the figures given by Mr. Henry were \$19,000 for the stainless steel hardware and \$51,840 for the wear-decking. Mayor Lammert asked if the Council would like to get some exact numbers before making their final decision. Mayor Pro Tempore Sayre advised that the Village will need detailed list of the additions if this agenda item is to be addressed again at a future meeting. Councilor Douglas agreed that the bridge should be top quality and built right the first time and added that he would like to state that in the form of a motion. Mayor Lammert emphasized that Mayor Pro Tempore Sayre has suggested obtaining a material list and some exact figures and asked the Council of their wishes. Ms. Fulton spoke up stating that she does not appreciate the Village Council saying the bridge is not going to be built right. The manufacturer made

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the recommendation and the proposal has the bridge built to standard. The upgrades are requirements that the Village Council believes will improve the quality of the Timber Bridge, not the Developer or the Contractor of the bridge. Councilor Pitera explained that in three (3) years the Developer is not going to have to maintain the bridge. At that time it will be the Village's responsibility for maintenance and repair. The Council does not want to have to constantly replace hardware and decking. Mayor Pro Tempore Sayre advised that one (1) of the requirements for the (10) year warranty is the addition of stainless steel hardware. Councilor Douglas added that in the past few years, he has replaced all of the hardware on his house with stainless steel. Mayor Lammert asked if the Council wishes to get a detailed listing of the wear-decking and stainless steel hardware. Councilor Douglas stated that he will withdraw his motion if the Village Council wishes to continue this discussion at a future meeting after more detailed information is provided. Mr. Middleton asked the Council if they would be open to the idea setting up a conference call with York Bridge and Limited to discuss these requirements further. Mayor Pro Tempore Sayre commented that he does not think it will be beneficial to have a conference call with the contractor. He advised that they are contractors for the Developer and feels it will put York in an uncomfortable situation. Mayor Pro Tempore Sayre added that the contractor for the bridge does not live on Bald Head Island and has not seen the environmental impact that we face. He advised that it is hard to over build anything on Bald Head Island. Councilor Pitera emphasized that the sturdiness of the bridge is not a question. The Village is looking toward the future and the maintenance issues that will be along with the bridge. After the discussion, the Council agreed to defer a decision on the cost sharing issue until additional information is provided. Ms. Fulton asked for the exact details of the information the Council would like provided to them. Mayor Pro Tempore Sayre concurred the Council would like a materials list, a labor list, a detailed breakdown for the wear-decking and the cost associated with upgrades to stainless steel hardware and any maintenance timelines or warranties.

**4. Discussion of the Employee Healthcare Plan—*Shelia Boyd***

Ms. Boyd reported that *Blue Cross Blue Shield* has quoted the Village a rate of \$277.79 per month for health care coverage for each employee to take affect as of March 1, 2006. This is a savings of \$171.82 per month for each employee compared to the Village's current carrier. There was further discussion regarding the dental insurance provider and the cost associated by each provider. Ms. Boyd further advised that Staff recommends that the Village Council choose *Blue Cross Blue Shield* as the Healthcare provider and *Ameritas* as the Dental Insurance provider for the Village Employees and their dependents. Councilor Pitera made a motion to approve *Blue Cross Blue Shield* and *Ameritas* as the Village Employee healthcare providers. In a voice vote, all voted in favor. **(Motion carried 5-0)**

Mayor Pro Tempore Sayre asked if the Village has been in contact with Rutherford Insurance Group. Ms. Boyd replied that she has contacted them and will set up a time to

meet with a representative from the company before the budget process to discuss the property and liability insurance.

**5. Discussion of Historical Markers Program**

Mayor Pro Tempore Sayre commended Jack Goree for doing a great job on the proposal for the recovery of Fort Holmes. He advised that some of these suggestions could be accomplished for little time and expense. He further advised that he feels that clearing and mulching of the mound at the battery can be a near future item. Mayor Pro Tempore Sayre's only reservations regarding the project were the stormwater renovation that is going to take place in the near future. Mayor Lammert suggested working on the Battery Area at North Bald Head Wynd while the Village does work on the lagoon. He further advised that he will check with the Bald Head Association at their afternoon meeting for permission from them to move forward with this project.

**6. Update on Potential Live Burn on the Island—*Chief Munna***

Chief Munna reported that one of the neighbors of the live burn has concerns regarding the burn and therefore the homeowners are going to further evaluate the process.

**7. Discussion of Comprehensive Shoreline Stabilization Project**

The Village Council asked Mr. Middleton to give an update at the afternoon meeting regarding the direction of the Village Council has agreed to take regarding shoreline stabilization. Mayor Lammert advised that the Village Council agreed to spend approximately \$100,000 for a survey of the Bald Head Coastal Waters that will emphasize the depths and the areas of sand off the shoreline. This survey will be done by GeoDynamics Survey Company. He further advised that the Council also agreed to spend approximately \$300,000 on core sampling for the beginning stages of a Private Sand Placement Project.

Ms. Fulton advised that Mr. Henry wanted to meet with Mr. Olsen while he was on the Island regarding the spur for the entrance to the marina. Mr. Middleton advised that Mr. Olsen met with Mr. Merik while on the Island yesterday. Ms. Fulton emphasized that the meeting with Mr. Henry and Mr. Olsen still needs to occur. Mr. Middleton informed Ms. Fulton that he will get in touch with Mr. Henry and set a meeting.

**8. Manager's Update on Village Projects and Other Matters for Consideration**

Mr. Middleton reported that he and Mayor Pro Tempore Sayre met with Ms. Fulton yesterday regarding the four (4) groins along the beaches of Row Boat Way. Ms. Fulton advised that the Harbor Association is scheduled to meet next week, and she will get the costs associated with repairs and maintenance of the groins to the Village at that time.

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Mr. Middleton reported that based on the request made by the Village Council at the Council Retreat regarding extending the sewer lines to Middle Island, Mr. Bowling estimated the cost to extend the sewer lines to Middle Island to be approximately \$300,000. Mr. Bowling advised that he will have to check to see if the trunk lines can sustain the additional weight of the Middle Island area. Councilor Pitera asked if a project this size can be handled in house or if it would have to be outsourced. Mr. Bowling responded that it would have to be handled by an out side contractor. Councilor Pitera informed that Council that the Association at Middle Island is currently looking for ways to fund paving the roads. He advised that they might want to piggy back on the Village spring paving project. He further advised that if the Village is going to move forward with the sewer line project in the area that it would be ideal to have the lines installed before the roads are paved. Mr. Middleton agreed but reminded the Council that funding of this project might have to be included in the 2006-2007 budget. Councilor Pitera advised that the citizens in Middle Island are concerned with the issue of entering and exiting the property because of all of the construction going on right now if the Village agrees to move forward with the sewer line project in the near future. The Council asked how long it would take to complete a project of this size. Mr. Bowling replied that there are lots of variables to deal with, such as the weather and the water table, so an estimated time frame is hard to predict. Councilor Pitera asked if the Middle Island Association will have any say in whether or not this anticipated project will take place. Mr. Middleton replied that the roads are still owned by the Association so therefore they would have a say as to sewer going in the area because the lines will be placed in the right of ways. Councilor Pitera advised that several of the Middle Island residents do not want Village sewer simply because of the inconvenience it will cause during the construction stage. Mayor Pro Tempore Sayre suggested that Mr. Baldwin take look to see what type of permission or authorization the Village will need from the Middle Island Association to move forward with this project. The Council continued their discussion with Mayor Pro Tempore stating that the Village needs to move forward with this project as soon as possible while Mr. Young still has control over the Association. The Village Council directed Mr. Middleton to move forward with a detailed cost estimate, revenue flow and estimated timing. Mr. Bowling advised that a cost estimate will be very hard to narrow down without hiring engineers. The Village Council gave Mr. Middleton the authority to move forward with the process of hiring engineers. The Council asked about the permitting process from the State for this project. Mr. Bowling advised that there should be no problems with the permitting process.

Mr. Middleton reported that Chief Herring has gotten in touch with Mr. Padgett from the NC Wildlife and he has directed the State to move forward with the issuance of the depredation permit. He advised that the Village should have the permit in hand within the next seven (7) to ten (10) days. He further advised that the Public Works Department will start baiting the sites on Monday.

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Mr. Middleton reported that the bids for the sea oats were received and the low bid came in at \$54,000. He advised that the bid was awarded to Jason Simmons and he will start the project as soon as the sea oats come in season.

Mr. Middleton reported that the survey of lagoon fourteen (14) is complete and the Village will hopefully be successful in setting up a meeting with the Club next week.

Mayor Pro Tempore Sayre asked about the status of the repairs made to the sand bags. Mr. Middleton explained that the sand bags are being repaired as needed. Mayor Pro Tempore Sayre asked if they are being refilled before the repairs are made. Mr. Middleton explained that the cost to get the equipment on the Island to refill the sand bags is astronomical and therefore it is not feasible for the Village to refill them. However, Mr. Olsen has looked at the bags that have been repaired and has advised that it is the best that can be done without spending a large amount of funds.

Mayor Pro Tempore Sayre asked if the Village has any type ordinance regulating the motorized scooters. He advised that he had a complaint from a concerned citizen that almost hit child of whom was riding one of the motorized scooters. Councilor Morris advised that the same concern has been brought before the Public Safety Committee and they are researching to see what can be done to regulate the motorized scooters on the Island.

Mayor Pro Tempore Sayre asked questions regarding filling holes on lots with fill dirt to prevent standing water from collecting on the lots when an excessive amount of rainfall occurs. Mr. Boyett replied that it is his understanding that the Village has not allowed this in the past because of the stormwater run-off. There was additional discussion regarding the filling of low areas, but it was the Council's decision to defer any resolve on this topic until staff has the results from the Engineers regarding the Village stormwater plan.

Mayor Pro Tempore Sayre asked Ms. Fulton about the presentation regarding the K-Boats that was discussed at the Council Retreat. Ms. Fulton explained that due to some additional improvements that will have to be made to the marina areas as well as to the ferry's, the K-Boat regulations will not go into affect as soon as anticipated, therefore she was uncertain if the Council wanted to move forward with the K-Boat presentation now or wanted to wait until a later date when it is closer to the time of which the K-Boat regulations go into affect. It was the Council's decision to move forward with the K-Boat presentation at the March 24<sup>th</sup> meeting date.

Councilor Pitera asked if there have been any visual changes to Bald Head Creek since the completion of the dredging. Mr. Middleton replied that he has not seen any visual changes and there has been no monitoring done as of yet. He advised that he will keep the Council posted when the water testing takes place.

- 9. Closed Session (pursuant to N.C. General Statutes 143-318.11(a) (3) and (5))**
- Village of Bald Head Island, vs. Bald Head Island Utilities
  - Howard Biggers III, vs. Village of Bald Head Island, et al
  - Village of Bald Head Island, vs. US Army Corps of Engineers

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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 11:15 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 11:53 a.m.

**10. Adjourn**

With no additional items of discussion, Mayor Lammert entertained a motion to adjourn the February 17, 2006 Village Council Worksession. Councilor Pitera made the motion to adjourn. In a voice vote, all voted in favor. **(Motion carried 5-0)**

The meeting adjourned at 11:54 a.m.

Approved:

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Larry Lammert, Mayor

Attest:

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Amy R. Candler, Village Clerk