

Village of Bald Head Island

Council Work Session

July 20, 2007

9:30 a.m.

Location: Village Hall

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

Councilmembers Absent: Councilor John Pitera

Staff Present: Village Manager Calvin Peck, Assistant Village Manager/Planning Director Chris McCall, Police Chief Richard Herring, Chief of Emergency Services Chip Munna, Utilities Director Ken Bowling, Public Works Director Ben Liddle, Finance Director Deb Straub, 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: Ray Webb and Bob Porter

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

Mayor Lammert called the July 20, 2007 Village Council Work Session to order at 9:30 a.m. Councilor Douglas made a motion to approve the Work Session agenda as presented. In a voice vote, with Councilor Pitera being absent, all voted in favor.

(Motion carried 4-0)

2. **Review of Agenda for the Regular Meeting of July 20, 2007**

Mayor Lammert reported that the two (2) resolutions regarding the pay study and personnel policy need to be removed from the afternoon meeting agenda and a capital project ordinance needs to be added.

Ms. Reno reported that several of the outstanding accounts listed on the Tax Settlement statement have been paid since July 1st. She added that according to the North Carolina General Statutes she is required to advertise the unpaid taxes as of June 30th.

Mayor Lammert advised that George Hayworth will be recognized during the afternoon meeting for his years of services that he has spent volunteering on various Boards and Committees of the Village.

Ms. Straub reported that as of June 30th the expenditures ended up at 71% of the budgeted amount for the fiscal year. She added that the revenues were 4% over budget.

Ms. Straub explained that a budget amendment has been added to the afternoon agenda for consideration and approval. She advised that the amendment is for unfunded expenditures relating to engineering costs associated with the infiltration pond system.

Ms. Straub added that the audit contract is also on the afternoon agenda. She explained that the contract is basically the same as last year except for a slight adjustment in the pricing.

Mr. Peck explained that the storm debris removal contract covers everything from the sifting of sand to placing it back on the beach where it belongs after a storm. Mr. Peck added that when looking at the bids, TFR Inc. appears to be the low bidder.

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However, after a closer look, TFR Inc. does not have the low bid on all aspects of the contract. When TFR Inc., was approached regarding an award for a partial contract, they refused. Therefore, they have been removed as a bidder on the tabulation sheet. Mayor Pro Tempore Sayre questioned the need for this contract as well as the obligation the Village has to the low bidder if a storm were to occur as opposed to using a company that is already established on the Island. Mr. Peck explained that it is a requirement of FEMA to have a contract in place before a storm occurs for the reimbursement process. Mr. McCall added that the intensity of the storm will also have an impact on the obligation of the Village to use the contract. Mr. Peck advised that Staff feels comfortable with the process and will have Mr. Baldwin look at the contracts and go from there.

Councilor Douglas explained that the Beach Committee wishes to withdraw their recommendation to the Village Council. He further explained that after Anne Kane did an individual evaluation of the beach accesses with property owner parking complaints, she discovered that there was actually no problem regarding parking and did not find more than three (3) or four (4) vehicles at each at one time.

The Village Council appointed Brenda Quanstrom to the Public Safety Committee to fill in the remainder of Dave Hasson's term.

Mr. Liddle advised that the Public Works Committee discussed bulk heads and recycling.

3. Consideration and Approval of a Request from the Old Baldy Foundation Regarding National Lighthouse Days

Mayor Lammert advised that the request from the Old Baldy Foundation regarding additional services from the Village during the time of which the pirates are on the Island has been handled as an administrative item.

4. Review of the Sand Search Investigation Report

Mr. Peck reported that the \$100,000 for recognition study is not going to be funded. He added that the Council recently received the study from Mr. Olsen regarding the sand search and availability. Mr. Peck explained that the study initially there is enough sand in the area as well as a fairly easy accessibility. Mayor Lammert asked what steps the Village needs to take next to ensure the private sand placement project remains on track. Mr. Peck explained that the next step will be the Environmental Assessment (EA) or the Environmental Impact Study (EIS) and Mr. Olsen is currently taking care of this process. Mayor Pro Tempore Sayre commented that it is his understanding that the Corps of Engineers is going to have a huge say as to whether the Village will have to obtain an EA or an EIS. The Village Council directed Staff keep in contact with Mr. Olsen and Mr. House to ensure that this project remains on the fast track and top priority.

5. Presentation of the MAPS Group Personnel Policy and Pay Study—*Becky Veazey*

Mayor Lammert advised that the resolutions regarding the pay study and the personnel policy will be taken off of the afternoon agenda. He advised that after reading through the policy and the pay study, he has several questions and has discovered several mistakes. Mayor Lammert explained that Ms. Veazey will be on the Island this afternoon to go over Department Head concerns regarding the plans and will set a meeting with Council at a later time.

6. Discussion of Support of BBC Position regarding the Division of Coastal Managements Oceanfront Development Setbacks and Static Line

Mr. McCall explained that Bald Head Island currently has a static line. He advised that DCM came out and established the first line of stable vegetation for Bald Head Island. He further advised that he and Mr. Peck attended a meeting regarding the static lines and there were people at the meeting that were very vocal regarding the fact that they did not want DCM regulating the size of house that can be built on their property. Mayor Lammert asked a question regarding the planting of new vegetation and at what point new plantings can be considered the first line of stable vegetation. Mr. McCall advised that it takes several years for the new vegetation to be considered the first line of stable vegetation. Mr. Peck reported that the Brunswick Beaches Consortium has issued a letter of concern relating to clarification of the process and parameters.

Mayor Pro Tempore Sayre asked for an update on the flood maps. Mr. McCall replied that the Village should receive the preliminary maps in December.

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

Mr. Peck advised that there have been concerns voiced regarding onsite septic systems. If a private septic system fails and the property owner has signed a maintenance agreement with the Village, it will be at the discretion of the Utility Director as to whether the system will be repaired or tapped on to the Village System.

Mr. Peck reported that Progress Energy came out and filled the hole at the corner of North Bald Head Wynd and South Bald Head Wynd. He advised that there are still some wires sticking out that needs to be covered.

Mr. Peck reported that as of yesterday afternoon, the sea oat plantings were almost complete except for a very small area.

Mr. Peck asked Mayor Pro Tempore Sayre to update the Council on the Village Hall Expansion. Mayor Pro Tempore Sayre explained that the problem with the existing building is the current elevation. He further explained if improvements to the current building are over 50% then the entire building will have to be elevated. Therefore, the architect has reworked the current building to possibly include the conference meeting area and public restrooms and then an additional building of which will include new offices for Administration and Development Services. Mayor Pro Tempore Sayre added that the architects would like to introduce the plans at a public presentation during the

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August Council meeting. Council agreed to continue to move forward with the current plans and schedule the Architects for the August meeting.

Mr. Peck reported that the expansions for the Public Works Department and the Utility Department went out to bid this week. He advised that additional information will be available at the August meeting.

Mr. Peck reported that the Village has signed a contract with Utility Services for the interior and exterior of the water tank.

Mr. Peck reported that the Village is working on an interlocal agreement with Brunswick County regarding vicious dogs. With this agreement, Brunswick County will come over to the Island and remove any dogs that may be violent.

Mr. Peck welcomed David Cox to the Administration Department as the IT Systems Administrator.

Mayor Lammert reported that he, Council Douglas and Councilor Morris attended a meeting between the Doshier Hospital Board and the Brunswick County Board of Commissioners regarding the Smithville Township hospital tax. The Brunswick County Board of Commissioners agreed to move forward with adding this debate as a referendum to the November ballot. Councilor Douglas produced numbers that suggested Brunswick County cannot fiscally two (2) separate hospitals.

Mayor Pro Tempore Sayre asked about Senate Bill #599 regarding hardened structures. Mr. Peck advised he would contact the League of Municipalities to find out the status

Mayor Pro Tempore Sayre asked the status of the jetty wall. Mr. Peck replied that he plans to meet with Limited and the Club to determine the best approach to the marina area, west beach and the marina groins.

8. Closed Session (pursuant to N.C. General Statutes 143-318.11(a)(3) and (5))

- **Howard Biggers III, vs. Village of Bald Head Island, et al**
- **Facility Easements and Properties**
- **Legal Issues Regarding ICE Fees**

Councilor Douglas made a motion to enter into closed session pursuant to N.C. General Statutes 143-318.11(a) (3) and (5). In a voice vote, with Councilor Pitera being absent, all voted in favor. **(Motion carried 4-0)**

The closed session began at 11:08 a.m.

Councilor Douglas made a motion to return to open session. In a voice vote, with Councilor Pitera being absent, all voted in favor. **(Motion carried 4-0)** Mayor Lammert advised that no action was taken during closed session.

The open meeting reconvened at 12:18 p.m.

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9. Adjourn

With no additional items for discussion, Mayor Lammert entertained a motion to adjourn the Work Session Meeting. Mayor Pro Tempore Sayre made the motion to adjourn. In a voice vote, with Councilor Pitera being absent, all voted in favor. **(Motion carried 4-0)**

The July 20, 2007 Village Council Work Session adjourned at 12:19 p.m.

Approved:

Larry Lammert, Mayor

Attest:

Amy R. Candler, Village Clerk