

VILLAGE OF BALD HEAD ISLAND
MONTHLY COUNCIL MEETING

January 13, 2012

3:00 p.m.

River Pilot Café

COUNCILORS IN ATTENDANCE

Mayor Andrew Sayre
Mayor Pro Tempore John Fisher
Councilor Gene Douglas
Councilor Art Morris
Councilor Bob Helgesen

STAFF PRESENT:

Calvin R. Peck, Jr., Village Manager
Chris McCall, Asst. Manager/ Shoreline
Protection Manager
Deb Straub, Finance Director
Chief Chip Munna
Stephen Boyett, Development Services
Karen Ellison, HR/ Communication Director
David Cox, Systems Administrator
Charles Baldwin, Village Attorney
Debra Talbert, Village Clerk

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

Mayor Sayre called the January 13, 2012 Council Session to order at 3:00 p.m. Mayor Sayre entertained a motion to approve the amended agenda as presented. Councilor Helgesen made motion, with all in approval.
(MOTION CARRIED 5-0)

2. **Consent Agenda**

2.1 **Approval of Minutes**

December 16, 2011- Work Session
December 16, 2011- Council Meeting
December 22, 2011- Special Meeting

2.2 **Resolution to Adopt the Regular Council Meeting Schedule**

**RESOLUTION TO ADOPT THE REGULAR COUNCIL MEETING SCHEDULE
OF THE VILLAGE COUNCIL FOR
THE VILLAGE OF BALD HEAD ISLAND 2012**

WHEREAS, General Statute 160A-71 allows the Village Council to fix a time and place for regular meeting; and
WHEREAS, General Statute 143-318. 12(a) requires the Village Council's schedule of regular meetings to be kept on file with the Village Clerk; and
WHEREAS, the Village Council will conduct a work session meeting at 9:30 a.m. and a regular Council meeting at 3:00 p.m. at the Bald Head Association Building on each of their regular meeting days; and
NOW, THEREFORE, BE IT RESOLVED that the following 2012 meeting schedule be adopted by the Village of Bald Head Island Council.

Friday	January 13, 2012
Friday	February – No Council Meeting- Retreat Only
Friday	March 16, 2012
Friday	April 20, 2012
Friday	May 18, 2012
Friday	June 15, 2012
Friday	July 20, 2012
Friday	August 17, 2012

Friday September 21, 2012
Friday October 19, 2012
Friday November 16, 2012
Friday December 14, 2012

Adopted this 13th day of January 2012.

2.3 Resolution to Adopt a Policy for Mutual Aid for Law Enforcement Agencies

WHEREAS, pursuant to North Carolina General Statute § 160A-228, the governing body of a town may adopt appropriate guidelines for the purpose of mutual assistance with other municipal and county law enforcement agencies; and

WHEREAS, pursuant to said laws, the law enforcement assistance to be rendered authorizes lending officers to work temporarily with officers of the requesting agencies, including in an undercover capacity, and lending equipment and supplies; and

WHEREAS, it is deemed to be the best interests of the citizens of Bald Head Island to adopt a reasonable policy and set of guidelines whereby reciprocal law enforcement assistance can be both rendered to and obtained from other government jurisdictions; and

WHEREAS, such reciprocal assistance is necessary for effective law enforcement for the protection of the citizens of Bald Head Island.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF BALD HEAD ISLAND COUNCIL that:

1. *The Chief of Public Safety is hereby authorized to enter into mutual assistance arrangements with other municipal and county law enforcement agencies, provided that the head of the requesting law enforcement agency makes such a request in writing.*
2. *The Chief of Public Safety is hereby authorized to permit officers of The Village of Bald Head Island Department of Public Safety to work temporarily with officers of the requesting agency, including in an undercover capacity, and the Chief of Public Safety may lend such equipment and supplies to requesting agencies as he deems advisable.*
3. *All such request and authorizations shall be in accordance with North Carolina General Statutes §160A-288, as applicable.*
4. *While working with a requesting agency, an officer shall have the same jurisdiction, powers, rights, privileges and immunities (including those relating to the defense of civil actions and payment of judgments) as the officers of the requesting agency in addition to those the officer normally possesses.*
5. *While on duty with requesting agency, an officer shall be subject to the lawful operational commands of the officer's superior officers in the requesting agency, but the officer shall for personnel and administrative purposes, remain under the control of the officer's own agency, including the purpose of pay. An officer shall furthermore be entitled to worker's compensation and the same benefits to the extent as though he were functioning within the normal scope of the officer's duties.*
6. *The Chief of Public Safety is hereby authorized to enter into mutual assistance agreements with other law enforcement agencies in accordance with such reasonable arrangements, terms and conditions as may be agreed upon by the respective heads of the law enforcement agencies.*

Adopted this the 13th day of January, 2012.

Mayor Sayre entertained a motion to approve the above consent agenda as presented. Councilor Douglas made motion, with all in approval. **(MOTION CARRIED 5-0)**

3. New Business

3.1 December Financial Statement Report

Deb Straub discussed the December Financial Report. The general fund revenues are slightly ahead of budget. The federal and state monies from damage sustained from Hurricane Irene. There have been insurance claims submitted from damage to Village Hall and Utilities roof and the phone system. The utilities fund revenues are slightly ahead. The Village has received 3 water and 3 sewer tap fees to date. The total operating revenues are slightly ahead of last year. The expenditures are within budget. The Beach fund balance is \$360k, Stormwater Management fund balance is \$63k, and the Infiltration Pond System fund balance is \$107k.

3.2 Amend Capital Project Ordinance

Deb Straub reviewed the proposed ordinance to amend additional amounts appropriated for the stabilization of BHI beaches. There will be a transfer of \$475k from the general fund.

Mayor Sayre entertained a motion to approve the capital project ordinance as presented. Councilor Douglas made motion, with all in approval. (MOTION CARRIED 5-0)

3.3 Adopt Budget Amendment

Deb Straub reviewed the purpose of the amendment. To record the transfer of \$475k from General Fund to the Shoreline Beach Renourishment fund to cover expenditures relating to the Terminal Groin project and to transfer amounts within the Shoreline Beach Renourishment fund to cover expenditures incurred for beach monitoring, legal services and plantings.

Mayor Sayre entertained a motion to approve the budget amendment as presented. Councilor Douglas made motion, with all in approval. (MOTION CARRIED 5-0)

3.4 Parks & Recreation Committee Recommendation

3.4a Purchase 2 Covered Grills for Creek Access & Picnic Area

Calvin reviewed the recommendation to purchase 2 covered grills for use at the creek access and the picnic area behind Village Hall. The cost would be \$1,057. This will come out of the Managers Contingency fund.

Mayor Sayre entertained a motion to approve the purchase as presented. Councilor Helgesen made motion, with all in approval. (MOTION CARRIED 5-0)

3.4b Purchase 4 Trees for the Dog Park

Calvin reviewed the recommendation to purchase 4 trees for the dog park. The cost would be \$620. This will come out of the Managers Contingency fund.

Mayor Sayre entertained a motion to approve the purchase of 4 trees for the dog park as presented. Councilor Morris made motion, with all in approval. (MOTION CARRIED 5-0)

3.4c Bicycle & Pedestrian Report

Calvin reviewed the final report for the Greenway (bicycle and pedestrian report) on the island from Don Eggert, Cape Fear Council of Government. Calvin gave recommendation that the report should be staffed to the Public Works and Public Safety/Transportation committee for their review. This should also be given to BHI Limited for discussion. Mayor Sayre entertained a motion to approve. Councilor Douglas made motion, with all in approval. (MOTION CARRIED 5-0)

3.5 Timber Bridge/ Intersection Agreement

Attorney Baldwin reviewed the revised agreement between the Village and BHI Limited. This agreement included the construction of the Timber Bridge and the paving improvements. The agreement will have corrections to the final cost due to additional cost to the project. Ray Webb reviewed the wetlands outline measurements. The total cost of the bridge has risen \$40k. The cost for the Village has raised \$7800.

Jim Henry reviewed the wetland line. The wetland line in 2008 had moved landward and closer to the shores to make the bridge lengthen 40 ft. Mayor Sayre asked Mr. Henry when this was known and if the land measurements had changed. Mr. Henry stated the wetland line to the land has changed.

Mayor Sayre stated his concerns and asked if there will be any other surprises or cost increases. Mr. Henry stated Limited is taking on a significant cost increase also and feels there should not be any other surprises. Attorney Baldwin stated there will be minor adjustments to the contract to finalize the exhibits and price increase. Attorney Baldwin suggested approving with the minor corrections to the contract.

Mayor Sayre entertained a motion to approve. Councilor Douglas made motion, with all in approval. (MOTION CARRIED 5-0)

4. Committee Reports

4.1 Shoreline Protection - No Report

4.2 Finance - The Finance Committee will meet on Monday, January 16, 2012.

4.3 Public Safety & Transportation- No Report

4.4 Public Works & Utilities- No Report

4.5 Communication- Tom Hayden stated the Communications Committee did not meet. Mr. Hayden introduced Karen Ellison as the Communications Director for the Village of Bald Head Island. Mr. Hayden stated William Foster is now a member of the committee. Carrie Moffett will be attending the meeting as a liaison for the Association.

4.6 Parks & Recreation – No Report

5. Monthly Reports

5.1 Manager's Report- Calvin reported to Council and the public, the Village received a debridation permit to cull up to 100 deer. The recommendation from the Conservancy is 50- 75 deer and this will be the target number. The cull will begin Monday, January 23rd and should last approximately 2 weeks. The Village will be using the Bald Head Association Common Area, right of ways, and the Maritime Forest. Calvin stated that nearly every property is adjacent to right of way and has BHA Common Area to the rear, so the Village will be in and around any number of properties. The Village will stay on the properties allowed to use. David Cox is head of the project and has been for the last 10 years. Village staff will be operating the project in order to realize cost savings to the Village. There will be a refrigerated truck on the island for storage of the carcasses. The meat will go to a USDA meat processor and be donated to food banks and the homeless. Councilor Morris asked for the cost of the project. Calvin stated the project will be under \$10k.

Calvin reviewed the building inspections online services that will be offered on the Village web-site. Calvin stated Island Contractors will be spraying water at the construction area to help keep the dust down until completion of the project.

5.2 Department of Public Safety Report- Chief Munna spoke on the new Public Safety Officer, Steve Butler. Chief Munna stated a CPR awareness classes will be offered to the public and will be announced at a later date.

5.3 Development Services Monthly Report- Chris McCall reviewed the Building Inspection report for the month of December. There were 2 major building permits and 17 minor permits issued. There were 34 inspections conducted. The year to date collections is \$24,948. The roofing project for Village Hall has begun to be completed by March 1.

5.4 Shoreline Protection Manager Report - Chris McCall stated the sand bag revetment point is completed. There was backfill done where erosion occurred during the project. The contractor is mobilizing for the Bald Head Creek project. The Dredge Marion should arrive on Sunday afternoon. The equipment should be brought on the island Monday, January 16, 2012. The dredging will begin the following week and sand placement will begin on West beach until January 29th. Sand placement for South beach will proceed until March 14th.

Chris stated the Corps of Engineers routine monitoring of the inlet will be on the island January 19- 20 with the L.A.R.K. (Amphibious vessel).

The Corps of Engineers is doing maintenance of the channel of the outer bar and will be taking the non-quality beach sand to an off shore disposal site.

Chris stated the Shoreline Protection Committee meeting will be held 9:00 a.m., January 18th at the Bald Head Association building.

6. Comments, Reports and Questions

6.1 Bald Head Association - No Report

6.2 Bald Head Island, LTD- No Report

6.3 Bald Head Island Conservancy- No Report

6.4 Bald Head Island Club- No Report

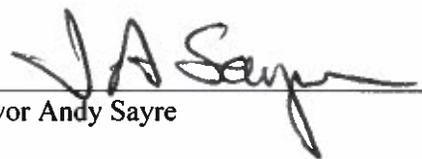
6.5 Citizens- Doug Oakley reviewed the concerns of the deer cull. Mr. Oakley asked for an explanation or a written protocol available for the public review. Mr. Oakley asked for information on the type of ammunition to be used, the review of reports on the 3 homes struck by ammunition in past culls, the pro-active safety measures to be taken for this cull near residences, verification the tagged deer's

would not be culled. Mr. Oakley asked if the Public Safety Department is involved with the operation of the deer cull and if the Village is insured with this activity. Calvin stated he would provide the information to Mr. Oakley prior to the cull. Calvin stated the Village does have insurance for this activity. Mr. Oakley asked what type of ammunition would be used. David Cox stated the Village would use a 22 Long Rifle. Mr. Oakley asked if the tagged deer would be culled. Calvin stated there will be a discussion with the Conservancy. Mr. Oakley asked on the safety measures to be taken where shooting will occur on public right of ways. Calvin stated there is no change to what has been done in the past. Mr. Oakley asked Calvin for a response prior to the cull it would be appreciated.

6.6 Mayor and Council- No Report

7. Adjournment -

Mayor Sayre entertained a motion to adjourn at 3:28 p.m., with Councilor Douglas made the motion with all in favor. **(MOTION CARRIED 5-0)**



Mayor Andy Sayre

ATTEST:



Debra C. Talbert, Village Clerk

