



**TOWN OF CALABASH
BOARD OF COMMISSIONERS
REGULAR MEETING
Tuesday, May 10, 2011—6:00 pm**

AGENDA

CALL TO ORDER: Mayor Clemmons

PLEDGE TO FLAG:

ROLL CALL:

APPROVAL/ADJUSTMENT OF AGENDA:

CONSENT AGENDA:

1. Authorize Mayor on behalf of the Town of Calabash to write a letter to Landmark Community Newspapers.

MINUTES:

1. April 12, 2011 Regular Meeting
2. April 18, 2011 Budget Workshop #3
3. April 18, 2011 Special Meeting to review Town Administrator resumes (open session)
4. May 4, 2011 Budget Workshop #4

MAYOR'S COMMENTS:

PUBLIC COMMENTS:

CORRESPONDENCE:

INTERIM TOWN ADMINISTRATOR'S REPORT:

BUILDING INSPECTOR'S REPORT:

COMMITTEE REPORTS:

1. Fire Department—Commissioner Nance
2. Planning & Zoning—Commissioner Knight
3. Finance—Commissioner King
4. Town & Merchant—Commissioner King
5. Calabash Community Services—Commissioner Knight

OLD BUSINESS:

1. **Discussion/Action** presentation of the proposed 2011-2012 Fiscal Year Budget to the Board of Commissioners. Finance Officer/Budget Officer to review highlights. Board of Commissioners to

take action to schedule the Public Hearing for the 2011-2012 FY Budget for Tuesday, June 14, 2011, 6:00 pm at Town Hall.

NEW BUSINESS:

1. **Discussion/Action** regarding the Calabash Community Park. Review Scope of Work for partial site preparation and the parking lot at the Calabash Community Park; give direction to the Interim Administrator on how to proceed. Receive report from Long Range Planning Committee regarding the park structure and other park elements and take action as needed.
2. **Discussion/Action** regarding a Budget Amendment to appropriate \$24,000 of fund balance for Fund 11: Powell Bill fund balance appropriation for Harbor Drive paving.
3. **Discussion/Action** to consider approving the establishment of a Capital Reserve (Fund 73)—to reserve funds for streets and sidewalks.
4. **Discussion/Action** to appoint an ad-hoc Committee to review/update Town's Release of Information Ordinance in the General Code §32.07.
5. **Discussion/Action** to consider waiving sign permit fees for the Calabash Acres entrance sign (waiver of \$50).
6. **Discussion/Action** to consider an appointment of an In-Town Member to the Planning & Zoning Board.
7. **Discussion/Action** regarding sharing street light installation and monthly costs with the Town of Carolina Shores for the corner of Persimmon Road and HWY 17.
8. **Discussion/Action** to schedule Public Hearings for Tuesday, June 14, 2011 6:00 pm at Town Hall (immediately following the Public Hearing for the 2011-2012 FY Budget) for the following:
 - a) **Zoning Map amendment:** rezone Tax ID# 2410002012 from R-8 to CB (previously rezoned to CB in 2007 accidentally rezoned to R-8 when the UDO was adopted—printing error)
 - b) **Text Amendment to the UDO §10-2 Notes to the Table of Permitted Uses,** Note 2 Accessory Uses or Structures (accessory structure setbacks should be amended to 5-feet to be consistent with Article 11-1 Note 1)
 - c) **Text Amendment to the UDO: §8-7 Discontinuance or Abandonment of Nonconforming Use** (correction of a grammatical error—"when" should be "with" 1st word or paragraph).
 - d) **Text Amendment to the UDO: §18-12 (A) Zoning District Sign Regulations** permitted in the R-15, R-6, MFH-II, & PUD districts. Add R-8 to the list of districts—accidental omission.
 - e) **Text Amendment to the UDO: §18-12(A)(4)-Multifamily group development structures** change from 24 square feet to 32 square feet.
 - f) **Text Amendment to the UDO: §18-12(B)(6) Changeable Message Boards**—change interval time from 30 seconds to 3 seconds.

CLOSED SESSION:

Pursuant to G.S 143-318.11 (a)(6)—personnel matters: continue discussion of Town Administrator applicants and annual evaluations.

BOARD COMMENTS:

ADJOURN:

**TOWN OF CALABASH
BOARD OF COMMISSIONERS
REGULAR MEETING
May 10, 2011 – 6:00 p.m.**

MINUTES

The Calabash Board of Commissioners held a Regular Meeting on Tuesday, May 10, 2011, 6:00 p.m., Sanborn Hall, 882 Persimmon Road, Calabash, NC 28467.

MEMBERS PRESENT: Mayor Anthony Clemmons, Commissioner Mary Knight, Commissioner Joseph Nance and Commissioner Forrest King.

MEMBERS ABSENT: Commissioner John Melahn.

STAFF PRESENT: Interim Town Administrator/Town Clerk Kelley Southward and Town Attorney Mark Lewis.

GUESTS PRESENT: The audience consisted of approximately twenty individuals.

CALL TO ORDER/PLEDGE TO THE FLAG/ROLL CALL: The Mayor called the meeting to order at 6:00 p.m. and lead the Pledge of Allegiance to the Flag. A roll call of those in present was taken with attendance reflected above.

APPROVE/ADJUST AGENDA: Referring to Old Business, Item 1, the Mayor requested that the last sentence, “Board of Commissioners to take action to schedule the Public Hearing for the 2011-2012 FY Budget for Tuesday, June 14, 2011, 6:00 p.m. at Town Hall” be stricken. Commissioner Knight requested that the Consent Agenda (“Authorize Mayor on behalf of the Town of Calabash to write a letter to Landmark Community Newspapers”) be moved to New Business Item 9. Ms. Southward requested that an Item 10 be added to New Business; discussion/action to consider a request for proposals for storm debris cleanup. *Commissioner Nance motioned to approve the agenda as amended; seconded by Commissioner Knight and unanimously carried.*

MINUTES:

1. Approve April 12, 2011 Regular Meeting Minutes
2. Approved April 18, 2011 Budget Workshop Minutes
3. Approve April 18, 2011 Special Meeting to review Town Administrator resumes
4. Approve May 4, 2011 Budget Workshop #4 Minutes

Commissioner Nance motioned to approve all four sets of minutes; seconded by Commissioner Knight and unanimously carried.

MAYOR’S COMMENTS: The Mayor read the May 9, 2011 resignation letter submitted by Commissioner Bill Dixon. The Mayor opened the floor to comments. Commissioners Nance, Knight and King made supportive comments as did the Interim Administrator/Town Clerk. Town Services employee Bill Danford commented on his positive interactions with Commissioner Dixon. The Mayor also commented in great depth on Commissioner Dixon’s support of the Town and its residents. The Mayor asked for and received a consensus vote from the Board to accept the

resignation. The Mayor asked the Town Clerk to transcribe that portion of the meeting and forward it to Mr. Dixon.

PUBLIC COMMENTS: None forthcoming.

CORRESPONDENCE: None forthcoming.

INTERIM TOWN ADMINISTRATOR'S REPORT: In lieu of a written report, Ms. Southward reported on Hidden Valley stormwater repairs, status of River Road improvement project, and the sewer assessment amount of \$5256 per parcel, which was recently finalized by Brunswick County.

BUILDING INPSECTOR'S REPORT: A copy of the report is hereto attached to these minutes.

COMMITTEE REPORTS:

1. Fire Department: No report.
2. Planning and Zoning Board: Commissioner Knight provided a recap of the meeting held on May 5, 2011.
3. Finance: Commissioner King noted that the Town was financially sound.
4. Merchant's Association: No report.
5. Community Services Committee: Commissioner Knight reported on the status of volunteers for the Memorial Day festivities.

OLD BUSINESS:

1. **Discussion/Action** presentation of the proposed 2011-2012 Fiscal Year Budget to the Board of Commissioners. Finance/Budget Officer to review highlights.

Ms. Southward directed the Board's attention to the Budget Worksheet that was included in their packets. She stated that the worksheet included all the figures for all funds in the proposed 2011-2012 budget. She stated that the Public Hearing for the budget could still be held on Tuesday, June 14, 2011 but it would need to be officially scheduled at a Special Meeting because the Brunswick County Tax Department continues to send out revised re-evaluation amounts. Each time a revision is sent the total property value for Calabash drops. She noted that the budget reflected a proposed tax rate of 8.5% and explained that given the latest re-evaluation (received yesterday) county information, revenue neutral would be slightly more than 8.05%. Having spoken with Commissioner King, Finance Officer, they both agree it would be best to wait two weeks so that the actual revenue neutral tax rate could be set for the Public Hearing. The proposed amount of the fund balance was now \$205,755.

NEW BUSINESS:

1. **Discussion/Action** regarding the Calabash Community Park. Review scope of work for partial site preparation and the parking lot at the Calabash Community Park; give direction to the Interim Town Administrator on how to proceed. Receive report from Long Range Planning Committee regarding the park structure and other park elements and take action as needed.

Commissioner Knight provided an overview of the last Long Range Planning Committee. The Scope of Work is hereto attached to these minutes. Following discussion *Commissioner Nance motioned to*

approve the Scope of Work as written and directed the Interim Town Administrator to put the Scope of Work out for bids; seconded by Commissioner Knight and unanimously carried.

2. **Discussion/Action** regarding a Budget Amendment to appropriate \$24,000 of fund balance for Fund 11: Powell Bill fund balance appropriation for Harbor Drive paving. Following discussion, *Commissioner King motioned to approve the \$24,000 budget amendment for the Powell Bill Fund; seconded by Commissioner Nance and unanimously carried.*

3. **Discussion/Action** to consider approving the establishment of a Capital Reserve Fund (Fund 73) to reserve funds for streets and sidewalks.

Commissioner Knight motioned to approve the Ordinance for the Establishment of a Capital Reserve Fund to reserve funds for streets and sidewalks and seconded by Commissioner Nance. Following a brief discussion, the motion was unanimously carried.

4. **Discussion/Action** to appoint an ad-hoc committee to review/update the Town's Release of Information Ordinance in General Code §32.07.

The Mayor noted that he would like Commissioners Knight and King and the Interim Town Administrator to serve on the ad-hoc committee.

5. **Discussion/Action** to consider waiving sign permit fees for the Calabash Acres entrance sign.

Following discussion *Commissioner Nance motioned to waive \$100 sign permit fees (\$25 per face) for signs in Calabash Acres that had been destroyed/damaged by motorists (Charlotte and Wilson Avenues); seconded by Commissioner King and unanimously carried.*

6. **Discussion/Action** to consider an appointment of an In-Town Member to the Planning and Zoning Board (an unexpired 3-year term ending October 2013).

The Mayor opened the floor for nominations. Commissioner Knight nominated Ms. Emily DiStasio. There were no other nominations. *Commissioner Knight motioned to appoint Ms. Emily DiStasio to fill the In-Town vacancy on the Planning and Zoning Board. A roll call vote was taken with Commissioners Knight and Nance voting for the motion and Commissioner King voted against the motion. The motion carried with a 2 to 1 vote.*

7. **Discussion/Action** regarding sharing street light installation and monthly costs with the Town of Carolina Shores at the corner of Persimmon Road and Highway 17.

The Mayor noted that this was an issue that had been discussed for a number of years. Ms. Southward noted that the Carolina Shores Town Administrator had not yet received and therefore not yet provided NC Department of Transportation cost figures. *Commissioner Nance motioned to table the discussion until specific cost figures were available; seconded by Commissioner Knight and unanimously carried.* The Mayor stated he wanted to move this forward and asked Ms. Southward to pursue the issue.

8. **Action to schedule** Public Hearings for Tuesday, June 14, 2011, 6:00 p.m. at Town Hall (to immediately follow the Public Hearing for the 2011-2012 Fiscal Year Budget) for the following:

- a) Zoning Map Amendment: rezone Tax ID #2410003012 from R-8 to CB (previously rezoned to CB in 2007 accidentally rezoned to R-8 when the UDO was adopted-printing error.
- b) Text Amendment to the Unified Development Ordinance (UDO): §10-2 Notes to the Table of Permitted Uses, Note 2 Accessory Uses or Structures (accessory structure setbacks should be amended to five feet to be consistent with Article 11-1, Note 1).
- c) Text Amendment to the UDO: §8-7 Discontinuance or Abandonment of Nonconforming Use (correction of a grammatical error-replace “with” with “when”).
- d) Text Amendment to the UDO: §18-12(A) Zoning District Sign Regulations permitted in R-15, R-6, MFH-II and PUD districts. Add R-8 to the list of districts.
- e) Text Amendment to the UDO: §18-12(A)(4)-Multi-family group development structures change from 24 square feet to 32 square feet.
- f) Text Amendment to the UDO: §18-12(B)(6) Changeable Message Boards-change interval time from 30 seconds to 3 seconds.

Commissioner Nance motioned to schedule Public Hearings on the above items for Tuesday, June 14, 2011 at 6:00 p.m. at Town Hall; seconded by Commissioner Knight and unanimously carried.

- 9. **Discussion/Action** to authorize the Mayor on behalf of the Town to write a letter to Landmark Community Newspapers.

Commissioner Knight noted that she had not seen the letter and asked for time for review. The Mayor noted that all Board members and the Town Attorney would have a chance to review the letter, which had not yet been written. *Commissioner Nance motioned that the Mayor be authorized to write a letter to Landmark Community Newspapers and that all Board members and the Town Attorney review and approve the letter before it is sent. Commissioner King seconded the motion. The motion carried by a 2 to 1 (two to one) vote with Commissioner Knight voting against the motion.*

- 10. **Discussion/Action** to consider request for contract proposals for debris management.

Following discussion it was determined that the Interim Town Administrator should complete a request for proposals for debris management services after a hurricane or other event.

CLOSED SESSION:

- 1. Pursuant to G.S. 143-318.11(a)(6)-personnel matter/annual evaluations.

Commissioner Nance motioned to adjourn for Closed Session pursuant to G.S. 143-318.11(a)(6). Commissioner Knight requested a break. The motion did not pass as there was not a second. The Mayor called for a brief recess at 6:47 p.m.

The meeting resumed at 6:58 p.m. *Commissioner Nance motioned to adjourn to Closed Session pursuant to G.S. 143-318.11(a)(6); Commissioner Knight seconded the motion which was unanimously passed.*

MOTION TO ENTER REGULAR SESSION: *Commissioner Nance motioned to return to Regular Session; seconded by Commissioner King and unanimously carried.*

ACTION AS A RESULT OF CLOSED SESSION: *Commissioner Nance motioned to give Building Inspector Stanley W. Dills a 1.5% increase effective on his anniversary date; seconded by Commissioner King and unanimously carried.*

PUBLIC COMMENTS: Ms. DiStasio thanked the Board for her appointment to the Planning and Zoning Board. She assured Commissioner Nance that her conduct as a public official of the Town has always been professional. As a citizen, she feels all citizens have a right to receive an answer when they ask a question of their elected officials. She didn't receive that courtesy in the past which resulted in the comments she made.

BOARD COMMENTS: Mayor Clemmons said as Mayor he takes his duty and responsibility to the Board very serious. Recently, there have been very serious accusations made against the Board and Mayor. He said that a number of the allegations were made upon lack of valid information and/or unfounded rumors. He said he supports freedom of speech and freedom of press. He also supports people being held accountable and responsible when exercising these freedoms. Public servants have rights and those rights should be protected. This includes their good name. He requested the Town Attorney take steps to ensure the rights of the Board members are protected and to review recent allegations made against Board members. He assured the Board that he would continue to take steps to ensure their rights are protected.

ADJOURN: *Commissioner Nance motioned to adjourn; seconded by Commissioner Knight and unanimously carried.*

(SEAL)

Anthony Clemmons, Mayor

Attest:

Kelley Southward, Town Clerk