



**TOWN OF CALABASH  
BOARD OF COMMISSIONERS  
REGULAR/ORGANIZATIONAL MEETING  
Tuesday, December 13, 2011-6:00pm**

**AGENDA**

**CALL TO ORDER:** Mayor Clemmons

**PLEDGE TO FLAG:**

**ROLL CALL:**

**APPROVAL/ADJUSTMENT OF AGENDA:**

**CONSENT AGENDA:**

1. Approve minutes of November 10, 2011 Regular Meeting
2. Approve minutes of November 21, 2011 Special Meeting/Workshop
3. Approve donation of \$100 for application received by Marine Corp League
4. Approve donation of \$100 for application received by Shriners
5. Approve donation of \$100 for Brunswick Family Assistance "Adopt and Angel-boy"
6. Approve donation of \$100 for Brunswick Family Assistance "Adopt an Angel-girl"

**MINUTES:** (If any Board member would like to discuss a set of minutes included on the Consent Agenda, they should be moved to this location during the Adjustment of the Agenda)

**RECOGNITION OF SERVICE:**

1. Commissioner John Melahn
2. Commissioner/Mayor Pro Tempore Forrest King
3. Mayor Anthony Clemmons

**OATHS OF OFFICE:**

1. Mayor Mary Louise Knight (4yr)
2. Commissioner Sandy Melahn (2yr)
3. Commissioner Charles Walton (4yr)
4. Commissioner Emily DiStasio (4yr)

**NOMINATIONS TO FILL THE VACANT COMMISSIONER SEAT (2-YEAR) THAT WAS MADE VACANT ONCE MARY KNIGHT TOOK HER OATH OF OFFICE AS MAYOR:**

**APPOINTMENT OF COMMISSIONER (2-YEAR) BY VOTE OF THE BOARD (G.S 160A-63):**

## **NOMINATIONS FOR MAYOR PRO-TEMPORE**

## **APPOINTMENT OF MAYOR PRO-TEMPORE**

### **LIAISON/COMMITTEE & OTHER APPOINTMENTS:**

1. Finance Director
2. Planning & Zoning Board Liaison
3. Stormwater Liaison
4. Town Services Liaison
5. Town & Merchant Liaison
6. Personnel Liaison
7. Intergovernmental Relations Liaison
8. Board of Adjustment Liaison
9. Safety Committee
10. Policies & Procedures Committee
11. Long Range Planning Committee
12. Community Service Committee
13. Emergency Management Committee/Damage Assessment Team

### **MAYOR'S COMMENTS:**

**PUBLIC COMMENTS #1:** General Public Comments (each speaker is allotted 3 minutes)

**TOWN ADMINISTRATOR'S REPORT:** Attached

**BUILDING INSPECTOR'S REPORT:** Attached

### **COMMITTEE REPORTS:**

1. Planning & Zoning—Kelley Southward
2. Finance—Chuck Nance
3. Town & Merchant—Commissioner Nance
4. Long Range Planning—Chuck Nance
5. Calabash Community Services—Chairperson

**PUBLIC COMMENTS #2:** Public Comments related to Old Business (each speaker is allotted 3 minutes)

### **OLD BUSINESS:**

1. **Discussion/Action** to review the secured bids that were received for Phase 2 of the Deer Path resurfacing and to award the bid to the lowest, responsive, responsible bidder.

**PUBLIC COMMENTS #3:** Public Comments related to New Business (each speaker is allotted 3 minutes)

### **NEW BUSINESS:**

1. **Discussion/Action** to consider scheduling public hearings for Tuesday, January 10, 2012 6:00 pm at Town Hall for the proposed ordinance amendments recommended by the Planning & Zoning Board for §16-4 Tree Protection for Undeveloped Property and §24-16 Major Subdivision Final Plat Submission and Review.

2. **Discussion/Action** to consider scheduling a Special Board of Commissioners Meeting for Thursday, December 22, 2011 2:00 pm for the purpose of Norris & Tunstall Engineers to open the bids received for construction of drainage repairs on Riverview Road.
3. **Discussion/Action** to consider the Town hosting a New Year's Eve celebration.

**CLOSED SESSION:**

1. Pursuant to G.S 143-318.11 (a)(6)—Personnel Matters.

**ACTION AS A RESULT OF CLOSED SESSION:**

**PUBLIC COMMENTS #4:** General Public Comments (each speaker is allotted 3 minutes)

**BOARD COMMENTS:**

**ADJOURN:**

**TOWN OF CALABASH  
BOARD OF COMMISSIONERS  
REGULAR/ORGANIZATIONAL MEETING  
Tuesday, December 13, 2011 6:00 PM**

**MINUTES**

The Calabash Board of Commissioners held their Regular Monthly Meeting on Tuesday, December 13, 2011 6:00 PM in Sanborn Hall, located at Town Hall, 882 Persimmon Road, Calabash, NC 28467. This meeting was the first meeting in December after the municipal election held in December and was therefore, in addition to the Board's Regular Meeting, the Organizational meeting of the newly elected Board of Commissioners.

**MEMBERS PRESENT:** Mayor Anthony Clemmons (out-going), Commissioner/Mayor (Elect) Mary Louise Knight, Commissioner John Melahn (out-going), Commissioner Forrest King (out-going), Commissioner Joseph Nance, Commissioner (Elect) Sandy Melahn, Commissioner (Elect) Charles Walton.

**MEMBERS ABSENT:** Commissioner (Elect) Emily DiStasio.

**STAFF PRESENT:** Town Administrator Chuck Nance, Town Attorney Mark Lewis, and Town Clerk Kelley Southward.

**GUESTS PRESENT:** There were approximately 20 guests in attendance.

**CALL TO ORDER/PLEDGE/ROLL CALL:** Mayor Clemmons called the meeting to order at 6:00 PM and asked that Mr. Courtney Marshall (present in the audience) lead the Pledge of Allegiance to the Flag. Roll Call of those seated at the dais was taken and was as follows: Town Clerk Kelley Southward, Town Administrator Chuck Nance, Commissioner Jody Nance, Mayor Anthony Clemmons, Commissioner Forrest King, Commissioner John Melahn, Commissioner Mary Louise Knight (also Mayor Elect), and Town Attorney Mark Lewis. A complete listing of all members (incoming and out-going) is noted above.

**APPROVAL/ADJUSTMENT OF AGENDA:** Commissioner Nance requested to amend the agenda to have “Oaths of Office” placed before “Recognition of Service”. *Commissioner John Melahn moved to approve the agenda, as amended, seconded by Commissioner Nance and unanimously carried.*

**CONSENT AGENDA:**

7. Approve minutes of November 10, 2011 Regular Meeting
8. Approve minutes of November 21, 2011 Special Meeting/Workshop
9. Approve donation of \$100 for application received by Marine Corp League
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11. Approve donation of \$100 for Brunswick Family Assistance “Adopt and Angel-boy”
12. Approve donation of \$100 for Brunswick Family Assistance “Adopt an Angel-girl”

*Commissioner John Melahn moved to approve the Consent Agenda, seconded by Commissioner Knight and unanimously carried.*

**OATHS OF OFFICE:** The Town Clerk individually administered the Oaths of Office to Mary Louise Knight (4-year term), Mayor; Sandy Melahn (2-year term), Commissioner; and Charles Walton (4-year term), Commissioner. It was noted that Commissioner Elect Emily DiStasio had a family emergency and was currently in New York. Ms. Southward noted that her Oath of Office would be administered at Town Hall upon her return to Calabash.

**RECOGNITION OF SERVICE:** Mayor Knight presented plaques to Mayor Clemmons and Commissioner John Melahn; Commissioner King had left due to a previous engagement but Mayor Knight noted that he too had a plaque and she would see that he got it. Mayor Clemmons’ plaque noted that he had served the Town for 20 years as a member of the Planning & Zoning Board, Commissioner, and Mayor. Commissioner Melahn’s plaque noted his specialized efforts such as the recodification of the General Code of Ordinances and the Town’s Webmaster.

**NOMINATIONS TO FILL BOARD VACANCY:** Mayor Knight opened the floor to the Board for nominations for a person to fill the unexpired commissioner term, which became vacant when she was sworn in as Mayor (2-years ending December 2013). Commissioner Nance nominated that Mrs. Daria Buccilli be appointed to the vacant commissioner seat. He stated that Mrs. Buccilli had received the next highest number of votes from the recent election and felt she would do a good job. There were no other nominations forthcoming so, Mayor Knight closed the floor for nominations.

**COMMISSIONER VACANCY APPOINTMENT:** *Commissioner Nance moved to appoint Mrs. Daria Buccilli to the vacant commissioner seat (2-years) seconded by Commissioner Melahn and carried by way of a unanimous vote.*

**NOMINATIONS FOR APPOINTMENT OF MAYOR PRO TEMPORE:** Commissioner Walton nominated that Commissioner (Elect) DiStasio be appointed Mayor Pro Tem. He stated that Commissioner DiStasio had previously served for many years as a Calabash Commissioner and her experience would serve well as Mayor Pro Tem. There being no other nominations forthcoming Mayor Knight closed the floor for nominations.

**APPOINTMENT OF MAYOR PRO TEM:** *Commissioner Walton moved to appoint Commissioner Emily DiStasio as Mayor Pro Tem, seconded by Commissioner Melahn and there was a brief discussion. Mr. Lewis gave legal insight by recommending the motion be contingent upon Mrs. DiStasio being sworn in as Commissioner and accepting the appointment of Mayor Pro Tem. Commissioner Walton amended his original motion to add that the appointment of Commissioner DiStasio to Mayor Pro Tem was contingent upon her taking her oath of office for Commissioner and accepting the appointment of Mayor Pro Tem; Commissioner Melahn seconded the amended motion and the motion carried by a vote of three (3) to one (1) with Commissioner Nance voting in the opposition.*

**LIAISON/COMMITTEE & OTHER APPOINTMENTS:** Mayor Knight made the following announcements and appointments:

1. Emergency Management Committee/Damage Assessment Team: Mayor Knight announced that the Committee/Team would remain the same for now; for a listing of members contact the Town Clerk.
2. Community Service Committee: Mayor Knight asked that Commissioner Buccilli head up this committee.
3. Long Range Planning Committee: Mayor Knight noted that this committee would include Mr. Forrest King and other members included Mr. Scott Stewart, Mr. J.W Brown, Mr. Kenneth Knight, the Town Administrator, and the Town Clerk.
4. Policies & Procedures Committee: Mayor Knight said the Town Administrator and Town Clerk.
5. Safety Committee: Commissioner Walton
6. Board of Adjustment: Commissioner Melahn
7. Personnel Liaison: Commissioner Melahn
8. Town & Merchant Liaison: Mayor Knight announced this would be Commissioner Nance, who respectfully declined the appointment. So, in turn, Mayor Knight appointed Commissioner Buccilli as the Town & Merchant Liaison.
9. Stormwater Liaison: Commissioner Walton
10. Planning & Zoning Liaison: Commissioner DiStasio
11. Finance Director: Commissioner DiStasio

At this point, Mayor Knight asked the Town Clerk if she had forgotten any appointments listed on the agenda. Ms. Southward said that she did not believe any appointments had been missed. However, upon review of the audio recording of the meeting, Ms. Southward was incorrect in her reply. Two appointments that had been included on the agenda were not made by at the meeting: 1) Intergovernmental Liaison and 2) Town Services Liaison.

**MAYOR'S COMMENTS:** Mayor Knight said that she was honored to be present this evening. She said that earlier this month was the Calabash Christmas Tree Lighting and Spirit of Calabash Parade. She relayed that she was attending a class in Raleigh that whole day and did not get out of the class until 4:30 pm; she did not get back to Calabash until 6:45 pm. Unfortunately, she missed the parade but arrived at the event in time to see Santa Clause. She said that her heart soared to see the people of Calabash enjoying the festivity. She added that she heard nothing but positive comments from those who attended and thanked everyone that helped to make the event a success.

Mayor Knight asked if any Board members had comments. Commissioner Walton said he too was pleased to be present this evening and thanked everyone for voting. Commissioner Melahn also thanked those who voted for her and she promised to try as hard as she can to do the best she can for the citizens of Calabash. Commissioner Buccilli thanked the Board for nominating and appointing her and she said she would work hard for the citizens. Commissioner Nance did not comment.

Mayor Knight announced a change to the agenda. There will now be public comments at the beginning of the meeting, prior to Old Business, prior to New Business, and at the end of the meeting.

**PUBLIC COMMENTS #1:** There had not been anyone to sign up to speak so Mayor Knight solicited comments from those present but there were none forthcoming.

**TOWN ADMINISTRATOR'S REPORT:** Mr. Nance's written report is attached hereto and made a part of these minutes.

**BUILDING INSPECTOR'S REPORT:** Mr. Dills' written report is attached hereto and made a part of these minutes.

**COMMITTEE REPORTS:**

1. Planning & Zoning: Ms. Southward reported that the PZB met on 12/5/11 and reviewed proposed changes to §16-4 of the UDO. They noted one inconsistency throughout the section and asked that the size of trees (pines and oaks/hardwoods) be made consistent and forwarded onto the Board of Commissioners for approval. Likewise, they recommended approval of a text amendment to §24-16 of the UDO, which was recommended for consistency throughout that section. Further, Ms. Southward relayed that she received word from Brunswick County that Clare Leary has been appointed to the PZB as the Town's ETJ member.
2. Finance: Mr. Nance reported that there is over \$1.4 million in all town accounts. Five months into the fiscal year revenues are at 46% (five months is 42% of the year). Expenditures are at approximately \$359,000 and revenues are approximately \$439,000; a surplus of \$80,000 revenues in excess of expenditures.
3. Town & Merchant: Commissioner Nance relayed that the Merchant's Association has only had one meeting, which was a re-organizational meeting. He relayed that there was a discussion of a meeting with members of the town and the merchants had regarding the Town's desire to hold a bonfire event on New Year's Eve. The Merchant's Association is not in a position to be able to participate in the event this year but are very willing to help the town promote the event.
4. Long Range Planning: Mr. Nance reported an update on the park. The picnic shelter kit has been ordered. Hopefully by January construction will begin. He noted that Mr. Bland has worked very hard on getting the kit engineered and ordered. A request for proposals for playground equipment has been sent out to vendors. Those proposals are due by December 15<sup>th</sup> and will be discussed by LRP on that day.

5. Calabash Community Services: Commissioner Buccilli relayed that the first batch of Heritage Bricks are here and on display in Sanborn Hall. She reported that there will be a bonfire on New Year's Eve in the Hurricane Fleet parking lot starting at 8:30 pm. If anyone would like to help with the event they should contact her or the Town Clerk.

**PUBLIC COMMENTS #2:** none forthcoming.

**OLD BUSINESS:**

1. Discussion/Action to review the secured bids that were received for Phase 2 of the Deer Path resurfacing and to award the bid to the lowest, responsive, responsible bidder. Only 1 bid was received. It was announced that Anderson Construction bid the amount of \$10,410. After reviewing the bid to ensure it met the scope of work Commissioner Nance asked how many contractors the scope of work had been sent to. Ms. Southward said it was sent to all asphalt companies on the bid list, which is 7; her certification was included in their packets. Mr. Nance reminded everyone that this project is an extension of a resurfacing completed earlier in the fall to rectify a ponding issue that occurred when the first resurfacing was done. Mr. Nance explained that there is a slight grade to the road and adding 2 inches of asphalt created a dam. Extending the asphalt to the storm drain should solve the problem. It was noted that this new phase is about half the distance of the first phase and does not involve raising any manholes. The first phase cost was approximately \$25,000. *Commissioner Nance moved to award the bid for Phase 2 of paving on Deer Path to Jack Haynes of Anderson Construction Company, who bid \$10,410. The motion was seconded by Commissioner Walton and unanimously carried.*

**PUBLIC COMMENTS #3:** none forthcoming

**NEW BUSINESS:**

1. Discussion/Action to consider scheduling public hearings for proposed UDO text amendments. *Commissioner Melahn moved to schedule the public hearings for the proposed UDO text amendments to §16-4 and §24-16 for Tuesday, January 10, 2012 6:00 pm at Town Hall, seconded by Commissioner Buccilli and carried unanimously.* Mr. Lewis noted that he had found some grammatical errors in the amendment to 16-4 and passed out copies that noted those errors to everyone. Ms. Southward and Mr. Nance agreed that Mr. Lewis' suggestions were grammatical in nature and did not change the intent of the amendments recommended by the PZB. Ms. Southward said she would make the grammar corrections and use that as the public hearing document.
2. Discussion/Action to consider scheduling a Special Board of Commissioners Meeting. *Commissioner Walton moved to schedule a Special Board of Commissioners Meeting for Thursday, December 22, 2011 2:00 pm at Town Hall for the purpose of Norris & Tunstall Engineers to open the bids received for construction of drainage repairs on Riverview Road, seconded by Commissioner Melahn and unanimously carried.* It was noted by Mayor Knight that there would not be any action taken at this Special Meeting it was simply to open bids.

3. Discussion/Action to consider the Town hosting a New Year's Eve celebration. Commissioner Melahn felt the New Year's Eve bonfire celebration would be a great thing for the people of Calabash. Commissioner Walton also felt it was a great idea and supported the event. Commissioner Buccilli concurred that the bonfire was a positive thing for the town. Commissioner Nance said he had no comment on the matter. Mayor Knight said it would be a time of faith, fellowship and food to be held on New Year's Eve in the parking lot of the Hurricane Fleet (9979 Nance Street). She added that there would be several empty wine bottles available for people to write down a New Year's good wish/thought to be placed into the bottles which would be taken out to the golf stream and released.

**CLOSED SESSION:** Mayor Knight announced that the Board would take a brief recess prior to starting their closed session to have refreshments. *Commissioner Melahn moved to enter into Closed Session directly following a brief recess, seconded by Commissioner Walton and unanimously carried.* Mayor Knight announced that the Closed Session was pursuant to G.S 143-318.11(a)(6) personnel matters.

**ACTION AS A RESULT OF CLOSED SESSION:** *Upon returning to Sanborn Hall Commissioner Buccilli moved that the Board enter Regular Session, seconded by Commissioner Melahn and unanimously carried.*

1. *Commissioner Buccilli moved to re-hire Mr. Courtney Marshall, Town Service Technician I, as a part-time employee at 20 hours per week at the hourly rate in which he left, seconded by Commissioner Walton and unanimously carried.*
2. *Commissioner Walton stated that Barbra Hagan's annual evaluation yielded an above standard performance and moved that she receive a 2.5% merit pay increase effective on her anniversary date, seconded by Commissioner Melahn and unanimously carried.*
3. *Commissioner Melahn stated that Kelley Southward's annual evaluation yielded an above standard performance and moved that she receive a 2.5% merit pay increase effective on her anniversary date, seconded by Commissioner Buccilli and unanimously carried.*

Mayor Knight stated that Commissioner Nance had to leave but that he had not been excused by a vote of the Board of Commissioners and was therefore still considered present for the record.

**PUBLIC COMMENTS #4:**

1. Mayor of Carolina Shores, Walter Goodenough, of 905 Palmer Drive Carolina Shores, wished the new Board all the best and stated he looks forward to working with everyone.

**BOARD COMMENTS:**

Mayor Knight said that this would new to most everyone on the Board and that she was proud of the Board members. They will get better and better with each meeting. She said the best that anyone can ask for is an honest person and all the rest can be learned.

**ADJOURN:** *Commissioner Melahn moved to adjourn, seconded by Commissioner Walton and unanimously carried at 8:05 pm.*

(SEAL)

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Mary Louise Knight, Mayor

Attest:

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Kelley Southward, Town Clerk