



**TOWN OF CALABASH
BOARD OF COMMISSIONERS
REGULAR MEETING
Tuesday, May 11, 2010—6:00 pm**

AGENDA

CALL TO ORDER: Mayor Clemmons

PLEDGE TO FLAG:

ROLL CALL:

APPROVAL/ADJUSTMENT OF AGENDA:

CONSENT AGENDA:

1. Approve minutes of February 22, 2010 Budget Workshop (#2)
2. Approve minutes of April 13, 2010 Regular Meeting
3. Approve minutes of April 19, 2010 Budget Workshop (#4)
4. Schedule Public Hearing for the 2010-2011 Fiscal Year Budget Ordinance for June 8, 2010, 6pm at Town Hall.

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 Adjustment of the Agenda)

MAYOR'S COMMENTS:

PUBLIC COMMENTS:

CORRESPONDENCE:

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. Water/Wastewater—Mayor Clemmons
5. Town & Merchant—Commissioner King
6. Stormwater—Mr. Marziano
7. Long Range Planning—Commissioner King

OLD BUSINESS:

1. **Discussion/Action** of the proposed ordinance amendment to §153.241-Signs for Which a Permit is Not Required; add Temporary A-frame Signs (tabled item-public hearing was held 4/13/2010)

NEW BUSINESS:

1. **Discussion/Action** to consider the recodification of Title V, Chapter 52-Water. [Com. Melahn]
2. **Discussion** Mayor Clemmons to comment on hurricane preparedness and early evacuation.
3. **Discussion/Action** regarding animated signs. [Com. King]
4. **Discussion/Action** to review ordinance amendments to the current Land Use/Zoning Ordinance that have not been included in the UDO; determine what amendments should be forwarded to the UDO.
5. **Discussion/Action** to schedule a Special Meeting of the Board of Commissioners for the purpose of a final review of the latest draft of the UDO and to schedule a public hearing for the 2010 Draft UDO.
6. **Discussion/Action** to schedule a public hearing for June 8, 2010 6:00 pm at Town Hall for an amendment to Title XI of the Code of Ordinances increasing the privilege license fee for sweepstake machines and telephone promotional sweepstake machines from \$5 per machine to \$100 per machine. [Com. King]
7. **Discussion/Action** regarding the Planning & Zoning Board's recommendation to deny the rezoning request made by Mr. Earl Small for his property located at 1105 Beach Drive (Tax ID# 241OK002); consider scheduling a public hearing for June 8, 2010 6pm at Town Hall.
8. **Discussion/Action** regarding stormwater system repairs in Hidden Valley. Examine the three estimates received and direct the Town Administrator on how to proceed.
9. **Discussion/Action** to discuss road patching throughout town; direct the Town Administrator on how to proceed. [Com. King]

CLOSED SESSION:

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

ACTION AS A RESULT OF CLOSED SESSION:

1. Action regarding employee evaluation:

PUBLIC COMMENTS:

BOARD COMMENTS:

ADJOURN:

**TOWN OF CALABASH
BOARD OF COMMISSIONERS
REGULAR MEETING
Tuesday, May 11, 2010—6:00 pm**

MINUTES

The Calabash Board of Commissioners held a Regular Meeting on Tuesday, May 11, 2010, 6pm at Town Hall, 882 Persimmon Road, Calabash, NC.

MEMBERS PRESENT: Mayor Anthony Clemmons, Commissioner Mary Louise Knight, Commissioner John Melahn, Commissioner Forrest King, Commissioner Joseph Nance Jr., and Commissioner William Dixon; all members of the Board were present.

STAFF PRESENT: Hiram J. Marziano, II, Town Administrator; Kelley Southward, Town Clerk; and Mark Lewis, Town Attorney.

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 led everyone in the Pledge of Allegiance to the Flag. Roll call was taken; attendance is reflected above.

APPROVAL/ADJUSTMENT OF AGENDA: *Commissioner Knight motioned to remove item #2-Minutes of April 13, 2010 Regular Meeting, from the Consent Agenda and relocate them for discussion to the Minutes section of the Agenda; Commissioner Nance seconded the motion, which unanimously carried; the Consent Agenda was renumbered accordingly.*

Commissioner Knight then moved to remove item #7 of New Business from the Agenda but her motion died due to lack of a second.

Mayor Clemmons requested that item #10 be added to New Business-Discussion/Action regarding the lease agreements for Cap't John's property (4th of July Celebration) and Mort Hansen property (Farmer's Market); the Board agreed to Mayor Clemmons' request to add New Business #10. *Commissioner Melahn moved to approve the Agenda, as amended, seconded by Commissioner King and unanimously carried.*

CONSENT AGENDA:

1. Approve minutes of February 22, 2010 Budget Workshop (#2)
2. Approve minutes of April 19, 2010 Budget Workshop (#4)
3. Schedule the Public Hearing for the 2010-2011 Fiscal Year Budget Ordinance for June 8, 2010, 6pm at Town Hall.

Commissioner Nance moved to approve the Consent Agenda, seconded by Commissioner Melahn and unanimously carried.

MINUTES:

1. Minutes of April 13, 2010 Regular Meeting: *Commissioner Knight moved that New Business #5 of the April 13, 2010 minutes be transcribed verbatim from the audio recording, seconded by Commissioner Nance and unanimously carried.*

MAYOR'S COMMENTS:

1. Mayor Clemmons reported that earlier today, Town Hall hosted the 2nd Grade Class of Jessie Mae Monroe Elementary School. There were approximately 75 students present. They were all incredibly enthusiastic and thirsty for the knowledge of how local government works. The students even held a mock board meeting and got to play the Board of Commissioners as well as concerned citizens.
2. Mayor Clemmons further informed everyone that the Town has received the PARTF Grant to build the Calabash Community Park. The Grant is a matching funds grant; the Town has been awarded \$56,700. The next step will be for the Board of Commissioners to approve the PARTF contract, which should be sent to Town Hall in a few weeks.

PUBLIC COMMENTS:

1. Mr. Mike Frink of 558 Medcalf Drive, Manager of Cap't John's Seafood Restaurant, addressed the Board requesting that the sign ordinance, specifically the portion regarding animated signs, be amended. He said that given the current state of economy, businesses need all the help that they can get and if animated signs would help businesses then they should be allowed in Calabash. He said that he is in receipt of a letter from the town stating that his sign at the corner of Oak Street and River Road is in violation of the ordinance because the lights blink on the arrow. He asked that the Town doesn't regulate business to the point that businesses have to shut down.
2. Mrs. Emily DiStasio of 495 Planters Place said that §153.240 of the Calabash Code of Ordinances states that animated signs are prohibited. On March 30th she filed a complaint at Town Hall regarding Cap't John's animated sign. She then reviewed the email responses/correspondences she had from town hall regarding her complaint. She noted that the sign is still animated. She noted that on tonight's agenda, Commissioner King has asked to include discussion/action regarding animated signs. She asked if it is his intension to allow animated signs in Calabash and if so, she said the Town should say "goodbye" to the small fishing village and "hello" to little Las Vegas.

CORRESPONDENCE:

Mayor Clemmons mentioned one item of correspondence regarding the CRC's request for a CAMA appointment. If any citizens are interested or know of someone who might be a good candidate, they should set up an appointment with Mayor Clemmons.

TOWN ADMINISTRATOR'S REPORT:

In addition to his written report, which is attached hereto and made a part of these minutes, Mr. Marziano reported that the 2010-2011 Fiscal Year Budget is very lean but workable. He further relayed that Shallotte Partners' have fulfilled the requirements set by the Board of Commissioners on November 17, 2009, and therefore have received permission to move forward with the Calabash Town Center Apartments. Commissioner King requested that the Town Administrator takes the necessary measures to ensure that only Calabash residents are utilizing

the yard debris dumpsite. He also requested that Mr. Marziano makes sure that all staff is aware of the 15-minute rule following after hour meetings.

BUILDING INSPECTOR'S REPORT:

Written report attached hereto and made part of these minutes.

COMMITTEE REPORTS:

1. Fire Department: Commissioner Nance read the monthly response report, which is attached hereto and made a part of these minutes. He relayed that they are still working on the revised Constitution and By-Laws and will forward the final draft to the rest of the Board of Commissioners as soon as it is ready.
2. Planning & Zoning: Commissioner Knight reported that the PZB met on May 3, 2010 and addressed one order of business; a rezoning request made by Mr. Earl Small for his property at 1105 Beach Drive. Mr. Small has requested his MFH-II property be rezoned to Central Business. The PZB reviewed all current ordinances and based upon an ordinance that states that no commercial district shall ingress into a residential neighborhood more than 200 feet, they recommended that this rezoning request be denied because the property ingresses 400 feet into Pine Bur Acres.
3. Finance: Commissioner King reported that the current budget is in good condition. It is unlikely that we will receive all anticipated revenues but at the same time, we will not spend all that was budgeted. Mr. Marziano requested an "unofficial" spending freeze, meaning that we would only spend money on essentials (payroll and bills) and emergencies. The Board agreed to the "unofficial" spending freeze.
4. Water/Wastewater: Mayor Clemmons reported on the progress of the construction of the sewer extension project. Construction is scheduled to be completed the end of August or beginning of September. He also relayed that the contractor is obligated for one year after completion of the construction to come back and make repairs should there be any problems.
5. Merchant: Commissioner King reported that the Embers would be performing at the July 4th Celebration. There is a billboard on HWY 17 advertising the July 4th event; Mr. Dean Spatholt was thanked for his contribution in securing the billboard.
6. Stormwater: Mr. Marziano reported that Town Services continues to clean out stormwater ditches throughout the town. He and Town Services are examining the ditches in Pine Bur Acres to see what ditches can be replaced with swales.
7. Long Range Planning: Commissioner King reported that at the last LRPC meeting, the Carlyle Street extension-paving project was approved by consensus. Commissioner Nance asked that the LRPC consider repairs to River Road a priority.

OLD BUSINESS:

1. Discussion/Action of the proposed ordinance amendment to §153.241-Signs for Which a Permit is Not Required; add Temporary A-Frame Signs (tabled item—public hearing was held 4/13/2010). Commissioner Melahn felt there should be an annual permit required for these signs in order to keep track of them. Without a permit, there is no control. Commissioner Nance asked if he was considering a no-fee permit. Commissioner Melahn felt there should be a minimum fee associated with the permit; \$10 or \$25 per year was suggested—sufficient to pay for the processing of the permit.

Commissioner Melahn said he had no problem with increasing the size of the A-Frame signs. Commissioner Dixon referred to businesses that are open 24-hours. He felt that so long as the signs are not in the right of way or causing potential harm they should be permitted to keep them out 24-hours a day, if that's their hours. Commissioner King felt the purpose of creating this ordinance was to simplify things. If a permit is required, more paperwork/filing will be generated and it will be one more thing for the code enforcement officers to keep track of. The proposed ordinance limits one sign per business to be out during business hours. If the code enforcement officer notices that one business has multiple A-Frame signs, they ask the business to reduce to one—that's the town's control. Mayor Clemmons noted that the ordinance had been revised since the public hearing in April. The Town Clerk said the only change was that the maximum allowed size was increased from 2' x 3' to 3' x 4'. Commissioner Nance noted that 3' x 4' is a standard size. Mayor Clemmons asked for each board member to share their thoughts/feelings regarding issuing permits for A-Frame signs. Commissioner Dixon felt there should not be a permit; Commissioners Nance and King agreed. Commissioner Melahn felt a permit should be required. Commissioner Knight said she attended the Planning & Zoning Board (PZB) Meeting when this ordinance was drafted. She said it was the PZB hope that businesses would be able to govern themselves in this matter. Commissioner Knight said she would like to give the businesses a chance to govern themselves (no permit) and if the ordinance is being abused then revise it in the future to require a permit. Commissioners King and Nance felt that was reasonable. Mr. Lewis pointed out that the Board should name an effective date; the Clerk pointed out that unless otherwise stated an approved ordinance becomes effective 5-days after the Board approves it. *Commissioner King moved to approve the amendment to ordinance §153.241 (Ordinance Amendment #2010-02.01), as written, effective immediately, seconded by Commissioner Melahn and there was a brief discussion.* Commissioner Melahn said the reason he seconded this motion was because the ordinance, as written, is far better than what we currently have. Commissioner Nance clarified that the size would be 3' x 4'; everyone confirmed this is the correct size. *Mayor Clemmons called for a vote, and the motion to approve the A-Frame sign ordinance carried by a unanimous vote of the Board.*

NEW BUSINESS:

1. Discussion/Action to consider the recodification of Title V, Chapter 52-Water. Commissioner Melahn said a rewrite of this chapter was necessary because what is currently active reads as though the Town of Calabash owns and operates a water system, which it does not. Basically, all the changes made were a deletion of references to the town and replaced with Brunswick County Public Utilities. Commissioner Knight felt that Commissioner Melahn has done a great job. *Upon completion of his review of the changes, Commissioner Melahn moved to approve the recodification of Title V, Chapter 52-Water, seconded by Commissioner King and carried unanimously.*
2. Discussion-Mayor Clemmons to comment on hurricane preparedness and early evacuation. Mayor Clemmons informed everyone that May 23-29 is Hurricane Preparedness Week. The Town of Calabash will be participating in some training and exercises offered by Brunswick County. June 1st is the start of hurricane season. He

requested that the Town Administrator schedule the town's first Emergency Management Meeting Committee Meeting of the year and invite the Calabash Fire Department, Calabash EMS, Brunswick County EMS and any other appropriate agencies. The Town, as always, will focus on communications; this is key in emergency events. This year we will be looking at the Bonaparte Retreat area, as part of it is in a flood plain. Mr. Jennings Edge noted that Horry County has purchased a boat that will be available to us in emergencies. Mayor Clemmons stressed the importance of early evacuation. He also noted that ATM machines might not work in the event of a power loss. So, it is important to have cash on hand before a storm hits land. He also noted that there are now pet-friendly shelters in Brunswick County. The county also has a program for elderly and special needs citizens. Commissioner Nance said that on his website he has an abundance of hurricane information. He gave Commissioner Melahn permission to use any of this hurricane information for the Town's Website. Mayor Clemmons thanked Commissioner Nance.

3. Discussion/Action regarding animated signs. Commissioner King said that since he has been on the Board for the past two years there have been animated signs in town. Apparently, there was not a problem with signs until after the last election. Before Calabash merged with Carolina Shores practically every restaurant in Calabash had an animated sign. There was a discussion of the definition of animated signs; what is contained in the current ordinance and what is in the draft UDO. Commissioner King said he felt the ordinance should be amended to allow some portion of a sign to be animated. Commissioner Melahn felt the definitions should be revised; the Clerk was asked to read the current definition. Commissioner Knight said we have an ordinance and we have to respect the ordinance as it reads. If the Board chooses to change the ordinance, that's fine, but we should enforce what is in place until a change is made. She sees people working hard to get the UDO adopted and she would like to see the laws respected more than the piece of paper they are written on. Complaints have come in and they are documented. If the merchants are having a problem with something on the books, then lets take a look at it and see how things can be changed but citizens should be able to have in put as well. Commissioner Dixon said he would be in favor if having 25% of signs being animated. Commissioner Nance proposed an evening workshop for animated signs; the rest of the board seemed to be in favor of a workshop. Commissioner King said knowing that the board is going to work toward holding a workshop to change the provisions for animated signs, he would like to hold the current animated signs regulations in abeyance. His reasoning was that if someone has a sign that is lit up now, they would have to hire an electrician to disconnect and then if the ordinance were changed to allow lights/animation the merchant would have to pay an electrician to come back and reconnect. Commissioner Knight said we have an ordinance in effect and there is a violation documented and this person has been told repeatedly to correct the situation and the current ordinance should be enforced. *Commissioner King moved to hold §153.240(16) in abeyance for existing signs for not more than 90-days, seconded by Commissioner Nance, which carried by a vote of four (4) to one (1) with Commissioner Knight voting in opposition.* It was noted that a workshop would be scheduled in the near future; Commissioner Nance requested the workshop be held after 6:00 pm. Mayor

Clemmons asked that the Board prepare themselves prior to the workshop; have a plan. Mayor Clemmons called for a short recesses; the Board took a 10-minute break.

4. Discussion/Action to review ordinance amendments to the current Land Use/Zoning Ordinance that have not been included in the UDO/ determine what amendments should be forwarded to the UDO. Included in the Board of Commissioners packets, were a list of eleven (11) ordinance amendments made to the current Code of Ordinances over the past several years that have not been carried over to the UDO (list attached hereto and made part of these minutes). The Board reviewed the ordinances and noted that the height of structures amendment has been included in the UDO. They further felt that the May 8, 2007 amendments to §153.140 and §153.141 regarding commercial zones ingresses no more than 200 feet into residential neighborhoods should not be included in the UDO. Staff felt that buffering requirements could address the purpose for those amendments. Mayor Clemmons said he wants it to be clear in the UDO that the Natural Resource Protection ordinance only applies to undeveloped lots. Commissioner Melahn took opposition to the recently adopted amendment to the Natural Resource Protection section. He felt that referencing both DBH and CBH was too confusing. The rest of the Board said that this had just been adopted and both were included to lessen confusion. Mr. Lewis suggested leaving it as written for now and if a problem occurs amend it after the UDO is passed. *Commissioner Melahn moved that the first 9 items on the list (§153.219(E), 153.306(C), 153.140(A)(1), 153.052(A)(B), 153.140(B)(6), (153.141(A)(26), 155.03(A), 155.05, and height of structures for all zoning districts) be forwarded to the UDO, seconded by Commissioner Nance and unanimously carried.*
5. Discussion/Action to schedule a special meeting of the Board of Commissioners for the purpose of a final review of the latest draft of the UDO and to schedule a public hearing for the 2010 Draft UDO. *Commissioner King moved to hold a Workshop and Special Meeting for the purpose of reviewing the latest draft of the UDO and accompanying Zoning Map and to schedule a Public Hearing for the UDO for Monday, May 24, 2010, 6:00 pm at Town Hall, seconded by Commissioner Nance and unanimously carried.*
6. Discussion/Action to schedule a public hearing for June 8, 2010 6:00 pm at Town Hall for an amendment to Title XI of the Code of Ordinances increasing the privilege license fee for sweepstake machines and telephone promotional sweepstake machines from \$5 per machine to \$100 per machine. Commissioner King noted that we are currently charging \$5 per machine for privilege licenses for these businesses. Across the state other towns are charging anywhere from \$1000 to \$3000 per machine. Commissioner King said it has always been his understanding that privilege license fees were to be set at a reasonable amount. Commissioner Nance said that years ago when some adult entertainment establishments tried to come to town, the courts held that a town could not deny a legitimate business nor could they set fees so high as to deter businesses. Rather, towns can only set fees at a cost to reimburse the town for processing licenses and conducting inspections of businesses (when necessary). Commissioner Nance said he would be in favor of some increase. Mr. Lewis said ignorance of the law is no excuse. In North Carolina, privilege license fees are established by State Statutes; towns can only charge what the state allows them to. There is a statute that deals with video games,

which is \$5 per machine. The legislature did not anticipate these “sweepstake” machines ever being legal. There is no specific statute for the town to reference in charging privilege licenses for these businesses/machines. The most reasonable is the video machines, which is \$5 per machine, which is what the town currently charges. Mr. Lewis said he has been trying to contact Wilmington’s Town Attorney in light of the high fees they have just adopted; she has not returned his calls. Mr. Lewis has also tried contacting the School of Government (SOG) on this matter but their expert in this area is out of town. Mr. Lewis said the Board doesn’t want to do something illegal because then the town will get sued, like Wilmington. Mr. Lewis suggested the Board wait to take any action until he gets some more information from SOG. *Commissioner King motioned to table this matter until the next meeting, seconded by Commissioner Melahn and unanimously carried.*

7. Discussion/Action regarding the Planning & Zoning Board’s recommendation to deny the rezoning request made by Mr. Earl Small for his property located at 1105 Beach Drive (Tax ID# 241OK002); consider scheduling a public hearing for June 8, 2010 6pm at Town Hall. Commissioner Knight pointed out that the Planning & Zoning Board recommended that the Board of Commissioners deny this request because Mr. Small’s property is over 400 feet deep, extending into Pine Bur Acres, and there is an ordinance in effect that states no commercial lots should extend more than 200 feet into a residential neighborhood. In light of the action taken by the Board this evening during New Business #4, staff recommended that this item be tabled. Unfortunately, its poor timing. If Mr. Small’s request were denied now, then he would have to wait six months to reapply. *Commissioner Melahn motioned to table the rezoning request submitted by Mr. Earl Small, seconded by Commissioner King and unanimously carried.*
8. Discussion/Action regarding stormwater system repairs in Hidden Valley; examine the three estimates received and direct the Town Administrator on how to proceed. Mr. Marziano explained that this project would replace an existing drainage pipe in Hidden Valley. There are current drainage problems that staff feels are related to this pipe, such as heavy saturation of the ground, and some of this may be leading to problems with the road in this area. The current pipe, when probing for location, was determined to be crushed or broken in several places along its length. Staff has sought three estimates for the work. The lowest estimate is just under \$11,000. Commissioner King asked if there were any other stormwater projects that needed to be completed this fiscal year. Mr. Marziano said there are no projects this involved; Town Services are simply cleaning ditches. *Commissioner Melahn moved to approve the lowest bid, McLamb Construction for \$10,373, seconded by Commissioner Nance and unanimously carried.*
9. Discussion/Action to discuss road patching throughout town; direct the Town Administrator on how to proceed. Mr. Marziano explained that Long Range Planning has tasked him to investigate roads with a “C” grade in the Road Condition Survey. A local contractor offered his services to the Town by giving a windshield assessment of areas that need patches (beyond what Town Services can do). Hidden Valley Drive, East Calabash Drive, and Bonaparte Drive have been identified as the worst “C” roads. Mr. Marziano asked the Board how they wish to proceed in repairing roads. Commissioner

King said its been LRP position to patch the worst places and then ease into a cycle for paving. Mr. Marziano asked for direction on how to extend funds. Rough estimates for patching include \$4000 for Hidden Valley, \$1700 at Village Green, and East Calabash Drive \$23,000. Commissioner King asked about the roads in Saltaire Village. Mr. Marziano said the contractor who lent his time is of the opinion that the Town Services department can address the issues in Saltaire Village by using a sealant for the cracks in the road. This would add about 3-years of life to the roads in Saltaire Village. Most of the cracking is near the storm drains; if the cracks are sealed, water will run to the drains rather than causing further problems for the roads. The money to do minor patching is available in the current budget; about \$10,000 would cover most necessary patching. *Commissioner Nance moved to direct the Town Administrator to use the funds available in the current budget to do the patchwork, which he deems necessary according to the list gathered by staff, seconded by Commissioner Melahn and unanimously carried.*

10. Discussion/Action regarding Lease Agreements for the property on Thomasboro Road to be used for the Farmer's Market and the property on Oak Street to be used for the 4th of July Celebration. Mr. Lewis said he has reviewed the agreements. His only concern was that the town checks with the insurance company to make sure that our liability insurance would cover anything happening on these properties during a town event. Commissioner Nance asked if the town enters into a lease agreement with these properties could the town stop someone else from holding functions on the properties. Commissioner King said the town is not assuming the properties. Rather, the town is entering into an agreement with the property owner to hold town functions and special events; Mr. Lewis concurred. *Commissioner Nance moved to approve the lease agreement for the Farmer's Market subject to having proper insurance coverage, seconded by Commissioner Knight and unanimously carried. Commissioner Nance moved to approve the lease agreement with Captain John's subject to having proper insurance coverage, seconded by Commissioner Knight and unanimously carried.* Mayor Clemmons noted that any vendor wishing to sell products at the Farmer's Market could obtain an application form from Town Hall. Commissioner Dixon said it should be made clear to vendors that they are responsible for cleaning their areas at the close of the business day. Mr. Marziano was directed to revise the form to include a clean-up clause.

CLOSED SESSION:

1. Pursuant to G.S 143-318.11(a)(6)—Personnel Matters: annual employee evaluation. *Commissioner Nance motioned for the Board to enter Closed Session pursuant to G.S 143-318.11(a)(6), seconded by Commissioner Knight and unanimously carried.*

ACTION AS A RESULT OF CLOSED SESSION:

Upon returning to Sanborn Hall, Commissioner Nance motioned to enter Regular Session, seconded by Commissioner Melahn and unanimously carried.

1. *Commissioner Nance moved to increase Mr. Stanley Dills', Building Inspector, salary by 1.5% retro active to April 30, 2010, seconded by Commissioner King and unanimously carried.*

PUBLIC COMMENTS:

1. Mr. Mack Sanders of Calabash Acres addressed the Board regarding Captain John's blinking sign. He noted that the ordinance regarding animated signs includes blinking as animation and has been in effect since 2005. He suggested that the lights be left on but required to stop blinking; then it won't be animated. He noted another blinking sign at the docks. He felt that 90-days was too long of a time period to give those in non-compliance. He recommended that Captain John's is required to comply with the existing ordinance. Regarding the UDO, Mr. Sanders said if he has a tree to cut in his yard, he should be able to cut it.
2. Mr. Buccilli of Calabash Acres commented on fees for sweepstakes. He asked when we were going to know how much could be charged. He also felt if Wilmington had set fees they are probably correct in what they did.

BOARD COMMENTS:

1. Commissioner Melahn said he would like to move streets/roads to Title V, Public Works. The Board felt this was a reasonable request.

ADJOURN:

Commissioner Nance motioned to adjourn at 8:45 pm, seconded by Commissioner Knight and unanimously carried.

(SEAL)

Anthony Clemmons, Mayor

Attest:

Kelley Southward, Town Clerk