



**TOWN OF CALABASH
BOARD OF COMMISSIONERS
REGULAR MEETING
Tuesday, June 12, 2012—6:00 pm**

AGENDA

CALL TO ORDER: Mayor Knight

PLEDGE TO FLAG:

ROLL CALL:

APPROVAL/ADJUSTMENT OF AGENDA:

PUBLIC HEARINGS:

- 1) Regarding the proposed 2012-2013 Fiscal Year Budget Ordinance and proposed tax rate of \$0.0875 per \$100 of assessed value.

CONSENT AGENDA:

1. Board of Commissioners Budget Workshop #4-April 30, 2012
2. Board of Commissioners Regular Meeting May 8, 2012 (open session)
3. Board of Commissioners Regular Meeting May 8, 2012 (closed session)
4. Board of Commissioners Recessed Meeting May 11, 2012
5. Renew Debris Removal Contract with Unified Recovery Group for one year
6. Renew Property Agreement with Cap't John's Seafood House for one year
7. Renew Property Agreement with Mort Hansen (Farmer's Market site) for one year
8. Approve Property Use Agreement for fireworks launch site
9. Approve the Proclamation Supporting the Bicentennial of the War of 1812
10. Approve \$100 donation to Bruns. Co. Literacy Council
11. Approve \$100 donation to Bruns Co. Senior Resource Center

MAYOR'S COMMENTS:

PUBLIC COMMENTS #1: (5 minutes per speaker)

CORRESPONDENCE:

TOWN ADMINISTRATOR'S REPORT: written report

PLANNING & ZONING REPORT: minutes/report attached

COMMITTEE/LIAISON REPORTS:

1. Calabash Fire Department—Commissioner Walton
2. Finance—Commissioner DiStasio
3. Town & Merchant—Commissioner Nance
4. Calabash Community Services—Commissioner Buccilli
5. Stormwater—Commissioner Walton
6. Safety—Commissioner Walton
7. Personnel—Commissioner Melahn
8. Long Range Planning—Town Administrator Nance

PUBLIC COMMENTS #2: (2 minutes per speaker)

OLD BUSINESS:

1. **Discussion/Action** to consider approving the proposed 2012-2013 Fiscal Year Budget Ordinance and set the 2012 tax rate (proposed rate is \$0.0875 per \$100 of assessed value).
2. **Discussion/Action** regarding RFPs received for auditing services (tabled in February)
3. **Discussion/Action** regarding RFPs received for attorney services

PUBLIC COMMENTS #3: (2 minutes per speaker)

NEW BUSINESS

1. **Discussion/Action** regarding the revised job descriptions proposed by the Personnel Committee
2. **Discussion/Action** to consider Personnel Committee's recommendation to revise the pay scale
3. **Discussion/Action** to consider Personnel Committee's recommendation to update the position classification pay plan
4. **Discussion/Action** to consider Personnel Committee's recommendation to revise Article III, Section 7(A) of the Personnel Policy regarding annual performance evaluations
5. **Discussion/Action** to consider changing the Town of Calabash's Building Inspector's status from non-exempt to exempt
6. **Discussion/Action** to schedule a Public Hearing for Tuesday, July 10, 2012 for the proposed ordinance amendment to the UDO, Article 11 regarding setback provisions for corner lots, pie-shaped lots, lots in cul-de-sacs and other irregular shaped lots
7. **Discussion/Action** to consider allowing Sanborn Hall to be used on an interim basis for non- profit civic organizations that have been holding monthly meetings at the Calabash Fire Department
8. **Discussion/Action** to consider moving Mrs. Patricia Lewellyn from an Alternate Member of the Board of Adjustment to a Regular Town Member; to fill an unexpired term ending 4/9/2013

9. **Discussion/Action** to consider reappointing Mr. Bobby Locus to the Board of Adjustment as an In-Town Alternate Member for a 3-year term ending 2015
10. **Discussion/Action** to consider reappointing Mr. J.W Brown to the Board of Adjustment as a Regular In-Town Member of the Board of Adjustment for a 3-year term ending 2015
11. **Discussion/Action** to consider Approving the 2012-2013 Fiscal Year Holiday/Meeting Schedule

CLOSED SESSION:

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

ACTION AS A RESULT OF CLOSED SESSION:

PUBLIC COMMENTS #4: (3 minutes per speaker)

BOARD COMMENTS:

ADJOURN:

**TOWN OF CALABASH
BOARD OF COMMISSIONERS
REGULAR MEETING
Tuesday, June 12, 2012—6:00 PM**

MINUTES

The Calabash Board of Commissioners held a Regular Monthly Meeting on Tuesday, June 12, 2012, 6:00 PM in Sanborn Hall located at Town Hall, 882 Persimmon Road, Calabash, NC.

MEMBERS PRESENT: Mayor Mary Louise Knight, Commissioner Charles Walton, Commissioner Sandy Melahn, Commissioner Emily DiStasio, Commissioner Daria Buccilli, and Commissioner Joseph Nance; all members were present.

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

GUESTS PRESENT: There were approximately 17 guests in attendance.

CALL TO ORDER/PLEDGE/ROLL CALL: Mayor Knight called the meeting to order at 6:00 PM and led the Pledge of Allegiance to the Flag. Roll call was taken; attendance is reflected above.

APPROVAL/ADJUSTMENT OF AGENDA: *Commissioner DiStasio moved that New Business #12 be added: “Discussion/Action to consider re-appointing Mr. Hank Rutter to the ABC Board”; seconded by Commissioner Buccilli and unanimously carried.*

Commissioner Buccilli moved that New Business #13 be added: “Discussion/Action to consider approving performance agreement with Parrot Party (Jimmy Buffett cover band) for the 4th of July event”; seconded by Commissioner Melahn and unanimously carried.

PUBLIC HEARING: *Commissioner DiStasio moved to open the Public Hearing for the proposed 2012/2013 Fiscal Year Budget Ordinance containing the proposed tax rate of \$0.0875 per \$100 of valuation; seconded by Commissioner Buccilli and unanimously carried.*

Town Administrator Nance gave a brief overview of the proposed budget, which includes a General Fund budget of \$1,021,050 and a Powell Fund budget of \$113,500. The tax rate is proposed to remain the same as the 2011/2012 Fiscal Year at \$0.0875 per \$100 of assessed value. A copy of the draft budget ordinance and budget message (summary/explanation) is attached hereto and made a part of these minutes.

It was noted by the Town Clerk that no speakers had signed up to speak about the budget. Mayor Knight solicited comments from the public present but there were no comments forthcoming.

Commissioner DiStasio moved to close the Public Hearing, seconded by Commissioner Melahn and unanimously carried.

MAYOR’S COMMENTS: Mayor Knight thanked various organizations for allowing her to attend and participate in various ceremonies and public functions over the past month. She thanked the Calabash Fire Department for including her in the Memorial Day Ceremony; a wonderful event honoring our military past and present. She thanked the American Legion for including her in an event to educate our youth about the American Flag and democracy. Finally, she thanked the Elks for allowing her to celebrate Flag Day with them this year; another tremendous event. She said it is all the civic organizations in Town that truly make Calabash a “hometown”.

The Clerk noted that the Consent Agenda had been missed after the Public Hearing and requested the Board return to that item of the agenda.

CONSENT AGENDA:

1. Minutes-Board of Commissioners Budget Workshop #4 April 30, 2012
2. Minutes-Board of Commissioners Regular Meeting May 8, 2012 (open session)
3. Minutes-Board of Commissioners Regular Meeting May 8, 2012 (closed session)
4. Minutes-Board of Commissioners Recessed Meeting May 11, 2012
5. Renew Debris Removal Contract with Unified Recovery Group for one year
6. Renew Property Agreement with Cap’t John’s Seafood House for one year

7. Renew Property Agreement with Mort Hansen (Farmer's Market site) for one year
8. Approve Property Use Agreement for fireworks launch site
9. Approve the Proclamation Supporting the Bicentennial of the War of 1812
10. Approve \$100 donation to Brunswick County Literacy Council
11. Approve \$100 donation to Brunswick County Senior Resource Center

It was noted by Commissioner DiStasio that the Consent Agenda is acted upon all at once and not item by item. *Commissioner DiStasio moved to approve the Consent Agenda, as written, seconded by Commissioner Buccilli and unanimously carried.*

PUBLIC COMMENTS #1:

1. Mr. Gibby Lepsig of Sunset Beach (who also owns property in the Calabash ETJ in the Ocean Harbor Estates subdivision). Mr. Lepsig complimented the Calabash Building Inspector, Mr. Stanley Dills, and the entire Inspections Department staff. He noted that Mr. Dills goes above beyond in every instance and is always kind, fair and reasonable. He was especially grateful for Mr. Dills' assistance with the CAMA permitting process. He said that every question he has posed, Mr. Dills has responded promptly and professionally. Mr. Lepsig couldn't say enough positive things about Mr. Dills and the Inspections staff. He urged that the Board/Town never take Mr. Dills for granted. Commissioner DiStasio asked if Mr. Lepsig would be willing to put his comments in writing so it could be placed in Mr. Dills' personnel file; Mr. Lepsig said he would be happy to meet that request.

CORRESPONDENCE:

1. Mayor Knight read a request made by Mr. William Seip that an information sign be placed at the recycling bins at Town Hall stating exactly what can and cannot be placed in the bins. Mayor Knight reported that staff has designed and ordered such a sign and it should be up within a week. She thanked Mr. Seip for his suggestion.
2. Mayor Knight reported that Southport has invited the Board to their 4th of July festivities. She thanked Southport for the invitation and noted that the majority of the Calabash Commissioners would be busy working the Calabash Independence Day Event and would therefore be unable to attend the Southport celebration.
3. Mayor Knight thanked Tax Collector Carolyn Silvers for providing a listing of senior discounts that are available to senior in our community. She said the discounts range from Hardees to Belk to Krispy Kreme Donuts and even Food Lion; just discounts all over the place. Mayor Knight said she would make the list available at Town Hall.

TOWN ADMINISTRATOR'S REPORT: Written report attached hereto and made a part of these minutes.

PLANNING & ZONING BOARD REPORT: Written report/minutes attached hereto and made a part of these minutes.

COMMITTEE/LIASON REPORTS:

1. Calabash Fire Department (CFD): Commissioner Walton reported that the CFD is still awaiting the Brunswick County Fire Marshal to approve the new building plans but they anticipate having that approval this week.
2. Finance: Commissioner DiStasio reported that there is total of \$1,345,920.93 in all funds. She reviewed the detailed report she has been preparing showing expenditures of the past month; a copy of which is attached hereto and made a part of these minutes. Likewise the month ending May 31st Finance Report and Budget vs. Actual are attached hereto and made part of these minutes.
3. Town & Merchant: Commissioner Nance said he has not been given any information to report. Mayor Knight asked if a Merchant's Association Meeting had been held in the past month; Commissioner Nance said to his knowledge, no meeting was held.
4. Community Service: Commissioner Buccilli noted that it had been yet another busy month with helping on Memorial Day and other smaller functions. This next month is sure to be exceedingly busy with the 4th of July event; the committee will be meeting weekly until July 4th. There will be a Jimmy Buffett cover band and other entertainment is being lined-up. The event will be on Wednesday, July 4, 2012 beginning at 5:30 PM in the vacant lot next to Capt John's Seafood House (Oak Street on the riverfront). Fireworks should begin at dark (around 9:15 PM). Mayor Knight thanked the Board, the Community Service Committee, Mayor Walter Goodenough and Carolina Shores for all their support and hard work to make this event a success. Commissioner Buccilli relayed that Town Hall Day would be held on Friday, July 27th from 10:00 AM to 2:00 PM. This year's focus will be on hurricanes and other weather events; plans are underway for an exciting Town Hall Day 2012. Mayor Knight thanked Commissioner Buccilli and Jim McCartney for their expedient efforts in planning Town Hall Day.
5. Stormwater: Commissioner Walton said he checked Riverview Drive during the last heavy rainfall; everything seems to working well. He and the Town Administrator are keeping a close eye on a possible situation at the top of the hill by George's restaurant to ensure trash and debris does not clog a grate. He said everything was flowing fine on River Road.
6. Safety: Commissioner Walton began to give report. Mayor Knight noted that he was reporting about the last Emergency Management Committee Meeting. It was noted that there has not been a Safety Committee Meeting. Mayor Knight said that the Sheriff's Department will be present at the 4th of July Event and they will have a tent set up; she asked Mr. McCartney (Town Code Enforcement Officer in the audience) to comment. Mr. McCartney reported that the Sheriff's Department would have their tent set up to share information about public safety and community watch programs. Commissioner Buccilli said it was reported on the news this morning that crime in towns having a population of less than 10,000 has risen 18%; it's the highest it has ever been in small communities. Mayor Knight said she would like to see our Town have a community watch program and/or other programs to help keep Calabash safe; to be initiated in the near future.

7. Personnel: Commissioner Melahn said the revised job descriptions prepared by the committee have been included on this evening's agenda for the Board's consideration as well as the pay scale. Mr. Sparks has been hired as a Town Services employee. Mayor Knight said a tremendous amount of work has been done by the Personnel Committee on the pay scale and job descriptions—she thanked them for their hard work.
8. Long Range Planning: Mr. Nance reported that LRPC had not met in May but he gave a park update: picnic tables have been delivered, decorative lighting and a swing set have been ordered, he will be meeting with a man about the fgrills/trash cans etc and he is awaiting input from committee members on the type of material in which to construct the fence. He said that both a plumbing and electrical contractor have agreed to donate their labor and urged everyone to be patient with them as we have to work around their schedules to complete the bathrooms and storage areas. Concrete will soon been installed for handicapped accessibility around the park.

PUBLIC COMMENTS #2:

1. Mr. Scott Stewart of Stanaland Stewart Company LLC (SSC--Devaun Park Developer) address the Board regarding the lawsuit that the Town recently dropped against SSC for the violation of clear cutting of trees in Devaun Park which occurred last year. He said that at 3:56 PM on May 23, 2012 he received an email notice from his personal attorney, Mr. Daryl Mills, that there was a dismissal filed by Town Attorney Mark Lewis for the lawsuit. He said that four signatures were needed on that dismissal: Mark Lewis signed for the Town of Calabash, Ken Shanklin was (supposedly) representing SSC, Vaughn Stanaland to sign individually and Mr. Daryl Mills (Mr. Stewart's personal attorney) to sign on behalf of Mr. Stewart. He said this was the first time he had received any information about a dismissal or that Mr. Shanklin was representing SSC. He said that he immediately contacted his attorney, Mr. Mills, and then compiled a correspondence to the Town, which was hand-delivered to Chuck Nance around 1:00 PM on May 24, 2012. He noted that he also included (to Mr. Nance) a copy of a letter he wrote on May 23, 2012 to Mr. Ken Shanklin terminating his services on behalf of SSC. Mr. Stewart said Mr. Shanklin was hired to represent SSC without his knowledge, consent or approval. Mr. Stewart said he personally delivered this notice of termination to Mr. Shanklin on May 24th. Mr. Stewart said when he saw Mr. Nance at Town Hall on May 24th Mr. Nance gave him a set of pleadings which included things that he has a part of SSC did not and would not agree to; they do not represent his company properly. The Town of Calabash approved the PUD known as Devaun Park in September 1999 after a 2-3 year process. It was an aggressive project that valued the preservation of land; green space was of paramount importance during the approval process. Mr. Stewart said the PUD Agreement, which he personally drafted, was terribly misrepresented in the pleadings. He said that in June of 2011 (after the violation occurred without his knowledge) Mr. Stewart submitted a letter to the Town humbly requesting that the Town not revoke SSC's development rights but rather simply fine them according to ordinance in the amount of approximately

\$100,000. He said the Town did even better than his request and only fined the company \$50,000. He said the PUD Agreement specifically states that features (landscape being feature) cannot be altered and that the development would be constructed in phases and that building permits must be issued for each phase (the building permits include site preparation/removal of trees). He stated that no building permit has ever been issued for the phase in which the clear cutting took place (Phase 5-Tarra Park). He said that the Building Inspector and himself hand select each tree that is to be removed before any permits are issued. He further noted that Town Staff investigated the clear cutting after it occurred and in the pleadings it's stated (something to the effect) that the town did not have proper warrants to enter the property; Mr. Stewart contested this language as he would never want to arrest anyone on behalf of Calabash for being on Devaun Park property. He said that the Town of Calabash has embraced Devaun Park for over 15 years; he has always asked permission, not forgiveness, which has built up a mutual trust between himself and the Town. Mayor Knight stopped Mr. Stewart for a moment, stating that because of the importance of what the Board is learning from him, she would like to extend his 2-minute time limit and asked if any Board members objected; there were no objections. Mr. Stewart said that on May 24, 2012, he complied with the Town's 10-days notice (a stipulation added when the division of SSC began by the town) of information. However, on the 25th of May a dismissal was filed, to Mr. Stewart's surprise, but this dismissal now only required two signatures: Mr. Lewis' and Mr. Shanklin's. This is odd to him because both he and Mr. Stanaland (his SSC business partner) are both named as individuals in the lawsuit and Mr. Shanklin (according to Mr. Stewart) did not and does not represent SSC. Just two days prior on May 23rd all four signatures were required on the dismissal. Mr. Stewart said that for him, all of this has created a significant conflict. In particular, for the approvals granted to SSC/Devaun Park by the Town in August 2009 when the Town approved a density reallocation part of which included Phase 5 where the clear cutting violation occurred. He specifically remembers the Mayor at that time, Mayor Clemmons, requesting an updated stormwater permit be retained and an updated open space plan submitted to the Town. He said if this violation of clear cutting trees is not properly addressed sometime in the future, it sets a dangerous precedence for every tree in Devaun Park or even in the entire town. He reiterated that he had no knowledge of the clear cutting until after it had occurred and it is something he would have never agreed to. He too added that Mr. Shanklin now knows that this is not how he does business and how he does not want his company represented. He apologized for everything that has transpired. He thanked the Board for their time.

OLD BUSINESS:

- 1. Discussion/Action to consider approving the proposed 2012-2013 Fiscal Year Budget Ordinance and set the 2012 tax rate (proposed tax rate is \$0.0875 per \$100 of assessed value).**

Mayor Knight solicited discussion of the Board; there were no comments forthcoming. *Commissioner DiStasio moved to approve the 2012-2013 Fiscal Year Budget, as presented; seconded by Commissioner Melahn and the motion carried unanimously.*

Commissioner DiStasio then moved to set the 2012 tax rate at \$0.0875 per \$100 of assessed value, as included in the 2012-2013 Fiscal Year Budget, seconded by Commissioner Melahn and carried by a vote of four (4) to one (1) with Commissioner Nance voting in the opposition.

2. Discussion/Action regarding RFP received for auditing services (tabled in February).

Commissioner DiStasio moved to remove this matter from the table to be able to once again discuss it and/or take it for action, seconded by Commissioner Buccilli and unanimously carried.

Commissioner DiStasio recommended that Martian & Starnes Auditing firm be awarded the contract for auditing services at \$15,000; she added that they only do government audits. Two companies were interviewed and the interview with the representative of Martian & Starnes went very well; they are familiar with the accounting/tax/payroll software the Town uses. *Commissioner DiStasio moved to award the contract for auditing services to Martian & Starnes seconded by Commissioner Buccilli and there was discussion. Commissioner Melahn agreed that Martian & Starnes was the best auditor to go with; Commissioners Walton and Nance said they did not have any problems with Martin & Starnes. Being no further discussion Mayor Knight called for a vote, which carried unanimously.*

3. Discussion/Action regarding RFP received for attorney services.

Commissioner DiStasio recommended holding a Special Meeting for the Board to interview each of the three attorneys that submitted proposals. Commissioner Nance agreed that this was a good idea. Commissioner Melahn said she would prefer that the Town not use an attorney that represents Carolina Shores, Sunset Beach, or Ocean Isle Beach as these towns are so close to Calabash. *Commissioner DiStasio moved that staff schedule a date/time conducive to the attorney's schedules and have a special meeting called for the purpose of holding interview for the attorney's.*

PUBLIC COMMENTS #3: there were no speakers forthcoming.

NEW BUSINESS:

- 1. Discussion/Action regarding the revised job descriptions proposed by the Personnel Committee.**

Commissioner Melahn moved to approve the job descriptions, as presented, seconded by Commissioner Buccilli and there was brief discussion. Town Attorney noted a typo at the end of the description for the Deputy Town Clerk. General Maintenance should be grade 1, not grade 4 as pointed out by Commissioner DiStasio. She further noted that Office Assistant should be grade 6 (not 7); Accounting Clerk should be grade 7 (not 6); and Town Administrator should be grade 24 (not 22). Commissioner Melahn revised her motion to approve the job descriptions, as revised, seconded by Commissioner Buccilli and there being no further discussion Mayor Knight called for a vote, which carried unanimously.

2. Discussion/Action to consider the Personnel Committee's recommendation to revise the pay scale.

Commissioner DiStasio pointed out that the committee worked closely with Chris May of Cape Fear Council of Governments on the new pay scale; comparing what other Towns in the region are paying their employees. Commissioner DiStasio moved to approve the new Pay Scale, seconded by Commissioner Melahn and there be no further discussion the motion carried by way of a unanimous vote.

3. Discussion/Action to consider Personnel Committee's recommendation to update the position classification pay plan.

Commissioner DiStasio moved to approve the position classification plan, seconded by Commissioner Melahn and unanimously carried.

4. Discussion/Action to consider Personnel Committee's recommendation to revise Article III, Section 7(A) of the Personnel Policy regarding annual performance evaluations.

Commissioner DiStasio noted this change is necessary to keep consistency with the pay plan and pay scale; Commissioner Melahn concurred. Commissioner Melahn moved to approve the revision to Article III, Section 7(A) of the Personnel Policy, seconded by Commissioner Buccilli and unanimously carried.

5. Discussion/Action to consider changing the Town of Calabash's Building Inspector's status from non-exempt to exempt.

Commissioner DiStasio moved that the Building Inspector be changed from non-exempt status to exempt status, seconded by Commissioner Melahn.

6. Discussion/Action to schedule a Public Hearing for Tuesday, July 10, 2012 for the proposed ordinance amendment to the UDO, Article 11 regarding setback provisions for corner lots, pie shaped lots, lots in cul-de-sacs and other irregular shaped lots.

Commissioner Melahn moved to schedule the public hearing for the proposed amendments to Article 11 for Tuesday, July 10, 2012, 6:00 PM at Town Hall, seconded by Commissioner Walton and unanimously carried.

- 7. Discussion/Action to consider allowing Sanborn Hall to be used on an interim basis for non-profit civic organizations that have been holding monthly meetings at the Calabash Fire Department.**

Ms. Southward reported that both the Lions Club and the American Legion have inquired at Town Hall if Sanborn Hall would be available for the purpose of holding their monthly board meetings while the new fire department is under construction. Ms. Southward said that normally it is a Town policy that we do not allow Sanborn Hall to be used by other organizations but since this is a special circumstance she would ask the Board of Commissioners. A few members of the Board commented stating that they see no problem with allowing this request. *Commissioner Melahn moved to allow the use of Sanborn Hall to local civic organizations for their monthly meetings on an interim basis while the new fire department is under construction; seconded by Commissioner Buccilli and unanimously carried.*

- 8. Discussion/Action to consider moving Mrs. Patricia Lewellyn from an Alternate Member of the Board of Adjustment to a Regular Town Member; to fill an unexpired term ending April 9, 2013.**

Commissioner Nance noted that he spoke with Mrs. Lewellyn and she is happy to serve; he thanked her for her service and noted her experience is an asset to Calabash. Mayor Knight said Mrs. Lewellyn has done a terrific job and truly is an asset to Calabash. *Commissioner Nance moved to appoint Patricia Lewellyn to the Board of Adjustment to fill the unexpired Regular In-Town Member vacancy term ending April 9, 2013, seconded by Commissioner Buccilli and unanimously carried.*

- 9. Discussion/Action to consider reappointing Mr. Bobby Lucas to the Board of Adjustment as an In-Town Alternate Member for a 3-year term ending April 9, 2015.**

Ms. Southward noted that she spoke with Mr. Lucas and he is willing to serve and he is still living in the city limits.

Commissioner Nance moved to reappoint Mr. Lucas to the Board of Adjustment as an In-Town Alternate Member for a three year term ending April 9, 2015; seconded by Commissioner Buccilli and unanimously carried.

- 10. Discussion/Action to consider reappointing Mr. J.W Brown to the Board of Adjustment as a Regular In-Town Member for a 3-year term ending April 9, 2015.**

Mayor Knight noted that she met with Mr. Brown and he is not quite ready to serving on the Board of Adjustment but when he is feeling better he will be looking to serve again. No action was necessary based upon this report. It was however noted that there is an In-Town Member vacancy on the Board of Adjustment.

11. Discussion/Action to consider approving the 2012-2013 Fiscal Year Holiday/Meeting Schedule.

Ms. Southward noted that Veteran's Day falls on a weekend this year and she has included it to be observed on Monday, November 12, 2012; she asked if this was agreeable to the Board. The Board agreed that such was their wish. *Commissioner DiStasio moved to approve the 2012-2013 Holiday/Meeting Schedule as presented; seconded by Commissioner Buccilli and unanimously carried.*

12. Discussion/Action to consider re-appointing Mr. Hank Rutter to the Calabash ABC Board for a 3-year term ending June 30, 2015.

Commissioner DiStasio moved to re-appoint Mr. Rutter to the ABC Board for a three year term ending June 30, 2015; seconded by Commissioner Buccilli and unanimously carried.

13. Discussion/Action to consider approving performance agreement with Parrot Party (Jimmy Buffett cover band) for headliner entertainment on the 4th of July.

Commissioner Buccilli moved to approve the performance agreement with Parrot Party, seconded by Commissioner DiStasio and there was discussion. Mr. Lewis suggested in the first paragraph after "agreed" add the word "to" and said instead of "his music styling's" he would put "in the genre of Jimmy Buffett". Further Mr. Lewis said in paragraph five where it talks about a rain date that "will" should be changed to "may" but the Board disagreed with this suggestion. Commissioner Buccilli revised her motion to include the changes suggested by Mr. Lewis in the first paragraph only, seconded by Commissioner DiStasio and unanimously carried.

CLOSED SESSION: *Commissioner Melahn moved that the Board enter into Closed Session pursuant to G.S 143-318.11(a)(6)-personnel matters; seconded by Commissioner Buccilli and unanimously carried at 7:00 PM.*

Upon returning to Sanborn Hall, Commissioner Nance moved that the Board enter into Regular Session, seconded by Commissioner Buccilli and unanimously carried.

ACTION AS A RESULT OF CLOSED SESSION DISCUSSIONS: *Commissioner Nance moved that Mr. Wallace Horne be removed from probationary employment status and place him under regular employment status, seconded by Commissioner Buccilli and unanimously carried.*

PUBLIC COMMENTS #4: none forthcoming.

BOARD COMMENTS: Commissioner Walton said regarding the Consent Agenda, he did not understand why the Mayor began to call out each item individually and then suddenly it was all approved as one item. The Board tried to explain that the Consent Agenda is used to save time and it is to be approved as one item; if someone wants to discuss a specific item on the Consent Agenda, it should be moved to New or Old Business (which ever is appropriate) during the Approval/Adjustment of the Agenda. He went on to say that he spoke to 25 Calabash residents about the two donations on the Consent Agenda and 23 out of 25 disagreed with giving these donations. Commissioner DiStasio said its in the ordinance that we set aside \$1,000 for donations to be given first come first serve to those who request, in \$100 increments. Mayor Knight said there are 26 Calabash citizens that utilize the Brunswick Senior Resources offered at the Calabash Presbyterian Church who would likely be very happy that the Town is supportive of this service; it gives these folks the opportunity to receive at least one meal per day. She said that if Calabash were ever fortunate enough to have a full service Senior Resource Center in Calabash it would be a blessing for our citizens. This program brings social services that benefit seniors locally and it's a wonderful program. Further, Mayor Knight continued, that Brunswick Literacy Council had provided information about the benefits of their organization; she asked Mr. Walton what his problem is with them. He said that to him, its socialism; taking public funds and giving them to a particular group. Commissioner DiStasio said the town has been donating for years to various organizations that benefit our community. Commissioner Walton said many people see what the Town and federal government have done for years is wrong. Mayor Knight said when she first moved to the area she was trained by the Brunswick Literacy Council and she is proud to say that she worked with many people who were able to secure their GED and go out and get jobs so they are not dependant on the federal government. She said these are two very important organizations and worthy causes in her opinion.

ADJOURN: *Commissioner DiStasio moved to adjourn, seconded by Commissioner Buccilli and unanimously carried at 7:15 PM.*

(SEAL)

Mary Louise Knight, Mayor

Attest:

Kelley Southward, Town Clerk