

**TOWN OF CALABASH
BOARD OF COMMISSIONERS
REGULAR MEETING**

**June 10, 2008
7:00 P.M.**

AGENDA

PUBLIC HEARING: 2008/2009 Fiscal Year Budget

CALL TO ORDER and PLEDGE TO FLAG:

APPROVAL/ADJUSTMENT OF AGENDA:

APPROVAL OF MINUTES:

- (1) April 8, 2008 regular meeting (tabled); (2) April 29, 2008 Annexation Public Information Meeting; (3) May 13, 2008 regular meeting; (4) May 13, 2008 closed session; (5) May 20, 2008 Annexation Public Hearing; (6) May 29, 2008 special meeting

CORRESPONDENCE:

PUBLIC COMMENTS:

INTERIM CLERK'S REPORT: attached

COMMITTEE REPORTS: Fire Dept, P/Z, Finance, Water/Wastewater, Community Service, & Town/ Merchant.

OLD BUSINESS:

1. Action- Adopt Annexation Ordinance & Map
2. Action-Rezoning request of Tax ID# 241OC020 from R-6 to CB (9081 Beach Dr.; pub hear was 5/13/08)
3. Action-Rescind Action from last month; Amendment to §151, Definition of Subdivision
4. Set Public Hearing 7/08/08 at 7pm, Town Hall-amendment to §151.05-Subdivision Definitions
5. Action-Consider request from P/Z Board to adopt the draft UDO
6. Action-Agreement w/Seaside Animal Hosp for emergency care per Town Animal Control Officer (tabled)

NEW BUSINESS:

1. Action-Reappointment to Board of Adjustment; Marty Keefe for a 3-year term ending 4/9/2011
2. Action-Direct Town Clerk to investigate the sufficiency of petition of voluntary annexation submitted by Stanaland Stewart Company, LLC, Scott Stewart and Vaughn Stanaland (part of Devaun Park)
3. Action-Consider revisions to current complaint form

4. Action-Amend Privilege License Fee Schedule for [internet] gaming businesses
5. Action-Minor Subdivision Tax ID# 2410003001 (Wilson Cemetery)
6. Action-Schedule Special Meeting for 6/26/08 at 4:00 pm to consider adoption of 2008-2009 FY Budget
7. Adopt Town Meeting/Holiday Schedule 2008-2009 fiscal year
8. Action-Adopt revised Job Descriptions as prepared and submitted by personnel committee
9. Discussion—remodeling of Town Hall (Mayor to appoint an ad-hoc committee)
10. Action-Ordinance Amendment transfer of funds \$19,670 from General Fund to Capital Reserve Fund
11. Action-Adopt Resolution for Brunswick Workforce Housing Week
12. Action-adopt Resolution designating July 2, 2008 as Calabash Town Hall Day (Mayor Clemmons)
13. Action-consider joining Brunswick Family Assistance “Membership Drive”
14. Discussion/Action—expansion of employees for the Town Services Department.

PUBLIC COMMENTS:

CLOSED SESSION:

1. Pursuant to G.S 143-318.11 (a)(6) Personnel Matters
2. Pursuant to G.S 143-318.11(a)(5) Contracts
3. Pursuant to G.S 143-318.11 (a)(3) Legal Matters

BOARD COMMENTS:

ADJOURN:

**TOWN OF CALABASH
BOARD OF COMMISSIONERS
REGULAR MEETING
JUNE 10, 2008
7:00 PM**

MINUTES

The Calabash Board of Commissioners held a regular meeting on Tuesday, June 10, 2008, 7:00 PM at Town Hall, 822 Persimmon Road.

PRESENT: Mayor Anthony Clemmons, Mayor Pro Tem Forrest King, Commissioner John Melahn, Commissioner Emily DiStasio, Commissioner Cecelia Herman, and Commissioner William Dixon; all members were present.

STAFF PRESENT: Building Inspector/Code Enforcement Officer Stanley Dills, Code Enforcement Officer Jim McCartney, Animal Control Officer William Danford, Town Recording Clerk (PT) Judy Andricak

ABSENT: Interim Town Clerk Kelley Southward

GUESTS PRESENT: Jeremy Cribb (applicant for Town Administrator), and approximately eight (8) others were in attendance.

CALL TO ORDER: Mayor Clemmons called the meeting to order at 7:00 PM.

PLEDGE TO FLAG: Mayor Clemmons led everyone in the pledge to the flag.

PUBLIC HEARING: 2008-2009 Fiscal Year Budget. *Commissioner DiStasio made a motion to enter a Public Hearing on the FY 2008-2009 Budget; the motion was seconded by Commissioner King and was passed by way of a unanimous vote. No public comments were forthcoming. Commissioner Melahn made a motion to close the Public Hearing; Commissioner DiStasio seconded the motion and the motion was carried by way of a unanimous vote.*

APPROVAL/ADJUSTMENT OF AGENDA: Commissioner DiStasio requested that Item #8 of New Business (Action-Adopt revised Job Descriptions as prepared and submitted by the personnel committee) include consideration of job classifications and pay plan. Commissioner Herman made a move to add Item #15 – “Minimum Housing Standards Ordinance” under New Business. Under Old Business, Item #1, Mayor Clemmons made a move to assign the Annexation Ordinance as number 2008A-01 under Old Business. Mayor Clemmons made a move to add Item #16 – “Appoint Members to the Long Range Planning Committee” under New Business. *Commissioner Herman made a motion to approve the agenda, as amended; the motion was seconded by Commissioner Dixon and was carried by way of a unanimous vote.*

APPROVAL OF MINUTES:

- (1) April 8, 2008 regular meeting (tabled item). *Commissioner DiStasio made a motion to remove the April 8, 2008 regular meeting minutes from a tabled item; the motion was seconded by Commissioner King and was carried by way of a unanimous vote.*
- (2) April 29, 2008 Annexation Public Information Meeting;
- (3) May 13, 2008 regular meeting;
- (4) May 13, 2008 closed session;
- (5) May 20, 2008 Annexation Public Hearing;
- (6) May 29, 2008 special meeting

Commissioner Melahn submitted a motion to approve all 6 (six) sets of minutes listed above. Commissioner DiStasio seconded the motion and the motion carried by way of a unanimous vote.

CORRESPONDENCE: Mayor Clemmons will speak at the Elks Flag Day on Saturday, June 14, 2008 at 11:00 AM and encouraged all Board members to attend. There was a Hospice Invitation for Saturday, June 21, 2008 6:30 to 10:30 PM Festival of Life. The Town of Calabash received an invitation to Southport's Fourth of July Celebration.

PUBLIC COMMENTS: Jim Burns, Pastor of His House Church announced a community festival to be held in the parking lot of Vision Square within the next sixty days. Pastor Burns requested permission to hold the festival and inquired about the process of approval for the event. Commissioners King, Herman and Dixon all voiced their support for the event and Pastor Burns was directed to Building Inspector/Code Enforcement Officer Stanley Dills who will provide the appropriate information.

INTERIM CLERK'S REPORT: Attached and made a part of these minutes. The redesigned website has been posted at www.townofcalabash.net. Ms. Southward will be meeting with Commissioner Melahn to provide him with updates on site maintenance. The Darcella Stupritz case goes to court on Monday, June 16, 2008 with either Stanley or Jim will be meeting Mr. Lewis at the courthouse for testimony. Mayor Clemmons and Jim have attended multiple County meetings on hazard mitigation and hurricane preparedness and both men continue to meet weekly to formulate a plan of accident in the event of a natural disaster. Three town employees attended a hurricane exercise presented by the County. Calabash has purchased new radios that allow contact with the County, the fire department and other agencies. Interim Town Clerk Southward is currently attending a second week of Clerk's School; June 9 through June 13. The Town is still awaiting the arrival of its new vehicle. The P&Z Board has recommended the Town adopt a Minimum Standards Housing ordinance. The Town is still interviewing applicants for the position of Town Administrator.

COMMITTEE REPORTS:

Fire Department: Commissioner Herman advised that the Fire Fee Committee met and voted to grant the Calabash Fire Department the maximum increase in fire fees providing them with an additional \$300,000.00 to work with. Their next meeting will be held on Tuesday, June 17, 2008. A revised budget has been submitted that included \$117,000.00 income from a Federal grant. It was noted that the budget is balanced.

Planning & Zoning Board: Commissioner Melahn detailed that a P&Z Board meeting was held on June 2, 2008. The recommendation to the BOC on the minor subdivision of Wilson Cemetery was reviewed and recommendation was approved. The recommendation to the BOC Chapter 151.161(e) Fences to be in the Code of Ordinances – the phrasing used in the new UDO covers the situation. There was an addition to the agenda, “Minimum Housing Standards”, the recommendation of P&Z was to recommend that the County develop and approve Minimum Housing Standards Ordinance. He noted that there was discussion with regards to the recommendation to the BOC that recommended the approval of the UDO.

18.49

Finance: Commissioner King had Ms. Silvers, Tax Collector, address the BOC. She said she billed for 2007 \$205,828.01 at a rate of .07 per \$100 and that to date, collections for 2007 totaled \$188,212.43; total principal balance for all accounts from 2002 to the present were \$17,845.13 of which 33 accounts are in appeal totaling \$16,284.08 leaving a balance of \$1,560.55. The 2007 collections past due total is \$1,179.64. She is expecting to collect \$553.60 by the end of the month. From 2002 to 2006 the total is \$389.00. The collection percentage is currently at 94% but could go to 99% if one major account that is in appeals gets resolved and pays.

Water/Wastewater: Mayor Clemmons advised that the Town is moving forward with the sewer project and he will be meeting with the County on June 26, 2008 to discuss options and fees that would help residents cover the cost of the sewers. They may be discussing 6-8 year financing for residents as well as a bond to make sewer affordable to the Town’s citizens. Mayor Clemmons appreciates the County’s efforts to help them in this matter.

Community Services Department: On behalf of the CSC Chairperson, Mayor Clemmons thanked and commended everyone who assisted with the Memorial Day celebration. Mayor Clemmons extended a special thanks to Carolina Shores for their participation in the event.

Town & Merchants Department: Commissioner King said the Town continues to wait on DOT for directional signs for the river as well as “No Wake” signs that Commissioner Dixon inquired about. They are moving forward on the Merchants Association. Mayor Clemmons thanked both merchants and citizens for their efforts in the Town Beautification.

OLD BUSINESS:

1. Action/Adopt Annexation Ordinance and Map 2008A-01. There was no discussion. *Commissioner Herman made a motion to Adopt Annexation Ordinance and Map2008A-01; the motion was seconded by Commissioner DiStasio and was carried by way of a unanimous vote.*
2. Action-Rezoning request of Tax ID# 241OC020 from R-6 to CB (9081 Beach Drive, public hearing was 5/13/08). There was no discussion. *Commissioner Melahn made a motion to approve the Rezoning Request for Tax ID#241OC020 from R-6 to CB. Commissioner DiStasio seconded the motion and the motion was carried by way of a unanimous vote.*

3. Action-Rescind Action from last month: Amendment to §151, Definitions of Subdivisions. There was no discussion. *Commissioner DiStasio made a motion to rescind the Action; Amendment to §151, Definition of Subdivision. Commissioner Melahn seconded the motion and the motion carried by way of a unanimous vote.*
4. Action - Set Public Hearing for 7/08/08 at 7PM, Town Hall – Amendment to §151.05-Subdivision Definitions. There was no discussion. *Commissioner Melahn made a motion to set the Public Hearing for July 8, 2008, 7PM. The motion was seconded by Commissioner Herman and the motion was carried by way of a unanimous vote.*
5. Action-Consider request from Planning & Zoning Board to adopt the draft UDO. Discussion covered moving the UDO along with Commissioner Herman requesting that action on the UDO include setting another workshop, at the BOC's convenience, within the next thirty days. A date of Thursday, July 17, 2008 from 3 to 5PM at Town Hall. *Commissioner Herman made a motion to set a BOC UDO Workshop for July 17, 2008 from 3 to 5PM at Town Hall. The motion was seconded by Commissioner Melahn and was carried by way of a unanimous vote.*
6. Action-Agreement with Seaside Animal Hospital for emergency care per Town Animal Control Officer (tabled). *Commissioner Herman made a motion to untable Item #6 – Agreement with Seaside Animal Hospital for emergency care. The motion was seconded by Commissioner Melahn and was carried by way of a unanimous vote.* Animal Control Officer William Danford asked the board to approve the Agreement with Seaside Animal Hospital to ensure that the Town of Calabash would be covering their liabilities. While Seaside Animal Hospital is unable to provide a list of standard fees, Dr. Ward is willing to work with the Town of Calabash to do what is best for the Town in the issue of aiding injured animals. The board decided on a trial agreement of six months. *Commissioner Herman made a motion to approve the Agreement with Seaside Animal Hospital for emergency care until such time that the Board cancels the agreement. The motion was seconded by Commissioner King and was carried by way of a unanimous vote.*

NEW BUSINESS:

1. Action-Reappoint to Board of Adjustment; Marty Keefe for a three (3) year term ending 4/9/2011. There was no discussion on this action. *Commissioner Melahn made a motion to reappoint Mr. Keefe; the motion was seconded by Commissioner King and was carried by way of a unanimous vote.*
2. Action-Direct Town Clerk to investigate the sufficiency of petition of voluntary annexation submitted by Stanaland Stewart Company, LLC; Scott Stewart and Vaughn Stanaland (part of DeVaun Park). There was no discussion on this

action. *Commissioner DiStasio made a motion to direct the Town Clerk to investigate the sufficiency of petition of voluntary annexation. The motion was seconded by Commissioner Melahn and was carried by way of a unanimous vote.*

3. Action-Consider revisions to current Complaint Form. A move was made to table this item until the next meeting to determine what form was currently being used. *Commissioner DiStasio made a motion to table Item #3 - revisions to the current Complaint Form. The motion was seconded by Commissioner Dixon and the motion was carried by way of a unanimous vote.*
4. Action-Amend Privilege License Fee Schedule for (internet) gaming business. There was a discussion among the BOC members as to which fee was more appropriate and the appropriate means to calculate this fee. The BOC decided to adopt the \$5 per machine fee. *Commissioner Herman made a motion to amend the Privilege License Fee Schedule to charge \$5.00 per machine. Commissioner King seconded the motion and the motion was carried by way of a unanimous vote.*
5. Action-Minor Subdivision Tax ID#2410003001 (Wilson Cemetery). It was suggested that Officer Dills check the Ordinance on cemeteries. *No motions were made on this issue.*
6. Action-Schedule Special Meeting for 6/26/08 at 4:00 PM to consider adoption of 2008-2009 FY Budget. There was a discussion to set a special meeting for Thursday, June 26, 2008 at 4:00 PM at the Town Hall to take action on the 2008/2009 Fiscal Budget. There was discussion of scheduling a workshop prior to the June 26th special meeting. *Commissioner Herman made a motion to schedule a Special Meeting on June 26, 2008, 4PM at Town Hall to adopt the 2008-2009 FY Budget. Commissioner King seconded the motion and the motion was carried by way of a unanimous vote. Commissioner King. The motion was seconded by Commissioner Herman and was carried by way of a unanimous vote. Commissioner Herman made a motion to add Item #17 - Schedule a Budget Workshop on Tuesday, June 24, 2008, 4PM at Town Hall under New Business; Mayor Pro Tem King seconded the motion and the motion was carried by way of a unanimous vote.*
7. Adopt Town Meeting/Holiday Schedule for 2008-2009 fiscal year. *Commissioner DiStasio made a motion to approve the 2008-2009 schedule, as submitted. Commissioner Herman seconded the motion and discussion ensued. Commissioner King noted that the Board of Commissioners October meeting was scheduled for October 7th, which is the first Tuesday of the month, not the second Tuesday of the month—the second Tuesday is actually October 14th. Commissioner DiStasio amended her motion to approve the schedule, as corrected—the October Board of Commissioners regular monthly meeting will be October 14, 2008. Commissioner Herman seconded the amended motion and the motion was carried by way of a unanimous vote.*

8. Action-Adopt revised Job Descriptions as prepared and submitted by Personnel Committee. Commissioner DiStasio noted that there was one change in the Storm Water Technician description from “serve on Storm Emergency Management Team” to read “serve on an Emergency Management Committee. The Personnel Committee determined to go with each job description as separate each having a distinct description. Mayor Clemmons thanked the Personnel Committee for over a year of hard work on this project. *Commissioner DiStasio made a motion to adopt the revised Job Descriptions and Position Classification Pay Schedule; Commissioner Herman seconded the motion and the motion was carried by way of a unanimous vote.*
9. Discussion-Remodeling of Town Hall (Mayor to appoint ad hoc committee). Mayor Clemmons appointed Commissioner King to head an ad hoc committee to oversee the remodeling of the Town Hall; Commissioner Melahn and Building Inspector/Code Enforcement Office Stanley Dills were also named to the committee. Mayor Clemmons spoke with Mr. Pierce, the Utilities Director and that, in addition to his support, the time was favorable for expansion of the Town Hall.
10. Action-Ordinance Amendment transfer of funds \$19,670 from General Fund to Capital Reserve Fund. There was no discussion. *Commissioner King made a motion to approve the Ordinance Amendment for the transfer of funds \$19,670.00 from General Fund to Capital Reserve Fund. Commissioner Melahn seconded the motion. Commissioner Herman opposed the transfer. The motion was carried by the following vote: Ayes – Commissioners King, Dixon, Melahn, and DiStasio; Nay – Commissioner Herman; the motion to approve the transfer of funds carried by a vote of four (4) to one (1).*
11. Action-Adopt Resolution for Brunswick Workforce Housing Week. Mayor Clemmons stated that there was a need for affordable workers housing and Commissioner Melahn agreed. *Commissioner Melahn made a motion to adopt the Resolution for Brunswick Workforce Housing Week. Commissioner Herman seconded the motion and the motion was carried by way of a unanimous vote.*
12. Action-Adopt Resolution designating Wednesday, July 2, 2008, 10AM to 2PM as Calabash Town Hall Day (Mayor Clemmons). Refreshments will be served. There was no discussion. *Commissioner DiStasio made a motion to adopt July 2, 2008 as Calabash Town Hall Day; the motion was seconded by Commissioner Melahn and was carried by way of a unanimous vote.*
13. Action-Consider joining Brunswick Family Assistance “Membership Drive”. There was some discussion of both fees for the Drive and implications of the wording “Membership Drive”. *Commissioner Herman made a motion to join (to become a member of) Brunswick Family Assistance; Commissioner Dixon seconded the motion and the motion was carried by way of a unanimous vote.*

14. Discussion/Action-Expansion of employees for Town Services Department. Commissioner Dixon opened the floor for discussion – he stated that Town Services requires additional personnel and he requested hiring one full time employee and one part time employee. Mayor Clemmons was emphatic regarding the immediate need during the summer season for more personnel. It was suggested that resumes that were currently on file be examined for suitable candidates. If none were found, the Town would place an advertisement in the Brunswick Beacon. There was considerable discussion regarding payroll and budget. *Commissioner Herman made a motion to table expansion of employees for Town Services Department; Commissioner Melahn seconded the motion. Following a timed 20 minute discussion allowing each Board member five minutes to speak, Commissioners Herman, DiStasio, and Melahn voted in favor of the motion to table with Commissioners King and Dixon voting against the motion to table. The motion to table carried by a vote of three (3) to two (2).*
15. Action-Write/Enact Minimum Housing Standards Ordinance. Commissioner Herman stated that there is a need to have an Ordinance in place to assure Building Inspections/Code Enforcement the ability to take steps to correct issues that cannot presently be enforced. She stated that P&Z should be charged with the construction and implementation of a Minimum Housing Standards Ordinance. *Commissioner Herman made a motion to charge Planning & Zoning Board to develop and report to the BOC a Minimum Housing Standards Ordinance. Commissioner Melahn seconded the motion and the motion was carried by way of a unanimous vote.*
16. Action-Appoint members to Long Range Planning Committee. Mayor Clemmons appointed Mayor Pro Tem King, Commissioner Melahn and P/Z Board Chairman J.W. Brown to the Long Range Planning Committee.
17. Action/Discussion-Schedule a Budget Workshop. *Mayor Pro Tem King made a motion to hold a Budget Workshop on June 24, 2008 at 4:00 PM at Town Hall. Commissioner Herman seconded the motion and the motion was carried by way of a unanimous vote.*

PUBLIC COMMENTS: Richard Yorr, member of the Board of Directors for the Calabash Fire Department requested that the BOC take a closer look at finances for the Calabash Fire Department and the services they provide. He asked for this consideration prior to approval of the budget.

Motion to move to executive sessions as per: 1. Pursuant to G.S 143-318.11 (a)(6) Personnel Matters; 2. Pursuant to G.S 143-318.11 (a)(5) Contracts; 3. Pursuant to G.S 143-318.11 (a)(3) Legal Matters. Commissioner Herman made a motion to move to executive sessions; Commissioner King seconded the motion and the motion was carried by way of a unanimous vote.

Upon returning to the Board Room, Commissioner King made a motion for the Board to enter regular session. The motion was seconded by Commissioner Herman and was carried by way of a unanimous vote.

BOARD COMMENTS: Commissioner DiStasio will meet with employees to discuss evaluations and make pay adjustments.

Commissioner DiStasio made a motion to adjourn; the motion was seconded by Commissioner Herman and was carried by way of a unanimous vote at approximately 10:00PM.

(Seal)

Anthony Clemmons, Mayor

Attest:

Kelley Southward, Interim Town Clerk