



Workshop Meeting of the Town of Carolina Shores
Board of Commissioners
August 4, 2014 10:00am

- I. Call to Order
- II. Administrative Reports
 1. Administrative Reports
 2. Committee Reports
- III. New Business
 3. Regular Meeting, August 7, 2014 Agenda Items
 - a. First Reading of an Amended Development Agreement for the Farm at Brunswick
 - b. Consideration of setting a Special Called Meeting in order to conduct a joint meeting with the Planning Board on UDO updates
- IV. Public Comment
- V. Adjournment



Regular Meeting of the Town of Carolina Shores
Board of Commissioners
August 7, 2014 2:00pm

Pledge of Allegiance to the Flag and Moment of Silence

- I. Call to Order
- II. Approval of Minutes
 1. Approval of Minutes
- III. Agenda Adjustments
 2. Adjustments to the agenda and approval thereof
- IV. Public Comment
 3. Public Comment
- V. Administrative Reports
 4. Administrative Reports
- VI. Public Hearings
 5. Public Hearings: Amended Development Agreement for The Farm at Brunswick
- VII. Old Business: None
- VIII. New Business
 6. Second Reading and Adoption of an Amended Development Agreement for the Farm at Brunswick
 7. Consideration of setting a Special Called Meeting in order to conduct a joint meeting with the Planning Board on UDO updates
- IX. Closed Session: None
- X. Adjournment

Town of Carolina Shores Board of Commissioners
Agenda Item Summarization & Narrative

Item: Approval of the Minutes

Contact: Mr. Walter B. Goodenough, Mayor

Location: Approval of Minutes
"Approval of Minutes"

Follow-up: None

Requested Action: Board Action: Approve/Disapprove

Budgetary Impact: None

Narrative:

This item presents for the Board's consideration the minutes to past meetings of the Board.

**Town of Carolina Shores
Board of Commissioners
Pre-Agenda Meeting Minutes
July 7, 2014
10:00 a.m.**

DRAFT

Members Present: Mayor Walter B. Goodenough and Commissioners: Joseph Przywara, Greg Davis, John Russo, Bill Brennan and John E. Manning. Also Present: Jon Mendenhall, Town Administrator and Nicole Marks, Town Clerk.

Members Absent: None

Others Absent: None

Call to Order:

At 10:00 a.m. Mayor Walter B. Goodenough called to order the Board of Commissioners Workshop Meeting.

Administrative Reports:

Town Administrator Report/Jon Mendenhall – On file at Town Hall:

This report serves as the report of administrative activities undertaken by the Town in the month of June and summarizes administrative, operational, and project updates for the reporting period. This report also summarizes and provides a brief narrative on items of business to be considered at the Regular Meeting of the Board.

Administrative

In June, the budget was adopted and will be implemented in July. June saw progression in the code project, cost savings in a new copier contract, projected savings in solid waste, and consolidation of fax lines, consolidation of desktop printers. An emergency management appropriation package will be presented detailing what items are needed and a briefing on an emergency activation scenario is being planned.

Operational

Finance

The financial report will be given on Thursday, July 10, 2014. The budget was adopted in June and implementation will begin July 1 for the Fiscal Year 2014-2015 (FY 15) budget. Finance staff has initiated some cost savings measures with a copier lease, fax line consolidation, and printer consolidation. Continued monitoring of the Short Session is on-going. Please refer to the financials for more detailed information.

Public Works

Public Works is continuing with their operations and maintenance activities of road and drainage ways. In order to initiate the capital project associated with Clubview, Public Works is undertaking steps #2 as outlined in the Project Summary for resurfacing. A new schedule was developed in June and will be implemented in July to allow for regular scheduling of work activities. Safety equipment has been placed on both the Ford Escape and Ford Taurus, an order for safety lights is being worked on for the last right-of-way zero-turn mower that is without such equipment. A resident of Northwest Drive has brought forth a concern on drainage maintenance and would like for the Town to consider taking over the on-going maintenance of the drainage easement between Court 6 and 7 (2 maps are enclosed). Currently, the piped drainage between Court 5 and 6 is the only drainage area in the vicinity that is in the Town's maintenance at the present time (see attached maps). Additional, a discrepancy has arisen over Tract K; the Golf Course believes they own this property (see attached agreement). Please refer to the Public Works Report for more detailed information.

Inspections

Inspections is continuing to work through a busier building period this construction season and has completed updates to the Unified Development Ordinance as part of the codification project. Please refer to the Inspections report for more detailed information.

Project

Code

Final reviews of the Unified Development Ordinance as well as the Town Code are complete; both contractors are working on their respective portions of the project. The two processes in parallel will be tied together in July in order to produce an integrated final product for consideration and adoption by the Board (adoption will occur via an omnibus ordinance rather than piecemeal).

Resurfacing

Clubview Reconstruction

1. Engineering Services – at the meeting in June, the Board was asked to name an engineering service firm(s) for the Clubview Project; staff is working with: Ms. Aimee Drucker P.E. on roadway work and on drainage work.
2. Preliminaries –the preliminary engineering process has been initiated (encroachment agreement, typical sections, field site visit to ascertain scope et al), a meeting was conducted on June 19, 2014 to initiate preliminary work.
3. Bid Phase – once preliminaries are complete we anticipate entering bid phase services for the preparation of specifications and bid packages as well as bid advertisement/opening around August subject to encroachment approval from NCDOT.
4. Construction – ideally, construction should start in the September timeframe with asphalt work occurring in October.

Drainage

Roadside Drainage Maintenance

1. Roadside Drainage – Public works staff will be beginning to measure elevations on several roadside drainage ditches in order to allow for these ditches to be pulled and de-silted/fall-lines reestablished. The work of actually pulling the ditches will begin once we have a dump truck to remove the spoil material.

2. Northwest Drive Easement Maintenance – we have received correspondence from the Carolina Shores POA including an impromptu meeting with POA representatives about the rear yard drainage easements between each court. Town records indicate that only the drainage way between Court 5 and Court 6 is the Town’s maintenance responsibility. The easements between these courts are ten (10) feet wide and are heavily overgrown which precludes mechanized cutting.

Incorporations via Reference

Public Works – please refer to the Public Works Report

Inspections – please refer to the Inspections Report

Public Safety – please refer to the Calabash VFD and Calabash Rescue Squad Reports as provided.

Attachments:

Community of Carolina Shores Drainage Court 6 and Court 7 – Mr. Mendenhall said a resident wants the town to evaluate the drainage between Court 6 and Court 7. Mr. Mendenhall said staff is looking for direction from the Board regarding this matter. Mr. Mendenhall said we have not historically undertaken the maintenance on this drainage easement and it is not on the Town’s maintenance map we have. Mr. Mendenhall said there is concern from the resident and the POA that the Town should be maintaining that area. It was the consensus of the Board that the Town should only maintain what the Town is legally responsible for.

Tract K - The community of Carolina Shores POA would like the Town to maintain Tract K. After discussion, it was the consensus of the Board to have Mr. Mendenhall contact the Town Attorney regarding this matter.

Thicketwood - There was discussion on Thicketwood which will be trenched, a red diamond erected and the use of standard red road closed signs will be used.

Committee Reports:

Calabash EMS – Commissioner Manning said the Calabash EMS meeting is tonight July 7, 2014.

Calabash Fire Department – Mayor Goodenough said the Calabash Fire Department meeting isn’t until next week but everything is going along fine.

Planning Board – Commissioner Przywara said the Town received an application for a Planning Board member. Commissioner Przywara said at the Planning Board meeting, the Planning Board authorized the Chairperson, Mark Brown, along with himself and Jon Mendenhall, Town Administrator, to interview Mr. Greg Hapner who is the applicant. Commissioner Przywara said he, Mr. Brown and Mr. Mendenhall recommend that Mr. Greg Hapner be appointed at the Thursday Board of Commissioners meeting as a Town member of the Planning Board.

HOA/POA Advisory Committee – Nicole Marks, Town Clerk said Maslin Kain could not attend the meeting today and she would give the committee report on Thursday.

Keep Brunswick County Beautiful – Mr. Gere Dale said he was appointed by the Town in 2005 to serve on the Maine to Key West Greenway Committee and that committee functioned for about two and a half years and suddenly became dormant at that time. Mr. Dale said he brought

this issue up at the Keep Brunswick County Beautiful meeting in March and asked that KBCB take an active part to re-energize that project. Mr. Dale said he found out that the Town's previous administrator has an individual who was active in this project and her name is Kristie Dixon. Mr. Dale said Ms. Dixon is going to present a PowerPoint presentation to the KBCB Board this coming Wednesday night on the re-activation of this project. Mr. Dale said he is of the mind that if the presentation is very good, the Town would consider having Ms. Dixon make the same PowerPoint presentation perhaps in September. Mr. Dale said if you're not familiar with this project (he read from a 2004 publication - Greenway) it's an urban spine trail that links Calais, Maine to Key West, Florida, it expands 2,600 miles, it's overseen by grass root groups that work with towns, counties and state government to build local trails from abandoned railroad corridors, paths and other lineal spaces. Mr. Dale said to make a long story short, that pathway is designed to cross Brunswick County and Horry County at the juncture of Highway 17 and 179. Mr. Dale said anybody's who is familiar with that location, the greenway is either going to go through Carolina Shores or Calabash or both. Mr. Dale said after he sees the PowerPoint presentation on Wednesday, he will make a recommendation as to whether the Board would profit from that since Carolina Shores will be actively involved with this project. Mr. Dale said the other item he would like to talk about is the community garden in Southport that was developed under KBCB, Brunswick College, communities in Southport and a number of other entities. Mr. Dale said he was not a big supporter of that project initially; however, it has been a big success. Mr. Dale said all 30 garden plots have been leased and now have a waiting list. Mr. Dale said there is now an idea to possibly have a similar community garden in the South part of Brunswick County. Mr. Dale said the obvious place to have the community garden from his standpoint is at the college across Highway 17. Mr. Dale said there is space available there and they were involved with the one in Southport. Mr. Dale said this would involve participation from the municipality and civic groups in this area. Mr. Dale said there will be more on this topic later. Mr. Dale said when he spoke last month, he said one of the objectives of KBCB is 0% littering and 100% recycling in Brunswick County. Mr. Dale said we're a long way from 0% littering if you go through our streets and roadways and we're a long way from 100% on recycling. Mr. Dale said he and Roger Thompson were out a week ago Wednesday morning and drove all the streets other than the community of Carolina Shores looking for recycling bins that were to be put out and they found 21 in the other 5 communities which is probably something less than 3%. Mr. Dale said where as in the community of Carolina Shores, recycling is about 98% so we have a long way to go. Mr. Dale said he hopes the Town can institute some type of program to improve that 2% or 3%.

G-Stats – Mayor Goodenough said there is an opening on the G-Stats Committee that he attends. Mayor Goodenough said Commissioner Brennan is his alternate for TAC if he can't show up to a meeting. Mayor Goodenough said Mr. Mendenhall is on the TCC side of it and they have requested/require an alternate. It was the consensus of the Board to appoint Commissioner Manning as Mr. Mendenhall's alternate on the TCC.

New Business:

Consideration of Emergency Preparedness Measures – This item will be placed on the Thursday, July 10, 2014 Board of Commissioners meeting agenda.

Appointments to Various Committees - Mayor Goodenough said he sent an email about two months ago in regards to the committees the Town currently has. Mayor Goodenough said the Communication Committee has been placed on hold. Mayor Goodenough said they have been doing this for over five years and anything these committees have brought to the attention of the

Board, there isn't anything out there that the regular citizen couldn't have brought to the Board and could be handled with a simple service request. Mayor Goodenough said the Board has taken it upon themselves over the past five or six years that if a resident has a question or issue or needs some attention, we take care of it then. Mayor Goodenough said if it fits the Town's criteria, the street lights or anything, BEMC set the criteria if you are more than 250 feet away from a streetlight they will be more than happy to come over and put up a street light. Mayor Goodenough said he doesn't feel they need the HOA/POA Advisory Committee anymore. Mayor Goodenough said he's sure to get some pushback from the Commissioners. Mayor Goodenough said every month it's the same thing. Mayor Goodenough said the committee keeps bringing up and rehashing the same thing. Mayor Goodenough said if the Board does not abolish it, then he suggests moving the committee's meetings to quarterly because monthly is redundant and as far as he is concerned, it's not serving a purpose. Commissioner Brennan said he disagrees. Mayor Goodenough said he does not have a vote on it and apparently the Board changed the way they do things here from 4 or 5 years ago, where he is just not allowed to go out and abolish a committee and it goes to the Board for a vote. Commissioner Brennan said he doesn't know whether he agrees with that or not. Commissioner Brennan said the last he read; it was the Mayor's choice to establish and abolish committees and doesn't know if that has changed. Commissioner Brennan said in this particular case, having been a member of that committee and understanding the functions of that committee, he finds it very, very difficult to believe that you (Mayor Goodenough) would want to abolish it. Commissioner Brennan said the committee lets you know at an organized level of communication what the thoughts are in the communities. Commissioner Brennan said admittedly some of these problems do reoccur but by the same token it's good to have input from the residents. Commissioner Brennan said it's a concerted thing, not an individual coming in here; it is the consensus of the individual communities. Commissioner Brennan said he thinks it puts it at an excellent filtering capacity. Commissioner Brennan said instead of having one committee come in and talk as one person from the committee as a representative for a collective lot of people, if not, your going to have a collective amount of people up here. Commissioner Brennan said this way it's filtered, it's condensed and down to one person, one issue, etc., etc. Mayor Goodenough said his problem is the last time the Board had a report from the HOA/POA Committee, they specifically said whatever information they get from this Board, now their purpose is to listen to the residents and gather information and bring stuff either themselves or things amongst themselves on how their community works and try to work cohesively and whatever they cant get accomplished doing that, then they bring it to the Town. Mayor Goodenough said no problem, the last time this individual spoke, he asked her if the information the Board is giving back to them is distributed back to the community. Mayor Goodenough said the response back from her was no. Mayor Goodenough said why are they bringing information to the Board but your not bringing information back to the community. Mayor Goodenough said this committee also wants him to put back into effect the Communication Committee but he feels the Town doesn't need a Communication Committee simple because last month eight hundred people had no problem communicating what they felt, so there is no issue as far as communication within these communities. Commissioner Davis said he agrees with Commissioner Brennan. Commissioner Davis said he was a member of the committee and his wife is a member of that committee now. Commissioner Davis said he thinks the main purpose of that committee is a chance for the Board/Town to facilitate for our six developments; a chance to sit and talk amongst themselves. Commissioner Davis said maybe there is redundancy at times but they have worked out a lot of problems that don't get brought to the Board simply by letting each other know what they did in their communities as a HOA and this is what you can do as a HOA. Mayor Goodenough said that's the way it's supposed to be. Commissioner Davis said as far the report, you (Mr. Mendenhall) can make the report quarterly and at one point he and Commissioner Brennan

wanted the committee to go quarterly and got voted down. Commissioner Davis said sometimes month to month is a little much but it gives chance for those six people to meet and report to each other and then somebody to stand up at the Board of Commissioners meeting and give the Board a report. Commissioner Davis said Mayor Goodenough mentioned service requests and if there is a person coming in for a service request, the Town finds out but he doesn't.

Commissioner Davis said he never hears about someone who complains to Mr. Mendenhall or Tom Donlon about a problem, we never hear those problems. Commissioner Davis said Mayor Goodenough is right, they can come in and fill out a service request for a problem but that doesn't make it a Commissioner's concern and maybe 90% of the things the HOA/POA Committee brings up are not Commissioner's concerns but it is still knowledge for the Board to know what's going on in the communities. Commissioner Davis said he doesn't know what goes on in the Village on a daily basis and surely doesn't know what goes on in the other four.

Commissioner Davis said while he understands Mayor Goodenough's frustration with maybe someone not taking information back, in some cases it's tough to take information back. Commissioner Davis said he knows in his community, they have to take information back to the Corporation in Charleston and then if they want to distribute the information, it will be distributed. Commissioner Davis said when he was on the committee and someone had a concern, he reported the information back to that person and now his wife does. Commissioner Davis said he agrees with Commissioner Brennan that the committee is still doing its job. Commissioner Przywara said he agrees with Commissioners Davis and Brennan. Commissioner Przywara said if something comes into the Farm at Brunswick for the committee, they actually do a little screening before the representative brings the issue to the committee meeting. Commissioner Przywara said every complaint is not valid, so you don't want everyone coming into Town Hall and requesting service because we have to send out the manpower.

Commissioner Brennan said he wanted to point out the fact, that when the committee does solve problems by themselves, then the Board doesn't hear about, the committee just took workload away from the Board and got solved on its own. Commissioner Brennan said things can get solved at a lower level and that's really where things should get solved. Commissioner Russo said it is a way the Board can get information and if the Town didn't have this committee, then you would have fourteen people wanting to get up and speak about the same thing. Commissioner Russo said he feels the Board can still use this committee and it's good thing.

Mayor Goodenough said then something needs to change on how the committee brings information back to their HOA's. Commissioner Manning said he thinks maybe the Board should set it up similar to how the Planning Board is set up and have a Commissioner assigned to the committee, go to the meetings and he can bring back the information to the Board, if and when it's important. Commissioner Manning said whatever information the Board has, it could go back through the Commissioner assigned to the committee and let them distribute it their way. Commissioner Davis asked if Mr. Mendenhall attends the meeting. Commissioner Manning said he was talking about a Commissioner, not the Town Administrator. Commissioner Davis said the Town Administrator could do it because he's already there. Mayor Goodenough said he used to go to the meetings. Commissioner Davis said if you have a Commissioner there, then the committee will want a response right then and it's not one Commissioner's job to respond. Commissioner Davis said the Town Administrator can speak from a legal or Town Administrator standpoint and to tell you the truth, when the Town Administrator previously attended those meetings, they ran a lot smoother. Commissioner Davis said if the Board wants the Town Administrator as the person who gives the report, he has no problem with that. Commissioner Davis said people on the committee would probably be glad they don't have to give the report. Commissioner Manning said the committee should probably go to quarterly. Mayor Goodenough said he doesn't have a problem with that. Commissioner Davis said he usually doesn't do this but he asked Ms. Betty Towell (who was in attendance of the Board meeting) if

she was a member of the committee and Ms. Towell said she was and meeting quarterly is too long and she thinks the committee needs to meet once a month because of what issues may arise. Commissioner Davis said it is kind of hard to wait three months for an issue to be resolved and Ms. Towell said exactly. Commissioner Davis asked Ms. Towell about the committee meeting bi-monthly and Ms. Towell said that bi-monthly would be okay with her. Mayor Goodenough asked what problems they have in the communities that couldn't wait one, two or three months. Commissioner Davis said in Calabash Lakes they had a street light installation problem that got resolved because that POA Committee wouldn't let it go and they pushed the buttons and it got resolved. Commissioner Davis said if that problem had to wait for two months, the residents that live back there would've had to be in the dark for two more months and it got resolved quickly. Mayor Goodenough said the Town has criteria for that in place and Commissioner Davis said this wasn't an issue of the lights needing to be put in. Commissioner Davis said he does not want to see the committee go because it's the one committee that gives the six communities to be as one. Commissioner Brennan said when the committee brings information to the Board, it's not as though they can snap their fingers and make a decision but there are times when the Board can say okay, we will send a crew out next week but overall some of these things are longer term projects that require study or need a scope and can't be done on a whim. Commissioner Brennan said he thinks the Board's action in responding to requests and getting things done, that is a way of communication back to the POA Committee that things are being done and the Board tries to communicate with the whole world. Commissioner Brennan said the Board has been transparent and highly visible in Board actions. Commissioner Brennan said the point is yes they take care of these things and no they can't be taken care of right away when they bring them up in a committee report because their catching us cold for the most part. Commissioner Przywara said he agrees with Mayor Goodenough that there needs to be communication between the committee representative and their Board. Commissioner Przywara said that way whatever issue was sent by the committee members Board, maybe two people could work together to resolve the issue. It was the consensus of the Board to have Mr. Mendenhall attend the HOA/POA Advisory Committee and discuss with the committee how often they feel they should meet whether it's monthly, bi-monthly or quarterly.

Consideration of Human Resources Committee Recommendations:

Mayor Goodenough said the Human Resources Committee met and are making a recommendation to add a Code Compliance Officer and Building Custodian.

Code Compliance Officer – The Board discussed the Code Compliance Officer job description. It was the consensus of the Board to amend the following items in the job description:

- “a valid Class A driver’s license is required.” to a valid Class C driver’s license is required.
- to remove the wording that a “CDL is preferred”.
- remove the section “Performs animal welfare activities related to the pick-up, removal, trapping, and the otherwise treatment of animal welfare related issues as directed”.
- Under Education and Experience, in the first sentence, after Business Administration change the word “and” to or.
- Add the wording “may have to work occasional weekends”.

Building Custodian - The Board discussed the building Custodian job description. It was the consensus of the Board to not change any wording in the Building Custodian job description.

Emails:

Mayor Goodenough said with the influx of e-mails that the Commissioners have been getting, especially in recent light of the Recycle Center, he believes that it's time the Town has one spokesperson responding to e-mails. Mayor Goodenough said he recommends that e-mails get forwarded to Town Administrator, Jon Mendenhall and Mr. Mendenhall will respond. As a courtesy, it was the consensus of the Board to allow the Mayor or Commissioners to respond back to the e-mail stating their e-mail has been sent to the Town Administrator for his response. It was the consensus of the Board to make a motion at the July 10, 2014 Board of Commissioners meeting to approve this change in the "Operational Procedures" that the Board previously approved.

Agenda:

Mayor Goodenough said that if you notice, Public Comment is not on the Workshop agenda and for the Board of Commissioners regular meeting; there is one Public Comment only at the beginning of the meeting. Commissioner Brennan said Mayor and Commissioner Comments are not on either agenda. After Board discussion, it was the consensus of the Board to have one Public Comment on the Board of Commissioners workshop agenda at the end and to have one Public Comment on the Board of Commissioners regular meeting agenda in the beginning.

Public Comment:

Kathleen Edwards, North West Dr., Carolina Shores – Ms. Edwards said she would like to refer back to the first item that was up for vote. Ms. Edwards said this is the only swale or ditch open on Northwest Drive and it is not draining properly. Ms. Edwards said it's not a private easement; it's a public easement that drains into the main drainage swale. Ms. Edwards said it was maintained for several years and all of a sudden, the past three years it has not. Ms. Edwards said the water is standing in certain areas and it's a breeding area for mosquitoes. Ms. Edwards said it is part of the main run-off of storm drains and this is the only open one. Ms. Edwards said she would really like the Board to take it under consideration, since the Town signed an agreement back in 2010 to take over the swales. Ms. Edwards said this is between Courts 6 and 7. Ms. Edwards said the one between Courts 5 and 6 is a huge drain that is covered over with grass. Ms. Edwards said there are several others that are either filled or have pipes and the one between Court 6 and 7 is the only one that is opened. Ms. Edwards said it is part of the run-off system. Ms. Edwards said that she was told by the Deed of Records up in Bolivia that this is a public easement for the drain off. Ms. Edwards said she has the papers that the Board of Commissioners are looking at. Ms. Edwards said originally the town took care of it and it stopped or believes it was the Town that took care of it. Ms. Edwards said it's the main utility ditch. Ms. Edwards said but the Town took over the swales. Ms. Edwards asked that it be taken under consideration.

Allen Franklin, President of the Carolina Shores POA, 15 Court 8 – Mr. Franklin said he just wants clarification. Mr. Franklin said he doesn't want to worry anyone but he was under the impression from the lawyers involved in this case several years ago that when Calabash deeded the side area of our road to Carolina Shores, it included all the drainage systems; ditches and swales. Mr. Franklin said these ditches or swales if you want to call them, I call them ditches, are sitting right on the property line behind the homes over there and each section of homes has one of those ditches, this is the only one that is open, all the rest of them have culvert pipes going down them. Mr. Franklin said these swales at the side of the road are draining down into these ditches in each section all the way down and the only thing stopping that water from flowing is at the end of the ditches, it goes into a big ditch. Mr. Franklin said they should be taken care of by

the Town, in my opinion, according to all of the letters and correspondence that we had straightened out with the lawyers two or three years ago. If the town or the Board does not want to take care of it and if the residents there decide they are going to hire somebody to fill them all up with dirt, then you are going to have a flood on Northwest Drive. Mr. Franklin said so, that's the option that the residents really have; to get all together and hire somebody to fill them all up with dirt and that water is not going to drain down towards Northwest Drive like it was designed to do. Mr. Franklin said so I just wanted to point that out to you today but I would like for us to have some clarification as to where the sign is that says "that the drainage ditches between these courts, these courts, and these courts are not included". It does not say that, it said that you would take care of the drainage swales in Carolina Shores. I just want clarification, thank you.

Closed Session:

COMMISSIONER RUSSO MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO N.C.G.S.143-318.11 (a)(4) ECONOMIC DEVELOPMENT AND N.C.G.S. 143-318.11 (a)(6) PERSONNEL. COMMISSIONER MANNING SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

COMMISSIONER DAVIS MADE A MOTION TO GO BACK INTO REGULAR SESSION. COMMISSIONER RUSSO SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Goodenough said during closed session, there were no votes taken.

Adjourn:

COMMISSIONER BRENNAN MADE A MOTION TO ADJOURN THE JULY 7, 2014 BOARD OF COMMISSIONERS WORKSHOP MEETING. COMMISSIONER MANNING SECONDED THE MOTION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Walter B. Goodenough, Mayor

Submitted by:
Nicole Marks
Town Clerk

**TOWN OF CAROLINA SHORES
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES**

**July 10, 2014
2:00 p.m.**

DRAFT

Mayor Walter B. Goodenough called the July 10, 2014 meeting to order at 2:00 p.m. The Pledge of Allegiance was recited and there was a moment of silence. Commissioners Present: John Russo, Bill Brennan, Joseph Przywara, John E. Manning and Greg Davis. Also Present: Jon Mendenhall, Town Administrator; Julie Munday, Finance Director and Nicole Marks, Town Clerk.

Absent: None

Approval of Minutes:

COMMISSIONER MANNING MADE A MOTION TO APPROVE THE BOARD OF COMMISSIONERS WORKSHOP MEETING MINUTES OF JUNE 2, 2014 AND THE BOARD OF COMMISSIONERS REGULAR MEETING MINUTES OF JUNE 5, 2014. COMMISSIONER RUSSO SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Agenda Adjustments:

COMMISSIONER MANNING MADE A MOTION TO ADJUST THE JULY 10, 2014 AGENDA BY ADDING A CLOSED SESSION PURSUANT TO N.C.G.S. 143-318.11(a)(6) PERSONNEL AS ITEM NUMBER NINE ON THE AGENDA. COMMISSIONER BRENNAN SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Public Comments:

Maslin Kain, 11 Sunrise Court – Ms. Kain said she received an e-mail that the committee reports are now going to be given on Monday at the Board of Commissioners workshop meeting and she has a standing commitment on Monday's. Ms. Kain asked to give the HOA/POA Advisory Committee monthly report. Ms. Kain said the committee welcomed new member Sylvia Hapner from the Farm at Brunswick. Ms. Kain said there is no representative from Lighthouse Cove. Ms. Kain said she is Chairperson and Ms. Betty Towell from The Village is Vice-Chairperson. Ms. Kain said the committee asked that the Town move as quickly as they can with the Golf Course and some much needed landscaping. Ms. Kain said it has also been suggested to keep the Convenience Center just that, convenient. Ms. Kain said they learned from The Farm there is movement from D.R. Horton in regards to the Nature Trail and the culverts. Ms. Kain said Calabash Lakes reported that the street lighting is

moving forward, sink holes have been filled and houses are being built. Ms. Kain said The Village reported that homes are being sold there and there is new construction there as well. Ms. Kain said they learned that the bank from Lighthouse Cove is trying to move forward with that community. Ms. Kain said under New Business, the committee discussed Neighbors Helping Neighbors which the Board of Commissioners had asked the committee to undertake. Ms. Kain said there was a report from Calabash Lakes that there are volunteers for NHN and they are working on a program and it seems to be moving forward. Ms. Kain said the long range goal is for NHN to happen in all the communities and work together as a Town. Ms. Kain said the committee discussed different ways to communicate and placing different community newsletters on the website. Ms. Kain said she has written a section in her communities newsletter about the Town's website and there is a lot of information on there and suggested to people that they visit the website. Ms. Kain said after some research, she found that the Town had a newsletter on the website that was over a year and a half old and the community of Carolina Shores newsletter was from 2012 and the one from Beacon Townes was old. Ms. Kain said she has asked the CSPOA Board to consider putting their community's newsletter back on the Town's website. Ms. Kain said this way people that are moving to this area can find out about the different communities in Carolina Shores. Ms. Kain said the community of Carolina Shores has placed their newsletter online. Ms. Kain said there was discussion about the Town discontinuing the Town newsletter and it would be a good idea to have one as communication continues to be a significant issue. Ms. Kain commended the Town's website and said there is a lot of information on it. Ms. Kain said as Chairperson, she thinks the HOA/POA Advisory Committee is important and does address the issue of one community being in touch with another. Ms. Kain said she is not speaking for the other members but she feels the committee should continue to meet on a monthly basis. Member Kain thanked the Board.

Gere Dale, 46 Calabash Drive – Mr. Dale said as he indicated Monday, the Keep Brunswick County Beautiful Board was going to have a presentation last night on the East Coast Greenway and it did occur. Mr. Dale said it was an outstanding presentation and Kristie Dixon from the Brunswick County Planning Department would like to have a meeting with Carolina Shores and Calabash at some point in the Fall with the same presentation. Mr. Dale said he gave Ms. Dixon Jon Mendenhall's name and phone number as a contact. Mr. Dale said the Board should've received a copy of the KBCB newsletter via e-mail. Mr. Dale said if anyone didn't get it, please let him and know and if anyone doesn't want to receive it; he would also like to know. Mr. Dale said the newsletter is published quarterly. Mr. Dale said in regards to the Town newsletter, the last one was Spring/Summer 2013 and it used to be the practice to publish a Town newsletter quite regularly. Mr. Dale said he spoke about this several months ago, made some recommendations about what the Town could put in it to keep residents informed and he hasn't seen anything happen along that line. Mr. Dale said another item he has spoke about twice is that mulch is available at the County Landfill. Mr. Dale said he knows there has been concern about how much it costs to transport our yard waste over to the landfill; well this is a return. Mr. Dale said if you go up and get the mulch, it's free and the residents he's sure would very much appreciate it. Mr. Dale said nothing has happened in regards to the mulch. Mr. Dale said with regards to the Recycle Center, there have been a lot of complaints about the fact that only one side of the Recycle Center has been open. Mr. Dale said as he understands, it was open for a couple of days and now closed again. Mr. Dale said he was at the Recycle Center yesterday and he saw almost two near accidents happen when people were impatiently in line and decided to go to the left side of the compactor. Mr. Dale said he sees no reason why the compactor should be restricted to one lane and hopes the Board takes that under advisement and opens it up and let traffic move as it should. Mr. Dale said there are six commodities that are deposited at the Recycle Center and five of those are recyclable materials and one is household waste. Mr. Dale

said one of our elected Town officials in last week’s Brunswick Beacon referred to it as a “dump”. Mr. Dale said this is an insult to our community and its residents. Mr. Dale thanked the Board.

Connie Datkun, 178 Freeboard Lane – Ms. Datkun said she had a question about new building. Ms. Datkun said Beacon Townes is still waiting and her and her husband had been told by their Board president that they are all ready to go but the Town is holding them up. Ms. Datkun asked the Board if there was anything they could tell her about that. Ms. Datkun said in regards to the Town Newsletter, the Communication Committee sent out the Town’s newsletter for the Town and they were happy to do so. Ms. Datkun said the Board all decided they didn’t need a Communication Committee anymore and now you don’t have a newsletter and that’s all she has to say about that.

Administrative Reports:

Mr. Mendenhall said the Administrator Report that was given at the Board’s Workshop Meeting stands. Mr. Mendenhall said there are two additional items he would like to discuss. Mr. Mendenhall said the first item is the Carolina Shores Subdivision POA Mowing Agreement and the second is a financial overview from the Finance Director.

Carolina Shores Subdivision POA Mowing Agreement – Mr. Mendenhall said he was informed by the community of Carolina Shores POA Board president that the vendor that is currently doing their mowing has given notice that they will no longer be doing the work. The agreement was discussed and it was the consensus of the Board of Commissioners to have Mr. Mendenhall renegotiate the mowing agreement and then the Board can act on it accordingly.

Financial Report – Ms. Julie Munday, Finance Director gave the financial report. Ms. Munday said this report is unreconciled. A copy of this report is on file at Town Hall.

**TOWN OF CAROLINA SHORES
FINANCE REPORT
4th Quarter 2013-2014**

FUND BALANCE SUMMARY “UNRECONCILED”

	GENERAL FUND	CAPITAL FUND
Checking Account	\$4,091,450	\$0.00

BUDGET SUMMARY

GENERAL FUND	2013-2014 REVISED ADOPTED	ACTUAL AS PERCENT OF 06-30-2014
EXPENDITURES		
OPERATING	1,089,921	986,463
TRANSFER to CIP	299,320	299,320
TRANSFER fr CIP	12,700	

	TOTAL...	1,401,941	1,285,783	92%
REVENUES				
	PROPERTY TAX	370,000	404,367	
	SALES TAX	524,000	575,238	
	UTILITY FRANCHISE	100,000	127,137	
	MISC. (Bldg.Permits, Beer/Wine, Interest, MV)	240,941	165,141	
	TOTAL...	1,401,941	1,271,883	91%

CAPITAL IMPROVEMENTS FUND

EXPENDITURES				
	CS DRIVE	499,874	470,611	
	CLUBVIEW/NAUTICAL	20,900	14,330	
	TRANSF TO G.F.	12,700		
	TOTAL...	508,074	484,941	95%

REVENUES				
	TRANSFER fr GF	299,320	299,320	
	POWELL FUND	101,370	104,384	
	TRANSFER FR WATSON	36,064	36,064	
	TRANSFER FR STORMWATER	83,845	83,845	
	TRANSFER FR TOWNHALL	175	175	
	TRANSFER TO GF	(12,700)		
	TOTAL...	508,074	523,788	103%

Public Hearings:

None

Old Business:

None

New Business:

Consideration of Emergency Preparedness Measures:

COMMISSIONER BRENNAN MADE A MOTION TO APPROVE THE CONSIDERATION OF THE EMERGENCY MANAGEMENT BUDGET ALLOCATION. COMMISSIONER DAVIS SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. Commissioner Brennan said it sounds like a good idea. Mayor Goodenough asked if we had been offered radios through Calabash and if this was part of the

allocation. Mr. Mendenhall said the radios listed were not through Calabash. Commissioner Russo said after the meeting he and Mr. Mendenhall attended, he realized the Town didn't have half the supplies that are needed for emergency preparedness. There was discussion on the ham radios. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

COMMISSIONER DAVIS MADE A MOTION TO CALL A SPECIAL CALLED MEETING FOR THE PURPOSE OF MEETING WITH THE BRUNSWICK COUNTY PREPAREDNESS REPRESENTATIVE ON FRIDAY, JULY 25, 2014 AT 10:00 A.M. IN THE TOWN HALL CHAMBERS. COMMISSIONER BRENNAN SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Appointments to Various Committees:

COMMISSIONER DAVIS MADE A MOTION TO APPOINT GREGORY HAPNER TO THE PLANNING BOARD AS A REGULAR MEMBER. COMMISSIONER MANNING SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. Commissioner Przywara said it was discussed at the Planning Board meeting to give the Oath of Office to Mr. Hapner at the Board of Commissioners regular meeting today. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

COMMISSIONER DAVIS MADE A MOTION TO APPOINT COMMISSIONER MANNING AS AN ALTERNATE FOR THE TOWN ADMINISTRATOR ON THE GSTATS/TCC COMMITTEE. COMMISSIONER BRENNAN SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Human Resources Committee Recommendations:

COMMISSIONER DAVIS MADE A MOTION TO PUBLICALLY ADVERTISE FOR THE TWO POSITIONS OF CODE COMPLIANCE OFFICER AND BUILDING CUSTODIAN AND TO FILL THESE TWO POSITIONS AS SOON AS POSSIBLE AS THE SALARIES FOR THESE TWO POSITIONS HAVE BEEN BUDGETED FOR. COMMISSIONER BRENNAN SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Oath of Office:

Mayor Goodenough swore in Mr. Gregory Hapner as a regular member of the Planning Board.

Mayor and Commissioner Comments:

Commissioner Manning - Commissioner Manning said the Calabash EMS met on Monday night and submitted to the Town, their annual findings as to how much money they have taken in. Commissioner Manning said technically Calabash EMS is going into this year with a surplus of \$7,000.00 which is a very good fund. Commissioner Manning said the Calabash EMS Thrift Store has purchased a truck and they will make deliveries and pick-ups for anybody that wants to

donate anything or needs anything. Commissioner Manning said this past month they had 239 calls which is a lot and remember the fire department also answers. Commissioner Manning thanked everyone for coming to the Board of Commissioners meeting and said it was a nice turn out.

Commissioner Davis – Commissioner Davis congratulated new Planning Board member Mr. Gregory Hapner and thanked him. Commissioner Davis said he would like the Town Administrator, for the Board’s next monthly meeting, to draft an Ordinance so that the Town can have some kind of teeth in dealing with the few that do abuse our convenience sight yard waste disposal because of right now all we can do now is ask them to leave. Commissioner Davis said an Ordinance with a fine involved, since we’ll have a Compliance Officer, would give us a little more to deal with. Commissioner Davis said this Ordinance would be for the Board’s consideration.

Commissioner Przywara – Commissioner Przywara thanked Mr. Gregory Hapner as a new member of the Planning Board. Commissioner Przywara said if you’re driving through the Farm, they are doing some sealing on the roadways and if possible try to avoid the roads for the next day or two. Commissioner Przywara said they are making the road one lane in some areas and it’s been hard for traffic to get through that one lane. Commissioner Przywara said hopefully they will have it finished tomorrow.

Commissioner Brennan – Commissioner Brennan welcomed Mr. Gregory Hapner to the Planning Board.

Commissioner Russo – Commissioner Russo said he would like to welcome Mr. Gregory Hapner to the Planning Board. Commissioner Russo said the Tree Committee meeting is July 23 and they may have to ask for volunteers for the Tree Advisory Committee and the Tree Volunteers for the Building Department. Commissioner Russo said he should have all the information by the next Board meeting.

Mayor Goodenough – Mayor Goodenough thanked Mr. Gregory Hapner for becoming a member of the Town. Mayor Goodenough said the Town has a lot coming up as far as building and Planning and Zoning.

Closed Session:

COMMISSIONER BRENNAN MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO N.C.G.S. 143-318.11 (a)(6) PERSONNEL. COMMISSIONER RUSSO SECONDED THE MOTION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

COMMISSIONER RUSSO MADE A MOTION TO GO BACK INTO REGULAR SESSION. COMMISSIONER BRENNAN SECONDED THE MOTION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Goodenough said there were no votes taken or decisions made during the Closed Session.

Adjourn:

COMMISSIONER BRENNAN MADE A MOTION TO ADJOURN THE JULY 10, 2014 BOARD OF COMMISSIONERS MEETING. COMMISSIONER MANNING SECONDED THE MOTION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Walter B. Goodenough, Mayor

Submitted by:
Nicole Marks
Town Clerk

TOWN OF CAROLINA SHORES
Board of Commissioners
Special Called Meeting Minutes
June 17, 2014
10:00 am

DRAFT

Members present: Mayor Walter Goodenough, Commissioners: John Russo, Joe Przywara, Bill Brennan, Greg Davis and John E. Manning. Also present: Jon Mendenhall, Town Administrator and Nicole Marks, Town Clerk.

Absent: None

Mayor Goodenough called to order the Special Called Meeting for the Board of Commissioners of the Town of Carolina Shores on Tuesday, June 17, 2014 at 10:00 a.m. Mayor Goodenough said this meeting is specifically designed for the discussion between the Board with the options possibly taking effect all the way through to Waste Management.

At this time, the meeting was out of order.

Mayor Goodenough asked for a motion to adjourn the meeting.

COMMISSIONER MANNING MADE A MOTION TO ADJOURN MEETING.
THERE WAS NO SECOND.

At this time, the meeting was still out of order.

Mayor Goodenough asked again for a motion to adjourn the meeting. Mayor Goodenough said if he doesn't get a motion, he will recess the meeting and he doesn't need the Board's permission. There was no motion. Mayor Goodenough left the Chambers.

At this time, the meeting was still out of order.

Mayor Goodenough returned to the Chambers and said the meeting is not recessed, so we are still in open session and we will move on.

Discussion on the Recycle Center:

Mayor Goodenough turned the meeting over to Jon Mendenhall, Town Administrator, for option nominations. Mr. Mendenhall thanked the Mayor and the members of the Board. Mr. Mendenhall said that the recommended option that will be presented today is one that is a win/win option that fulfills two very important objectives of the evaluation process. The evaluation process began with the budget retreat as far as the budget process. The first option in pursuant to the retreat is an all savings realized option with about \$10,000

savings per year. Mr. Mendenhall distributed a document to the Board members and explains that it is a two-sided document with the cost savings listed on the back side and a summary on the front side. Mr. Mendenhall said the first option, most importantly, should reflect that there will be no curbside pick and the Convenience Site is to stay open. Mr. Mendenhall said that the Board has the cost savings objectives as well as the considerations to consider. Mr. Mendenhall told the Board and the Mayor that he will answer any questions they may have. Commissioner Przywara said that he needed a couple of minutes to review what Mr. Mendenhall had given them.

Commissioner Davis said he would like to reiterate two items that Mr. Mendenhall mentioned; we are not recommending curbside pick up for any person in Carolina Shores and we are also not recommending that any portion of the Recycle Center be closed. Commissioner Davis said while the Board was conducting the budgetary review, which they do every year, they saw more money was being spent at a higher percentage each year. Commissioner Davis said the Board wanted to look at how the Town could make the Convenience Site more cost efficient. Commissioner Davis said the situation ballooned into a controversy that included curbside pick up and closing the site and apologized to the citizens if the Board did anything to make them feel as if that was happening. Commissioner Davis said the only thing they have looked at so far, each individually, was the recommendations from talking to Waste Industries. Commissioner Davis said Mr. Mendenhall was successful in lowering the tipping fees by \$40 a tip which saves the Town nearly \$6,600 a year. Commissioner Davis said he believes by comingling recyclables, tweaking some hours, and being a lot more astute about keeping commercial vehicles from the yard waste area good changes at the site would be made. Commissioner Davis said he believes that there is abuse in the yard waste area and some people believe it is minor but he believes it's your tax dollars and they shouldn't be using it. Commissioner Davis said they are being paid to haul the waste somewhere they are not being paid to haul it somewhere where we are paying for their hauling. Commissioner Davis said with those things combined, Mr. Mendenhall came up with \$10,000 savings but in his mind he thinks the savings is between \$10,000 and \$12,000 instead of a rise in running the Recycle Center that has been seen in the last couple of years. Commissioner Davis said the Board respects what Mr. Mendenhall has proposed. Commissioner Davis said he thinks what is safest for the Town is some tweaking of hours but no closing of services. Commissioner Davis said if the convenience of tweaking a few hours of operation is that big of an inconvenience for the people then it can be rectified by administrative moves later on but the Board believes that some change and having the tipping fees lowered can save this community money which we can spend on some thing else without raising taxes or charging a fee or whatever. Commissioner Davis said his proposal was from a scheduling standpoint and the only change that he would make is for yard waste to be collected only on Wednesday and Saturday afternoons and if it doesn't work we can change it back. Commissioner Davis said that Monday, Tuesday, Thursday, and Saturday mornings would remain the same and yard waste would come in for five hours on Wednesday and five hours on Saturday.

Commissioner Brennan said the hours that Commissioner Davis is proposing are different from what the Town Administrator recommended. Commissioner Brennan said 13 containers of yard waste is taken out a month which is more than is taken out of anything else and to try to limit the hours to fill those containers is darn near impossible.

Commissioner Brennan feels that the yard waste needs to keep going at the recommended level of the Town Administrator which is basically the hours that exist now.

Commissioner Brennan suggested using a pass system in order to stop the contractors from coming in which would involve obtaining a pass from the Town Hall once a year. Commissioner Brennan said the pass would get punched each time that the individual used the Recycle Center. Commissioner Brennan said a number would need to be set according to how many times the average person would need to bring yard waste to the facility. Commissioner Brennan said once that individual has had their pass punched say 30 or 40 times they would be done and they would need to go to Bolivia or someplace else in order to dispose of their yard waste. Commissioner Brennan said by limiting the amount of trips that a truck can make over the course of a year will help to eliminate contractors from using the site. Commissioner Brennan said he is aware that there would be peaks and valleys; times when more waste was coming in and other times when there would be less. Commissioner Brennan said some of the residents will say that they need to come in twice a week; residents would need to work around that.

Commissioner Davis said he is receptive to the need for more time for yard waste and that the hours of operation should be left in Mr. Mendenhall's hands because it is an administrative call, certainly not the Board's call. Commissioner Davis said in regard to yard waste some people bring in three truck loads a day. Commissioner Davis said the key is the change in the tipping fee that Mr. Mendenhall worked out with Waste Industries and what is saved by cutting down the abuse is a win/win for the Town. Commissioner Davis said if it means not closing down on Wednesday and keeping it open, then he is receptive to that. Commissioner Davis said he has no problem with Commissioner Brennan's assessment and would have no problem throwing his own proposal out in support of Commissioner Brennan's proposal.

Individuals in the audience began to ask questions and Mayor Goodenough reiterated that the meeting was not a back and forth discussion. Mayor Goodenough said the Board has heard everyone's complaints, over 300 e-mails or more were received and at least 600 names on petitions were received. The Board has heard what everybody has to say. Mayor Goodenough said he and the Board looked at the e-mails from residents, so there is no reason for a back and forth discussion at this time and there is no decision to be made. Mayor Goodenough said Commissioner Davis's proposal is fine and Mr. Mendenhall's proposal is fine. The Board will decide whenever and whichever proposal to go with as far the Recycle Center. Mayor Goodenough said it was explained three months ago this procedure would work like this and we have heard your comments, if we could just move on with the meeting in an orderly fashion we can get through this. Mayor Goodenough said again there will be no change today as to what the hours are going to be. Mayor Goodenough said a lot of these changes are part of Mr. Mendenhall's job, and is why we hired a Town Administrator and if Mr. Mendenhall feels it is necessary to tweak the hours to save this Town money, be more cost efficient, eliminate illegal dumping, and people coming in numerous times a day, that is what we are going to do.

Commissioner Davis said the reason this is not a back and forth discussion is that for two months the Board patiently and courteously listened to the residents. Commissioner Davis said he read every single one of the 300 e-mails received; some of the e-mails were very astute and some of them were very rude, so he knows what the residents want.

Commissioner Davis said the Board has been accused of not being responsible; we are six of the most responsible people in this Town right now because we choose to do this job. Commissioner Davis said when Mr. Manning and he ran no one ran against us. Commissioner Davis said the Board is being responsible; they have listened to every one of your speeches. Commissioner Davis said the Board is not making any decisions as a vendetta against anyone and they are being responsible.

Commissioner Przywara said his main concern is when we collect all types of materials in one day there are many times when the traffic gets backed up to the roadway because it gets so clogged in the Recycle Center. Commissioner Przywara said he liked suggestion "B" that the Town Administrator made; with some days recycling solid waste and some days disposing yard waste. Commissioner Przywara said they need to try to prevent accidents on the main roadway. Commissioner Przywara said they could also look into the suggestion made by the Town Administrator to construct a ramp in order to move people in and out faster.

Commissioner Brennan said yard waste is collected more than anything else and collection of yard waste is needed more often as opposed to less often. Commissioner Brennan said when you start segregating and only collect yard waste today and recycling another day that's going to make the lines longer. Commissioner Brennan said now when you get into the gate you can go to four or five different places as opposed to only having one or two places you can go, the line will go further back and vehicle traffic will increase.

Commissioner Przywara said when he goes to the Recycle Center at 8:30/9:00 in the morning he breezes in and out but when he goes back by around 10:30 there is a jam up. Commissioner Przywara said he would like the Board to come up with something so traffic will not jam up.

Commissioner Manning said if there was a certain day for garbage drop off then both sides of the compactor could be used because there would be no other traffic at that time and that would be beneficial. Commissioner Manning said if drop off for yard waste and recycling were on the same days then that would save traffic congestion because there would be no one going around the compactor on those days. Commissioner Manning said the line for the garbage would be a lot shorter if both sides of the compactor could be used then the area would not be crowded.

Commissioner Davis said he understood what Commissioner Manning was saying but he felt that that proposed an inconvenience for residents. Commissioner Davis said he was speaking as if he lived in Carolina Shores and had to bring his garbage to the recycle center. Commissioner Davis said most of the time people make one trip a week, some make two, some make three but there are people who make one. Commissioner Davis said for them to have to bring their garbage one day, their recycling another, and their yard waste another would be inconvenient; I would suggest to collect recyclables and garbage on the same days because that is what the bulk of the residents bring over and yard waste being on an as needed basis. Commissioner Davis said we always have garbage and recyclables but we don't always have yard waste. Commissioner Davis said he agrees with Commissioner Brennan yard waste contributes a large amount but if the

amount of contractor abuse is eliminated then that amount should be less. Commissioner Davis said we are already having 6,000 cars per month traffic, at an average of 3 miles being one of the smallest round trips, that's 18,000 miles of traffic and a lot of gasoline. Commissioner Davis said he understood what Commissioner Manning was saying but respectfully disagreed.

Commissioner Brennan said he had some other thoughts he would like to share in terms of the operation of the facility. Commissioner Brennan said the Town should look into getting a spare recycling container and a spare corrugated container from Waste Management so that containers can be filled up before they are picked up. Commissioner Brennan said right now the containers are picked up on a schedule regardless of how full they are and sometimes the containers are going back half full. Commissioner Brennan said solution for this is to have a second container available so when one container is full Waste Industries can be called to pick it up even if it is not the scheduled day for pick up. Commissioner Brennan said he would like that option to be examined.

Commissioner Davis said that he agreed that Commissioner Brennan's option should be examined. Commissioner Davis said Mr. Mendenhall's memo mentioned an as needed pick up rather than scheduled for recyclables and it will save us money. Commissioner Davis if he not mistaken, Waste Industries told him that recyclables and cardboard can be comingled because they separate it somewhere else anyway, so why aren't we doing it? Commissioner Brennan said that comingling should be looked at. Commissioner Davis said he is going by what Waste Industries said and if they don't care if those items are comingled and we can save \$3,600 more dollars above the \$6,600 we will already save then we are already talking above a \$10,000 savings. Commissioner Davis said we should definitely consider comingling and doing as needed rather than scheduled pick up because there has to be occasions when we have containers that are not full being picked up and we pay the same rate if they are full or empty.

Commissioner Manning asked where they would put the spare containers and Commissioner Brennan suggested they be placed right across from the ones that are already there. Commissioner Davis said if we comingled then there would be room for a spare container. Commissioner Brennan said that there is room in there for spare containers anyway.

Commissioner Russo said that when there were four containers in there, it was nothing but trouble. Commissioner Russo said since day one, when containers are full that Waste Industries was called. Commissioner Davis said if they are called and they don't come then we are in trouble. Commissioner Davis said if we did comingling, then we could put two recyclable containers in place of the one recyclables and cardboard container that are in there now without any added space. Commissioner Manning said he wasn't big on the idea of comingling the cardboard and plastics. Commissioner Manning said if you are going to comingle then you should put the cardboard and newspapers in one container and glass, plastic, and cans in another container and that would resolve the need for a second container right away. Commissioner Manning said Waste Industries may have said that it is ok to comingle but they aren't getting any product and if they don't have to separate glass from cardboard then it is a lot easier. Commissioner Manning said even if we do it that way then we wouldn't need them to pick it up every week and every day

because you could get more into the containers. Commissioner Manning said it is very difficult to fill the container now because it is not an open container and if it was an open container than we could get more in it.

Commissioner Brennan said his suggestion was an attempt to save a number of pulls over the course of time. Commissioner Brennan said the recycle facility has grown like top seed. Commissioner Brennan proposed that Mr. Mendenhall have the Town Engineer go over the layout of the area and see if we can get away from the need of pulling partially used containers out because it is a Thursday. Commissioner Brennan said if we can take advantage of that, it would be well worth the time to look into changing the lay out the containers. Commissioner Brennan said speaking of cans, when he has checked the separate hopper for the collection of aluminum cans for the American Legion it has been pretty empty. Commissioner Brennan said he didn't know if they were emptying that on a regular basis or residents are not making the effort. Commissioner Brennan said that that hopper looks like it is under utilized when it should look like it is over utilized. Commissioner Manning said that the person that had been collecting the cans from the Legion had been doing it for some time and now there are a couple of people who are taking turns collecting the cans; including a member in the audience. Commissioner Manning and the audience member said that the aluminum cans are being collected twice a week.

Commissioner Davis said as far as the comingling goes, if Waste Industries says it is ok to comingle then it is their problem once they take it away from us and separate it. Commissioner Davis said if space can be saved at the recycle center by doing pick up's as needed so that the containers can be filled up, then we should comingle. Commissioner Przywara said he would normally agree to separate the recyclables but if Waste Industries is saying that they can do it then the idea of having two dumpsters there that are comingled recyclables makes sense.

Commissioner Manning said he feels this falls back onto the Administrator's shoulders to make a decision. Commissioner Manning said Mr. Mendenhall can weed out the suggestions from the Board and present back what he feels is best for the cooperation of everybody. Commissioner Davis said he agrees that it is an Administrative decision, dealing with the scheduling of hours, personnel, and whether to comingle shouldn't be a Board decision, it is an operational decision and administrative duty that we hired a Town Administrator for. Commissioner Davis said unfortunately this thing blew up and people said that we were forcing curbside pick up and trucks in resident's back yards. Commissioner Davis said speaking of trucks, he sat at two Carolina Shores Golf Community intersections for two hours on a Wednesday in May and watched. Commissioner Davis said unfortunately for those residents who say that you don't want curbside pick up in your community, the garbage trucks are there. Commissioner Davis said he saw the same garbage truck twice at two different intersections. Commissioner Davis said he also saw a cement mixer, a moving van, and a beverage truck that brings in more weight than a garbage truck. Commissioner Davis said Mr. Mendenhall should put together a schedule that will suffice the convenience of the citizens in this Town and save us some money.

Commissioner Przywara said the garbage trucks are in some parts of the Town because Waste Industries will pick up a resident's garbage at their home if they have a disability and are unable to bring their waste to the recycle center. Commissioner Przywara said the resident has to provide correct medical documentation to Waste Industries in order to be approved for pick up. Commissioner Manning said there are individuals in the community who elected to have garbage service when they bought their house for a fee. Commissioner Manning said he wants everyone to know that Waste Industries doesn't offer their service for free. Commissioner Manning said that Waste Industries has since ceased that option and the only way now to have curbside pick up is to have a disability.

Commissioner Davis said there are some people in the Carolina Shores Golf Community that do want curbside pick up. Commissioner Davis said while doing his homework he found that some people are buying homes in Carolina Shores without being told that they don't have garbage pick up. Commissioner Davis said that he thinks that a realtor should disclose that fact. Commissioner Davis said he talked to one man who was very upset that he bought a home and no one told him there was no garbage pick up and he assumed, just as 99% of the country would assume, that they would have curbside pick up. Commissioner Davis said when the man found out that he didn't he was very upset that he had to haul his to the convenience site.

Commissioner Russo said he may have spent too much time researching this matter. Commissioner Russo said he has listened to all the complaints and he thought the main thing most people were worried about was curbside pick up that they didn't want. Commissioner Russo said once he got to the meeting all that the Board has discussed is recyclables and yard waste. Commissioner Russo said he went through deeds all the way back to 1974 and at that time the County was not involved in garbage pick up. Commissioner Russo said from day one the Carolina Shores development has had central garbage disposal. Commissioner Russo said Mr. Mendenhall made suggestions and he agrees with schedule "A" minus the Wednesday closing. Commissioner Russo said if you look at the schedule it has nothing to do with curbside pick up. Commissioner Russo said residents would still have a place to bring their garbage. Commissioner Russo said the Town of Carolina Shores does not contract for garbage pick up with anybody; and the Town of Carolina Shores is not involved in garbage pick up. Commissioner Russo said that as far as the people are concerned that we should leave the recycle center as it is. Commissioner Russo said Mr. Mendenhall has left it that way, except for the Wednesday closing, which is the only point he doesn't agree with. Commissioner Russo said the Town has no interest in garbage pick up, that is handled by the County and County takes care of it as part of our taxes. Commissioner Russo said they have been doing things here this way for a long time and this is how it should keep going. Commissioner Russo said he hopes everyone is satisfied on this point; there will be no curbside pick up and we will still have the place to bring garbage. Commissioner Russo said they did need to look into how to handle recycling and yard waste and as long as he is a Commissioner, there will always be recycling one way or the other.

Mayor Goodenough reiterated that these are operational changes. Mayor Goodenough said the Board is giving Mr. Mendenhall the authority to come up with a schedule. Mayor Goodenough said Mr. Mendenhall can pick and choose from what he heard today and decide on how to run the recycling operation. Mayor Goodenough said this is an

operational decision that Mr. Mendenhall feels is necessary to save money. Mayor Goodenough said this will not come down to a Board vote.

COMMISSIONER BRENNAN MADE A MOTION TO ADJOURN THE JUNE 17, 2014 BOARD OF COMMISSIONERS SPECIAL CALLED MEETING. COMMISSIONER DAVIS SECONDED THE MOTION. MAYOR GOODENOUGH CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Walter Goodenough

Submitted by:
Nicole Marks
Town Clerk

Town of Carolina Shores Board of Commissioners
Agenda Item Summarization & Narrative

Item: Agenda Adjustments
Contact: Mr. Walter B. Goodenough, Mayor
Location: Agenda Adjustments
"Adjustments to the agenda and approval thereof"
Follow-up: None
Requested Action: Board Action: Approve/Disapprove
Budgetary Impact: None

Narrative:

This item presents for the Board's consideration adjustments to the agenda from the time the agenda was created to allow for flexibility in deliberations of the Board.

Town of Carolina Shores Board of Commissioners
Agenda Item Summarization & Narrative

Item: Public Comment

Contact: Mr. Walter B. Goodenough, Mayor

Location: Public Comment
"Public Comment"

Follow-up: None

Requested Action: Allow time for public comment.

Budgetary Impact: None

Narrative:

This item presents for the Board's consideration those citizens that have comments pursuant to GS 160-81.1.

§ 160A-81.1. Public comment period during regular meetings.

The council shall provide at least one period for public comment per month at a regular meeting of the council. The council may adopt reasonable rules governing the conduct of the public comment period, including, but not limited to, rules (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing. The council is not required to provide a public comment period under this section if no regular meeting is held during the month. (2005-170, s. 3.)

Time Limit: 5 minutes

Town of Carolina Shores Board of Commissioners
Agenda Item Summarization & Narrative

Item: Administrative Report
Contact: Mr. Jon Mendenhall, Town Administrator
Location: Administrative Reports
"Administrative Reports"
Follow-up: None
Requested Action: Receive reports on the administration of the Town
Budgetary Impact: None

Narrative:

This item presents for the Board's information various reports on the administration of the Town.


TOWN OF CAROLINA SHORES NORTH CAROLINA

200 Persimmon Road
Carolina Shores, NC 28467



Phone 910-575-4877
Fax 910-575-4812

MEMORANDUM

TO: Mayor and Board of Commissioners
FROM:  Don M. Mendenhall, Town Administrator
SUBJECT: July 2014 Administrative Report
DATE: 7/21/14
ENCL: None
CC: File

This report serves as the report of administrative activities undertaken by the Town in the month of July and summarizes administrative, operational, and project updates for the reporting period. This report also summarizes and provides a brief narrative on items of business to be considered at the Regular Meeting of the Board.

Administrative

The FY 15 budget has been implemented. Code changes as evidenced by the progression on the UDO and the Town Code have been worked on as this project nears an important milestone of draft reviews prior to adoption. Enhancement of the Persimmon Rd and US 17 area are being contemplated by NCDOT as well as some type of "mini-enhancement" at Country Club Rd and US 17; prior to proceeding to design Board guidance will be needed. A meeting was held with the golf course and with the Carolina Shores POA as instructed. The hiring process has been initiated as instructed for the Code Compliance Officer and the Building Custodian (based on the timeline I anticipate Board consideration in September).

Operational

Finance

Finance is working with the auditor on the annual audit. Finance has implemented the budget for FY 15. Please refer to the financials for more detailed financial information.

Public Works

Public Works is continuing with their operations and maintenance activities of road and drainage ways. In order to initiate the capital project associated with Clubview, Public Works is undertaking steps #2 as outlined in the Project summary for resurfacing. A new schedule was implemented in July to allow for regular scheduling of work activities. Equipment acquisitions are on-going pursuant to the FY 15 budget and the emergency preparedness allocation.

Please refer to the Public Works Report for more detailed information.

Inspections

Inspections is continuing to work through a busier building period, great deal of activity is occurring at Calabash Lakes and the renewal of development prospects is also occurring at Lighthouse Cove. July, thus far, has been a very busy permitting month with revenues far and above where they were at this time last year.

Project

Code

A joint meeting is being contemplated for the Planning Board and Board of Commissioners to review UDO updates and a presentation by Holland Consulting Planners will be given. Traffic schedules are complete as is a solid waste amendment to the Code of Ordinances. Following the review at the joint meeting by the Planning Board and Board of Commissioners, UDO changes will be transmitted to American Legal Publishing. I am requesting input from the Board of Commissioners on how to proceed with Town Code changes including: traffic, solid waste, drainage, et al prior to American Legal Publishing completing their work (a workshop may be necessary). The two processes were in parallel and depending on the outcome of the Town Code clarification may remain in parallel for an omnibus type adoption.

Resurfacing

Clubview Reconstruction

1. Engineering Services – at the meeting in June, the Board was asked to name a engineering service firm(s) for the Clubview Project; staff is working with: Ms. Aimee Drucker P.E. on roadway work and on drainage work
2. Preliminaries – the preliminary engineering process has been initiated (encroachment agreement, typical sections, field site visit to ascertain scope et al), a meeting was conducted on June 19, 2014 to initiate preliminary work and a follow-up meeting is to be held July 24, 2014.
3. Bid Phase – once preliminaries are complete we anticipate entering bid phase services for the preparation of specifications and bid packages as well as bid advertisement/opening around August subject to encroachment approval from NCDOT.
4. Construction – ideally, construction should start in the September timeframe with asphalt work occurring in October

Drainage

Roadside Drainage Maintenance

1. Roadside Drainage – Public Works staff will be continue to measure elevations on several roadside drainage ditches in order to allow for these ditches to be pulled and de-silted/fall-lines reestablished. The work of actually pulling the ditches will begin once we have a dump truck to remove the spoil material.

Incorporations via Reference

Public Works – please refer to the Public Works Report

Inspections – please refer to the Inspections Report

Public Safety – please refer to the Calabash VFD and Calabash Rescue Squad Reports as provided

Town of Carolina Shores
Board of Commissioners
August 2014

Agenda Formulation Worksheet

Items

1. Approval of Minutes
2. Agenda Adjustments
3. Comments
4. Administrative Reports
5. Public Hearings – Amended Development Agreement for The Farm at Brunswick

6. Amended Development Agreement for The Farm at Brunswick
 - i. Item: “Second Reading and Adoption of an Amended Development Agreement for the Farm at Brunswick”
 - ii. Contact: Mr. Jon Mendenhall
 - iii. Follow-up: None
 - iv. Requested Action: Action (motion, second, vote)
 - v. Budgetary Impact: None
 - vi. Narrative: This item seeks the Board’s consideration to amended the Development Agreement for The Farm at Brunswick.
 - vii. Exhibit: A

7. Special Called Meeting for a joint meeting with the Planning Board
 - i. Item: “Consideration of setting a Special Called Meeting in order to conduct a joint meeting with the Planning Board on UDO updates”
 - ii. Contact: Mr. Jon Mendenhall
 - iii. Follow-up: None
 - iv. Requested Action: Action (motion, second, vote)
 - v. Budgetary Impact: None
 - vi. Narrative: This item seeks the Board’s consideration to call a Special Called Meeting in order to conduct a joint meeting with the Planning Board to review changes to the Unified Development Ordinance (a presentation by Holland Consulting Planners will be given).
 - vii. Exhibit: None

ACTIVITY REPORT – BUILDING PERMITS
TOWN OF CAROLINA SHORES
JULY 2014

Single Family Residence	14
Total Cost of Construction (Stick built – SF	\$1,827,118
Multi- Unit Housing	0
Total Cost of Construction (Multi Unit Housing)	\$0
Modular Home Permits	0
Total Cost of Construction – Modular	\$0
Manufactured Home Permits	0
Total Cost of Construction – Manufactured Homes	\$0
Commercial/Industrial Building Permits	0
Total Cost of Construction Commercial/Industrial Building	\$0
TOTAL BUILDING PERMIT CONSTRUCTION VALUATION	\$1,827,118
Other Building Permits (i.e. Addition, fence, deck, garage, shed, sunroom, mail station, concrete/asphalt paving, roof over deck, windows) construction valuation	\$86,343 (10)
Building Permits	24
Demolition	0
Electrical Permits	2
Mechanical Permits/Gas Permits	11 11/0
Plumbing Permits	2
Sign Commercial	0
Inspections Completed	145 + est. 30
Certificate of Occupancy Certificates	2
TOTAL CERTIFICATE OF OCCUPANCY (CONSTRUCTION) VALUATION	\$334,282 (one commercial property)

Cc: Town Administrator – PRELIMINARY REPORT 7/1-22, 2014
Judy – Brunswick Co. Inspection Dept. 253-2024

TOWN OF CAROLINA SHORES NORTH CAROLINA

200 Persimmon Road
Carolina Shores, NC 28467



Phone 910-575-4877
Fax 910-575-4812

MEMORANDUM

TO: Mayor and Board of Commissioners

From: Tom Donlon, Public Works Supervisor

Subject: July Report

Swales:

Swales are functioning properly. Service request were handled Elevation study were done on Swamp Fox and behind the Town Hall for correct proper drainage, Both Boom Mowers are up and running after being repaired

Street

Town crew completed a second round of mowing . White street reflectors were installed on the corner of Midiron and Carolina Shores Dr... New directional signs were installed on the medians on Pinewood, , Carolina Shores Parkway and Drive.

Safety

Cross traning on proper use of equipment was begun and it will be a continual

Storm Water

Normal Maintenance continues to be done and a wash out area behind the town garage was repaired

Recycle Center 7/1 through 7/23

Pick up made 5 Yard debris containers 2 Cardboard

7 Recycle containers 3 Garbage containers

CALABASH FIRE DEPARTMENT

ALARM REPORT

JUNE 2014

	BUILDINGS FIRES	FLASE ALARMS	WOODS BRUSH	MVA NO INJ	MVA INJ/EXT	VEHICLE FIRE	RESCUE	OTHER*	EMS	TOTAL
NUMBERS OF RESPONSES	9	8	1	2	2	0	0	16	105	143
FIREFIGHTERS RESPONDING	63	59	6	14	9	0	0	84	493	728

APPARATUS RESPONSE

LADDER 1260	9
TANKER 1265	5
ENGINE 1270	5
ENGINE 1271	9
RESCUE ENGINE 1272	42
CHIEF'S VEHICLE 1280	8
ASSISTANT CHIEF'S VEHICLE 1281	8
UTILITY 1282	0
FIRST RESPONDER 1284	96
BRUSH 1285	3
RESCUE 1295	5
STATION	119
POV	7

MUTUAL AID

GIVEN	12
RECEIVED	0

EMERGENCY CALLS

	FIRE	MISC	EMS	TOTAL
TOWN OF CALABASH	0	7	46	53
TOWN OF CAROLINA SHORES	0	5	30	35
BRUNSWICK COUNTY (CFD DIST)	1	13	29	43
BRUNSWICK COUNTY MUTUAL AID	6	0	0	6
HORRY COUNTY MUTUAL AID	2	4	0	6
TOTAL	9	29	105	143

OTHER CALLS*

4-Smoke detector batteries changed
4-lift assist
2-gas leaks
2 stuck elevators
1-lock out auto
1-lock out home
1-smoke investigation
1-error in dispatch

YTD CALLS -

886

Town of Carolina Shores Board of Commissioners
Agenda Item Summarization & Narrative

Item: Public Hearings

Contact: Mr. Walter B. Goodenough, Mayor

Location: Public Hearings
"Public Hearings"

Follow-up: None

Requested Action: Conduct Public Hearing(s) as scheduled

Budgetary Impact: None

Narrative:

This item presents for the Board's action various public hearings as scheduled by the Board subject to the rules of procedure duly adopted by the Board of Commissioners and further subject to the requirements of the North Carolina General Statutes.

Town of Carolina Shores Board of Commissioners
Agenda Item Summarization & Narrative

Item: Amended Development Agreement for The Farm at Brunswick

Contact: Mr. Jon M. Mendenhall, Town Administrator

Location: New Business

Follow-up: None

Requested Action: Action (motion, second, vote)

Budgetary Impact: None

Narrative:

This item seeks the Board's consideration to amended the Development Agreement for The Farm at Brunswick.

See Exhibit A, Ordinance Amendment, Development Agreement, Map

ORDINANCE

AN ORDINANCE OF THE TOWN OF CAROLINA SHORES,
PROVIDING FOR THE ADOPTION OF A TECHNICAL
ORDINANCE – AMENDED & RESTATED DEVELOPMENT
AGREEMENT FOR THE FARM AT BRUNSWICK

A TECHNICAL ORDINANCE AS DEFINED IN GS 160A-77

Be it ordained by the Board of Commissioners of the Town of Carolina Shores as follows:

Section 1: Adoption of Development Agreement

Pursuant to the North Carolina General Statutes, specifically GS 160A-400.22, the Board of Commissioners finds that

1. Large-scale development projects often occur in multiple phases extending over a period of years, requiring a long-term commitment of both public and private resources.
2. Such large-scale developments often create potential community impacts and potential opportunities that are difficult or impossible to accommodate within traditional zoning processes.
3. Because of their scale and duration, such large-scale projects often require careful integration between public capital facilities planning, financing, and construction schedules and the phasing of the private development.
4. Because of their scale and duration, such large-scale projects involve substantial commitments of private capital by developers, which developers are usually unwilling to risk without sufficient assurances that development standards will remain stable through the extended period of the development.
5. Because of their size and duration, such developments often permit communities and developers to experiment with different or nontraditional types of development concepts and standards, while still managing impacts on the surrounding areas.
6. To better structure and manage development approvals for such large-scale developments and ensure their proper integration into local capital facilities programs, local governments need the flexibility in negotiating such developments.

The Farm at Brunswick having met the foregoing criteria and findings is, consistent with the public's purpose, the subject of phasing that requires flexibility as phases are brought online. The amended Planned Residential District for the Farm at Brunswick, having been duly consummated as a bona fide development agreement on March 2, 2004, is hereby amended through the incorporation of an altered, amended, and restated Phase 7 development plan dated July 16, 23014 and by reference hereby incorporated; that in broad

summary converts Phase 7 of the development from single-family attached to single-family detached thereby lowering the density of Phase 7.

Section 2: Consistent with the public's purpose, the Board of Commissioners for the Town of Carolina Shores finds, pursuant to GS 160A-400.25, that a performance standard is necessary for the completion of all pedestrian paths, walking trails, and appurtenances thereto and that such standard shall be uniformly applied throughout the development inclusive of Phase 7 such that the commencement of Phase 7 shall not begin prior to the completion of all improvements associated with this Section.

Section 3: Consistent with the public's purpose, the Board of Commissioners for the Town of Carolina Shores finds, pursuant to GS 160A-400.25, that a performance standard is necessary for the completion, dedication, sustainability funding, acceptance, and warranty repair work of all public and private streets, sidewalks, traffic signs & markings and appurtenances thereto and that such standard shall be uniformly applied throughout the development inclusive of Phase 7 such that the commencement of Phase 7 shall not begin prior to the completion of all work associated with this Section.

Section 4: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5: This ordinance shall be effective as of the date of the date of final adoption.

This ordinance was introduced and signed by Commissioner _____, a member of the Board of Commissioners of the Town of Carolina Shores, North Carolina.

This ordinance was introduced and passed its first reading at the meeting of the Board of Commissioners held _____, 2014, and was/was not continued for further hearing on _____, 2014. At the meeting of the Board held on _____, 2014, this ordinance was adopted, and ordered published as by law provided.

In the COUNTY OF BRUNSWICK

Adopted this ___ Day of _____, 2014

TOWN OF CAROLINA SHORES BOARD OF COMMISSIONERS

By: _____
Walter B. Goodenough, Mayor

Nicole Marks, Clerk to the Board

The Farm at Brunswick Planned Residential District

Prepared For:



D. R. Horton, Inc.
THE FARM AT BRUNSWICK
CAROLINA SHORES, NORTH CAROLINA



March 2, 2004	Original PRD Approved
October 5, 2004	1 st Amendment (112 Ac. Annexed)
March 7, 2006	2 nd Amendment (150 Ac. Annexed & Rezoned, 46 Parking Spaces Approved at Amenity Site)
November 5, 2007	3 rd Amendment Consolidation of PRD
August 4, 2011	4 th Amendment (Phases 7 and 12 Revisions)
July, 2014	5 th Amendment (Phase 7 Revision)

TABLE OF CONTENTS

<u>TITLE</u>	<u>PAGE</u>
I. Project Introduction	4
II. Existing Conditions (Exhibit A)	5
A. USGS Site Map	5
B. Boundary & Wetland Plat	5
C. Land Use and Zoning	5
D. Tax Map and Adjacent Property Owners	5
E. Existing Topography	5
III. Development Plan (Exhibit B)	6
A. Phasing	6
B. Site Design and Development Standards	6
C. Preliminary Stormwater Management Plan	6
D. Utility Services	7
1) Potable water	7
2) Wastewater	7
3) Electrical Service	7
4) Telecommunications & Cable Service	7
5) Catabash Fire District	7
E. Proposed Streets & Parking	7
F. Ownership of Common Areas & Utilities	8
1) Common Areas	8
2) Utilities	8
G. Traffic and Transportation	8
H. Lot Criteria Development Summary	10
I. Density Analysis	11
J. Open Space Analysis	12
K. Buffers & Tree Preservation	12
L. Sales Center, Selection Center & Construction Trailer	12



LIST OF EXHIBITS

<u>TITLE</u>	<u>EXHIBIT</u>
1. Existing Site Information	A
Figure 1 – USGS Site Map	
Figure 2 – Boundary Plat	
Figure 3 – Wetlands Plat	
Figure 4 – Land Use and Zoning	
Figure 5 – Tax Map and Adjacent Property Owners	
Figure 6 – Topography	
Figure 7 – Bennett Permission Letter	
2. Development Plan	B
3. Water System Masterplan	C
4. Sewer System Masterplan	D
5. Stormwater Masterplan	E
6. Proposed Streets & Parking	F
7. Proposed Street Cross-Sections	G
8. Open Space Plan	H
9. Letters of Availability	I
10. Corps Wetland Letter	J



Project Developer and Consultants

Developer:

D.R. Horton, Inc.
4073 Belle Terre Blvd
Myrtle Beach, SC 29579
843-357-8400

Mr. Brad Brundage, P.E.

**Land Planning/
Engineering:**

Thomas & Hutton
1350 Farrow Parkway
P.O. Box 8000
Myrtle Beach, SC 29577
843-839-3545

Mr. John Richards, P.E.



D.R. Horton, Inc. – The Farm at Brunswick

PRD

July 2014

I. Project Introduction

A Planned Residential District (PRD) plan for the Farm at Brunswick was approved for D.R. Horton, Inc. on March 2, 2004 under Section 153.147 of the Carolina Shores Code. The first amendment to the approved PRD was the annexation of 112 acres. This amendment was approved October 5, 2004. The second amendment to the approved PRD was approved March 7, 2006. The second amendment only included annexing and, rezoning 150 acres and the approval of 46 parking spaces for amenities center/pool areas. The third amendment in November 2007 to the approved PRD, created a complete, unified, current plan for the PRD. The fourth amendment in August 2011 amended the plan and unit counts in Phases 7 and 12. This 5th amendment, if approved, will amend the Phase 7 product type to single family and unit count to 28.

The Companies that comprise the D.R. Horton, Inc. family of New Home Builders are dedicated to building quality crafted, distinctive custom homes across the United States. This family of builders develops high quality residential homes with features and amenities other builders often consider options or upgrades. Flexible home designs, attention to detail, and affordable pricing are what make D.R. Horton, Inc. a national leader in the residential home building industry.

The properties, known as the Shingletree Links, Bennett and Edge Tracts, are located along Highway 17 and Thomasboro Road in Brunswick County. On October 5, 2004, 112 acres of the properties were annexed and on March 7, 2006 another 150 acres were rezoned and annexed. The developed property shall be known as "The Farm at Brunswick" and shall consist of approximately 262+/- acres located within the Town of Carolina Shores. The project proposes three (3) product types. Type A, known as the single family detached product, consists of 580 units with an average lot size of 60' x 120'+/-. Type B, known as the single family attached product (townhouse product) consists of 137 units. Type C known as the single family attached (Paired Ranch townhouse product) consists of 34 units. The total number of dwelling units is 751. [The number of units proposed for the original PRD covering 112 acres submitted in December of 2003 included 398 proposed units. As the area covered by the PRD expanded in 2006, the number of proposed units increased to 810]. This PRD amendment will reduce the overall total number of units to 749. D.R. Horton reserves the right to adjust the number of units by type, in accordance with market demands, but will not exceed the overall total number of 749 units provided, however, that any changes to the PRD will be submitted by DR Horton to the Town Staff for review and, if necessary, approval, before implementation. Any changes which require review and approval by the Town of Carolina Shores Board of Commissioners under the applicable provisions of the Code of Ordinances of the Town of Carolina Shores, shall not be effective until such approval is obtained.

The existing conditions of the site are outlined in Section II of this Application, and the full development plan proposed for this project is set forth in Section III. This entire written narrative, including all exhibits herein, constitutes the full application.



II. Existing Conditions (Exhibit A)

The subject properties (tracts) are currently owned by D.R. Horton, Inc. and Lloyd Edwin Bennett. The applicant has the Bennett properties under contract and has permission from the Owner to submit for PRD approval. The Owner's permission is attached.

This application seeks approval of the amendment to the PRD as a conditional use under the current zoning based on the current approved development guidelines under the Carolina Shores Zoning Ordinance.

The subject properties are located on the East side of Highway 17 near the intersection of SR 1302 (Persimmon Road) and SR 1165 (Thomasboro Road). The properties mostly consist of pine trees and agricultural fields with a few scattered varieties of hardwoods. The Shingletree Canal divides the Farm Tract and continues under Highway 17. There are currently several drainage ditches throughout the properties draining to the Shingletree Canal and Little Caw Caw Canal, which are the main drainage outfalls. A Boundary & Wetland Survey has been provided to show the delineated wetlands within the subject properties (Exhibit A, Figures 2 & 3).

The attached Exhibits give detailed information regarding the existing conditions of the property. These items include:

- A. USGS Site Map**
- B. Boundary & Wetland Plat** – There is a current Army Corps of Engineers verified wetlands delineation and wetland permit for the Farm Tracts (See wetland letter from Army Corps of Engineers, Exhibit J).
- C. Land Use and Zoning**
- D. Tax Map and Adjacent Property Owners**
- E. Topography**

III. Development Plan (Exhibit B)

The project will be developed in accordance with the submitted Development Plan (Exhibit B). The location of roads, ponds, recreational amenities and other elements shown on the Master Plan are conceptual and are subject to change at the discretion of the developer provided, however, that any changes to the PRD will be submitted to the Town Staff for review and, if necessary, approval, before implementation. Any changes which require review and approval by the Town of Carolina Shores Board of Commissioners under the applicable provisions of the Code of Ordinances of the Town of Carolina Shores, shall not be effective until such approval is obtained. The overall maximum dwelling unit count is proposed to be 749. The applicant proposes the uses and densities as shown on Exhibit B – Development Plan.

A. Phasing

The Farm at Brunswick will be constructed in multiple phases. Phasing will be consecutive as shown in the Development Plan (Exhibit B). The remaining future phases will be constructed as lot inventory is required. The estimated time for the completion of the remainder of this project is projected to be approximately eight years from the date of this Amendment.

B. Site Design and Development Standards

Architectural guidelines and restrictive covenants will set standards for all design and construction materials and will meet or exceed the Carolina Shores Code.

C. Stormwater Management (Exhibit E – Stormwater Masterplan)

The Stormwater Management Plan is shown as Exhibit E. Stormwater runoff from this property will be drained through stormwater detention ponds and existing wetlands located on the property. The ponds will be sized and constructed to meet the requirements set forth in the NCDENR "Stormwater Best Management Practices Manual" and the Carolina Shores Storm Water Management and Sediment Control Ordinance. All ponds and associated private maintenance easements shall be owned and maintained by the HOA/POA. All public roads, rights-of-way, and drainage systems in the rights-of-way shall be maintained by Carolina Shores following acceptance by the Town of Carolina Shores for maintenance purposes. All other drainage systems will be maintained by POA/HOA. All drainage easements and rights-of-way will be designated either "Public" or "Private" on the Final Subdivision Plat.

D. Utility Services

1) Potable water (Exhibit C – Water System Masterplan)

Potable Water will be provided by Brunswick County Public Utilities. The water will be provided through an 8" diameter water main along Shingletree Canal to the existing 12" diameter water main on SR 1165 (Thomasboro Road) as shown on the current Brunswick County master plan.

2) Wastewater (Exhibit D – Sewer System Masterplan)

Wastewater Collection will be provided by Brunswick County Public Utilities through a combination of gravity sewers, pumping stations and force mains located within the project. The wastewater will be collected and pumped through a series of stations and 6" diameter forcemains along Shingletree Canal before reaching the existing 8" diameter force main located on SR 1302 (Persimmon Road).

3) Electrical Service (Exhibit I – Letter of Availability)

Electrical service will be provided by Brunswick Electric Membership Corporation (BEMC). Service will be extended on an as needed basis as each phase of the project is completed. (See letter from BEMC, Exhibit I).

4) Telecommunication (Exhibit I - Letters of Availability)

Telecommunication service will be provided by the Atlantic Telephone Company. Service will be extended on an as needed basis as each phase of the project is completed. (See letter from Atlantic Telephone Company, Exhibit I).

5) Calabash Fire District

Based on existing fire flow tests, the water supply system is capable of providing fire flow. This project falls within the jurisdiction of the Calabash Fire District.

E. Proposed Streets & Parking (Exhibit F)

Access to this project shall be limited to one (1) access point off of Highway 17 and one (1) access point off of SR 1165 (Thomasboro Road). These access points are indicated on the proposed Master Plan and will be designed to accommodate emergency vehicles. The streets within D.R. Horton, Inc., The Farm at Brunswick will be turned over to the Town of Carolina Shores for operation and maintenance with the exception of Phases 5 & 7. The streets within the Townhouse section (Phases 5 & 7) will be striped to allow the required parking space length (of 19') and will be turned over to The Farm at Brunswick HOA/POA for operation and maintenance. Two (2) driveway parking spaces per three (3) bedroom single family attached townhouse will be provided from the back of curb to the townhouse unit (Phases 5 & 7). The Farm at Brunswick HOA/POA reserves the right to maintain landscaping, irrigation and driveways within private road rights-of-ways. The Farm at Brunswick HOA/POA reserves the right to maintain landscaping and irrigation within public road rights-of-way. Any damage resulting from work done in the public rights-of-way shall be repaired and the right-of-way shall be returned to the minimum standards required by ordinance or the approved site plan.

F. Ownership of Common Areas & Utilities

1) Common Areas (Exhibit H – Open Space Plan)

The developer of The Farm at Brunswick, D.R. Horton, Inc., will file restrictive covenants on the property that will establish guidelines for Common Area ownership and maintenance. The Common Areas, which include, but are not limited to, open fields, trails, ponds, easements, open space, amenities, etc., will be owned by the HOA/POA as established in the Covenants and Restrictions. This ownership will include the maintenance of facilities, landscaping within road rights-of-way and private drainage easements on the property. Fees will be assessed from all property owners to provide funding for the operation and maintenance.

2) Utilities

Brunswick County Public Utilities will own and operate the water and sewer facilities necessary for this project. Atlantic Telephone Company will own and operate the telephone service. Electrical power facilities will be owned and operated by Brunswick Electric Membership Corporation (BEMC). A 10' Utility Easement will be shown on the Final Subdivision Plat in accordance with the Subdivision Ordinance for the Town of Carolina Shores.

G. Traffic and Transportation

Existing Roadway Network

The proposed development is east of Highway 17 which is a controlled access four lane divided highway. Access to the development will be via Highway 17 and SR 1165 (Thomasboro Road).

Street Hierarchy

The Carolina Shores Land Usage Ordinance differentiates street types based on type and usage. The Farm at Brunswick incorporates these street design guidelines into the development plan.

Most of the roadways in the development are classified as "Local residential streets." These are generally short cut through streets or cul-de-sacs with traffic limited to motorists having origin or destination within the immediate neighborhood. Local residential streets will have 24" roll type curb and gutter and will be 28 feet back to back of curb with a 50' public right-of-way.

The "Local residential streets" in the neighborhood all lead to "Residential collectors," which lead out of the development. Residential collector streets will have 24" roll type curb and gutter and will be 32 feet back to back of curb with a 60' public right-of-way.

Local residential streets located within Phases 5 & 7 of the development will consist of a 40' private right-of-way to include driveway parking, 24" roll type curb

and gutter, and will be a minimum of 28 feet back to back of curb. Phases 4 & 6 will consist of a 40' public right-of-way to include 24" roll type curb and gutter, and 28 feet back to back of curb minimum. Phase 12 will consist of a 50' public right-of-way to include 24" type roll curb and gutter, and 28 feet back to back of curb minimum. Local residential streets and drainage in the right of way in Phases 1, 2, 3, 4, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16 and phase 17 will be turned over to the Town of Carolina Shores for ownership and maintenance. Streets and drainage within Phases 5 & 7 of the development will be owned and maintained by the Farm at Brunswick HOA/POA.

Access Points

Highway 17 is a controlled access four lane divided highway. Access to the existing development is provided from Highway 17 and includes an existing deceleration lane. The proposed second access point will be provided from SR 1165 (Thomasboro Road) and will connect to Highway 17 via the proposed Carolina Farms Boulevard.

H. Lot Criteria Development Summary

1) Type A - Single-Family Detached (Phases 1-3, 8-17)

Min. Lot Size: 4,500sf
Max. Building Coverage: 75%
Min. Lot Width: 50'
(Min. Lot Width to be measured at
The Right-Of-Way)
(Min. Lot Width at a Cul-de-sac: 25' at
The Right-Of-Way)
Front Yard Setback: 20'
Side Yard Setback: 5'
Side Yard Setback for Corner Lots: 10'
Rear Yard Setback: 10'
Max. Structure Height will be 35' from grade.

2) Type B - Single Family Attached Townhouse (2 story) (Zero Lot Line) (Phases 4 & 6)

Min. Lot Size: 1,000sf
Max. Lot Coverage: 75%
Min. Lot Width: 18'
(Min. Lot Width to be measured at
Bldg. Line/Front Yard Setback)
Front Yard Setback: 10' (For all of the units on which construction
had not yet begun as of October 17, 2007, the front yard setback
shall be at least 15'.)
Side Yard Setback (Corner Lot): 5'
Rear Yard Setback: 10'
Max. Structure Height will be 35' from grade.
Minimum 20' Building Separation

3) Type B - Single Family Attached Townhouse (2 story)
(Zero Lot Line) (Phase 5)

Min. Lot Size: 1,000sf
 Max. Lot Coverage: 75%
 Min. Lot Width: 18'
 (Min. Lot Width to be measured at
 Bldg. Line/Front Yard Setback)
 Front Yard Setback: 10'
 Side Yard Setback (Corner Lot): 5'
 Rear Yard Setback: 10'
 Max. Structure Height will be 35' from grade.
 Minimum 20' Building Separation

4) Type C - Single Family Detached (Phase 7)

Min. Lot Size: 4,100sf
 Max. Building Coverage: 75%
 Min. Lot Width: 40'
 (Min. Lot Width to be measured at
 The Right-Of-Way)
 (Min. Lot Width at a Cul-de-sac: 25' at
 The Right-Of-Way)
 Front Yard Setback: 20'
 Side Yard Setback: 5'
 Side Yard Setback for Corner Lots: 10'
 Rear Yard Setback: 10'
 Max. Structure Height will be 35' from grade.

I. Density Analysis (Exhibit H – Open Space Plan)

The property under this PRD consists of 262+/- total acres. The development plan calls for 749 total dwelling units within The Farm at Brunswick (Shingletree Links, Bennett & Edge Tracts). The Density is the number of dwelling units per acre calculated based upon net buildable area as defined in the Carolina Shores Land Usage Ordinance. Based on this calculation, the overall net density is 5.7 dwelling units per acre. The overall gross density will be 2.9 dwelling units per acre.

J. Open Space Analysis (Exhibit H – Open Space Plan)

Carolina Shores PRD Ordinance dictates that the development must provide for permanent common open space equivalent to 25% of the total of the PRD site.

Calculations:

Based on the Carolina Shores Land Usage Ordinance, the required permanent common open space needed is 66+/- acres. The totals are as follows:

Total Site Area: 262 +/- acres
Total Permanent Common Open Space Provided: 90 +/- acres

Open space will be maintained by the HOA/POA and will be accessible to all HOA/POA owners.

K. Buffers & Tree Preservation

A 50' vegetated buffer has been provided between the areas of proposed residential development and the adjacent proposed future commercial area along Highway 17. The 50' buffer will remain wooded to provide for reduction of noise and air pollution as well as provide a visual buffer between residential and commercial areas.

Clearing limits and the associated trees to be removed shall be clearly labeled on the site development plans for each phase of construction. All wetland areas, wooded open space areas and buffer areas will remain undisturbed as shown on the site development plans and/or final subdivision plat for each phase.

L. Sales Center, Selection Center & Construction Trailer

The Sales Center at The Farm at Brunswick will be prominently located near the entrance of the development. From the start of the project, a Sales Center along with parking will be developed on site to provide offices for the sales agents. As build-out for the development occurs, D.R. Horton, Inc. will turn over the Sales Center to the HOA/POA for residents of The Farm at Brunswick as a permanent office and meeting facility. The HOA/POA will have the right to enhance the building and parking to meet the future needs of the HOA/POA.

The Selection Center and Construction Trailer will be located along Haystack Way and Carolina Farms Boulevard respectively. The Selection Center and associated parking will be developed to provide offices for the sales agents and show rooms for selection of interior coverings and fixtures. The Temporary Construction Trailer and parking will be installed at a location determined by the developer and permitted by the Town for use by the contractors during home construction until the project is complete.

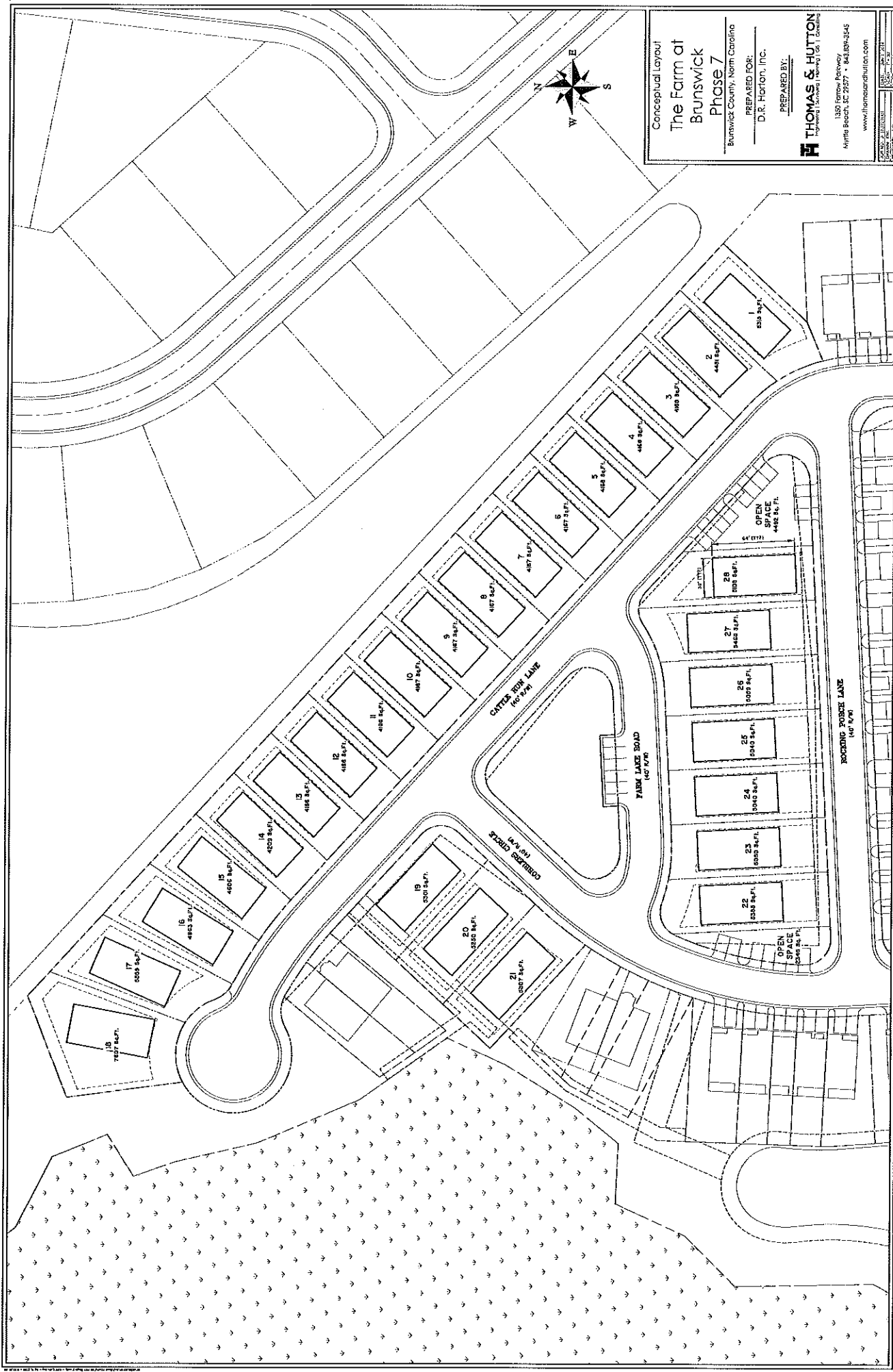


Conceptual Layout
The Farm at
Brunswick
Phase 7

Brunswick County, North Carolina
PREPARED FOR:
D.R. HORTON, INC.

PREPARED BY:
THOMAS & HUTTON

1330 Farrow Parkway
Myrtle Beach, SC 29577 • 843.839-3545
www.thomasandhutton.com



Town of Carolina Shores Board of Commissioners
Agenda Item Summarization & Narrative

Item: Consideration of setting a Special Called Meeting in order to conduct a joint meeting with the Planning Board on UDO updates

Contact: Mr. Jon M. Mendenhall, Town Administrator

Location: New Business

Follow-up: None

Requested Action: Action (motion, second, vote)

Budgetary Impact: None

Narrative:

This item seeks the Board's consideration to call a Special Called Meeting in order to conduct a joint meeting with the Planning Board to review changes to the Unified Development Ordinance (a presentation by Holland Consulting Planners will be given).

Joint Meeting Proposed for:

Planning Board and Board of Commissioners

Monday August 18, 2014 at 10am

RE: UDO Updates

Town of Carolina Shores Board of Commissioners
Agenda Item Summarization & Narrative

Item: Closed Session

Contact: Mr. Walter B. Goodenough, Mayor

Location: Closed Session
[As specified on the closed session notice and agenda]

Follow-up: None

Requested Action: Enter into closed session pursuant to the notice and agenda

Budgetary Impact: None

Narrative:

Pursuant to GS 143-318.11 Closed Sessions

§ 143-318.11. Closed sessions.

(a) Permitted Purposes. – It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required:

- (1) To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.
- (2) To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.
- (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.
- (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the

public body in negotiations. The action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.

- (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.
- (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.
- (7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.
- (8) To formulate plans by a local board of education relating to emergency response to incidents of school violence.
- (9) To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.

(b) Repealed by Session Laws 1991, c. 694, s. 4.

(c) Calling a Closed Session. – A public body may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall cite one or more of the permissible purposes listed in subsection (a) of this section. A motion based on subdivision (a)(1) of this section shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on subdivision (a)(3) of this section shall identify the parties in each existing lawsuit concerning which the public body expects to receive advice during the closed session.

(d) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 570, s. 2. (1979, c. 655, s. 1; 1981, c. 831; 1985 (Reg. Sess., 1986), c. 932, s. 5; 1991, c. 694, ss. 3, 4; 1993 (Reg. Sess., 1994), c. 570, s. 2; 1995, c. 509, s. 84; 1997-222, s. 2; 1997-290, s. 2; 2001-500, s. 2; 2003-180, s. 2.)