

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

May 8, 2023

10:00 a.m.

Mayor Pro Tem Davis called the May 8, 2023, meeting to order at 10:00 a.m. The Pledge of Allegiance was recited. Commissioners present: Beverly Mayhew, Bill Brennan, Debbie Watts, and Marlene Vandergrift. Also, present: Chad Hicks, Town Administrator; Nicole Hewett, Assistant Town Administrator/Town Clerk; Lori Frye, Finance Director; Chris Edwards, Public Works Director and Gail Treglia, Code Enforcement Officer.

Members Absent: None

Also Absent: None

Administrative Reports: Mr. Hicks gave the Town Administrator Report. (A copy of this report is on file.)

Mr. Hicks said Publix is coming in up there on the corner and we are looking forward to working with them. Mr. Hicks said he has the Town Attorney working on a few incentives to see if we can get them voluntarily annexed into the Town. Mr. Hicks said we have two concerts scheduled this year, but Gail was approached by another band that said they would like to do a concert for free. It was the consensus of the Board to not be in competition with other towns and to politely decline. Mr. Hicks said we will be having the New Resident Orientation starting the first week in June. Mr. Hicks said we are still working on the website. Mr. Hicks said we have been working with the Legion on the military banners. Mr. Hicks said don't forget about the Town of Calabash's 50th birthday. Mr. Hicks said on the Building Inspections report, disregard the figures at the bottom and he will get that corrected.

Building Inspections: Report on File.

Mr. Hicks said we have advertised for the Heavy Equipment Operator position.

Public Works Department: Report on file.

Public Safety Department: Report on file.

Mrs. Treglia said she has been working at the shopping center.

Finance Report: Mrs. Frye gave the Finance Report. Mrs. Frye said we earned \$15,997.22 in interest for the month. The full report is on file.

Committee & Volunteer Group Reports:

Commissioner Brennan (GSATS) – Commissioner Brennan said there was a GSATS meeting, and the discussion was about extending the boundaries beyond where they currently exist for GSATS. Commissioner Brennan said this meant talking about places like Caswell Beach, up Highway 17 and through Bolivia and not quite up to Leland. Commissioner Brennan said there are doing this in South Carolina as well. Mr. Hicks said the GSAT area goes all the way into Georgetown now. Mr.

Hicks said they are basically just increasing the study area for what they are going to be planning for in the future.

Commissioner Watts (Planning Board) – Commissioner Watts said our last meeting was April 19th. Commissioner Watts said Mr. Hicks gave us a brief on Senate Bill 675 that was introduced on April 6th. Commissioner Watts said it’s part of the land use clarification and changes. Commissioner Watts said there are three parts to this Bill 675. Commissioner Watts said it allows for schools to be built in commercially zoned areas by special use permits. Commissioner Watts said it also ensures that your vested rights in properties are not eliminated by any additional rights. Commissioner Watts said the major thing is to eliminate municipalities ETJ’s. Commissioner Watts said this was introduced on April 6th and reviewed on April 13th. Commissioner Watts said River Rock off Shingletree Road, is being framed up. Commissioner Watts said that was rezoned by Carolina Shores in February of 2020. Commissioner Watts said the sight plan was presented in August of 2021, so they are in the works right now. Commissioner Watts said that is on 21.75 acres. Commissioner Watts said what is tabled for this month is to allow retail sales in manufacturing industry zones. Commissioner Watts said our next meeting is May 17th at 11:00am here at Town Hall. Mayor Pro Tem Davis asked Commissioner Watts if she reviewed the applicants for the Planning Board and Commissioner Watts said yes, she did. Mayor Pro Tem Davis asked if the recommendations are the same and Commissioner Watts said yes.

Commissioner Vandergrift (Parks Commission) - Commissioner Vandergrift said the Parks Commission did not have a scheduled meeting.

Commissioner Mayhew (Calabash Fire Department) – Commissioner Mayhew shared a slide presentation that the fire department shows monthly. Commissioner Mayhew discussed the slide presentation with the Board of Commissioners. Commissioner Mayhew said they are continuing the training. Commissioner Mayhew reviewed the pictures and discussed the fire at Ella’s with the Board. Commissioner Mayhew said they finished the installation of their new key system. Commissioner Mayhew said they are working on renovations on their second firehouse.

Consent Agenda:

COMMISSIONER WATTS MADE A MOTION TO APPROVE THE FOLLOWING CONSENT AGENDA ITEM:

- BOC Regular Meeting Minutes of April 10, 2023
- BOC Special Called Retreat Meeting Minutes of March 20, 2023

COMMISSIONER VANDERGRIFT SECONDED THE MOTION. MAYOR PRO TEM DAVIS CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Old Business:

Planning Board Appointments Resolution 23-8:

Mayor Pro Tem Davis said we have an appointment of Harry McClard as a town regular member and Diane Baker as a town alternate.

COMMISSIONER WATTS MADE A MOTION TO APPROVE RESOLUTION 23-8. COMMISSIONER MAYHEW SECONDED THE MOTION. MAYOR PRO TEM DAVIS CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

New Business:

Budget Message and Ordinance Presentation:

Mr. Hicks said this is just a presentation of the official Budget Ordinance with the incorporated changes that the Board decided on during the last meeting. Mr. Hicks said if the Board is good with the preliminary budget we will go ahead and schedule a public hearing for next month. There was small discussion on the Fee Schedule. It was the consensus of the Board to hold the Public Hearing on the proposed FY 23-24 budget at their June 2023 meeting.

Discussion of Halloween 2023:

Mr. Hicks said staff needs Board direction regarding Halloween 2023. There was a lengthy discussion on Halloween. It was the consensus of the Board to do a Resolution for Halloween as we normally do as a recommendation for the public on safety tips, time, date, etc.

Public Comment:

Dan Conte, 1434 Fencepost Lane – Mr. Conte said he understands why you don't want to get overly involved in Halloween, however; with the exception of Carolina Shores, we're one of two communities that have a through street. Mr. Conte said regardless of what the Town doesn't want to get involved in, we had busloads or tractor trailer load of kids from South Carolina to our development. Mr. Conte said while the Board may not want to get involved in that, he thinks that is part of the responsibility of the Town, to protect the residents in The Farm. Mr. Conte said we had a Sheriff Officer at the beginning and at the end, we had me and two others from The Grove community helping and other people helping, and he saw probably between 600-700 kids. Mr. Conte said that's not something that can't be addressed, thank you.

Billy Anderson, 35 Swamp Fox – Mr. Anderson said he attended the last meeting and we all agreed at that meeting that Mr. Hicks was going to confirm with the engineer. Mr. Anderson asked if the Town's engineer is at the meeting. Mr. Hicks said no. Mr. Anderson said engineers usually present a letter with a seal on it. Mr. Anderson asked if the engineer presented the town with a letter that has a seal on it. Mr. Hicks said no. Ms. Hewett asked that public comments be directed to the Board of Commissioners. Mr. Anderson asked if the Board had a letter from the engineer with a seal on it. Mayor Pro Tem Davis said no, we do not but he did visit your site. Mr. Anderson said can he see the results from that inspection. Mayor Pro Tem Davis said he does not have that. Mr. Anderson asked if the Board could provide that. Mr. Hicks said we went out with Jackson, and it looked at the situation. Mr. Hicks said if we put the dirt back, it's going to push the water out. Mayor Pro Tem Davis said Mr. Anderson, I told you that we would do what we could as long as it was feasible. Mr. Anderson said he read the minutes. Mr. Anderson said he just has a little problem in front of his house that he is trying to address, and you seem to be the one that comprehended what I was trying to achieve. Mayor Pro Tem Davis said I understand sir. Mayor Pro Tem Davis said what I'm trying to tell you is that if we fix your little problem, in front of your house, we cause bigger problems to people on either side of you if we have a major storm. Mr. Anderson said this is why I was very clear asking for an engineer to put on paper, to present to the Board. Mr. Anderson said now, he's just getting hearsay of what the engineer said. Mr. Anderson said water is the greatest leveler in the world. Mr. Anderson said you can come out to his property in front of his house, and you can see what is level. Mr. Anderson said he put iron stakes in the ground so you can know what the proper fill is. Mr. Anderson said to the left of me, the bottom of their culvert, and to the right of him, the bottom of the culvert, the water level is at the bottom of their pipes. Mr.

Anderson said the Town came out and dug a ditch and he has paperwork in his truck that he forgot to bring in. Mr. Anderson said it has two arrows drawn onto his property where the water could flow. Mr. Anderson said he is trying to explain this, and he hasn't done anything to the Town. Mr. Anderson said the Town came out and dug a ditch, directing the flow in front of his house, from both sides and lowered the elevation. Mr. Anderson said he tried to address the culvert situation and you're not going to move the culvert and he understands that. Mr. Anderson said the water is standing and has nowhere to go. Mr. Anderson said why would the Town intentionally come out...and then the word I hear is storm. Mr. Anderson said regardless of dirt, water is going to go to here and fill that void. Mr. Anderson said it's not going to make the water run any faster. Mr. Anderson said it's filling the place where the dirt was removed and the water will then run straight across the top of the existing water, now why can't that be fixed. Mr. Anderson said that is why he asked for the engineer's letter. Mayor Pro Tem Davis said Mr. Hicks met with the engineer on your property, he sent me the same email you got, and I got your response and I'm sorry that we can't fix your problem, I'm sorry. Mayor Pro Tem Davis said I don't know what else to tell you. Mr. Hicks said the three driveways above him, if they were raised or lowered then the water would go out. Mr. Anderson said I'm not asking the Town to do that. Mr. Anderson said the Tow came out from here to here and dug down. Mayor Pro Tem Davis said I know what they did Mr. Anderson. Mayor Pro Tem Davis said I've actually been to your property and Mr. Anderson said thank you. Mayor Pro Tem Davis said there was no standing water when he was there. Mr. Anderson said there is none standing today. Mr. Anderson said I did one thing and that was put iron stakes in the ground where the water was at. Mr. Anderson said I'm not asking you to get higher or lower, just put back a little bit of what you removed, that's all he's asking, not a big request. Mr. Hicks said he knows what Mr. Anderson is saying and if the culverts would have been put in right, this wouldn't even be an issue. Mr. Hicks said he understands what Mr. Anderson is saying. Mr. Hicks said you know what will happen if we do that. Mr. Hicks said he doesn't mind doing it. Mr. Hicks asked Mr. Edwards how much more do we have to do, how close are we to being finished. Mr. Hicks said he received calls from people today that they are not wanting theirs done on Pinewood. Mr. Hicks said the stormwater plan says that we will clean them out twice a year but that is basically impossible to do. Mr. Hicks said he will do whatever and doesn't disagree with anything that Mr. Anderson has said. Mr. Hicks said when Carolina Shores was developed, you have different levels of driveways over culverts, there is no doubt about that. Mr. Hicks said he would love to go in there and rip them out and fix them. Mayor Pro Tem Davis said again, it wasn't engineered when it was built. Mr. Anderson said he sent everybody pictures and he doesn't know if anybody looked at them. Mr. Anderson said he never requested that it be flat. Mr. Anderson said he sent pictures of the water standing. Mr. Anderson said he has a riding lawnmower, but he has to use a push mower to cut the banks. Mr. Anderson said now, he can no longer use the push mower because you can't be at that angle, you have to be below the push mower. Mr. Anderson said if there is water in the ditch, you can't walk in the ditch. Mr. Anderson said, "and if there is not water in the ditch, there is a channel. Mr. Anderson said that ditches are usually V-shaped, and they have a flatness in the bottom. Mr. Anderson said these ditches have not been cleaned out correctly. Mr. Anderson said he is not an engineer or a road person but from what he can see, they are not being maintained properly. Mr. Anderson said they should be V-shaped, 45-degree angle with a flatness on the bottom. Mr. Anderson said these ditches are going straight down. Mr. Anderson said you all have the right piece of equipment out there to fix this problem. Mr. Anderson said this will not be his last visit if he doesn't get some remedy. Mr. Anderson said that is all he is asking for, is a little bit of remedy here. Mr. Anderson said the Town created this and he knows how to fix it. Mr. Anderson said he has the guidelines out there; the little iron rods are in place to level this out. Mr. Anderson said he is not asking for his ditch to be filled in, so he can push the water, that's not what he is asking. Mr. Anderson said he had to go buy a weed eater to cut this, and he quit weed eating on the roadside because it's too steep now, you can fall into the water because there is water now. Mr. Anderson said the water will probably sit there for a week; he doesn't know but it sits there. Mr. Anderson said there are elderly people that live in the community that would probably like to get out and pick

up a stick or something and if they fall in their ditches, no telling what will happen. Mr. Anderson said he has a little child, and he can't let him run around the back because there's a big culvert back there, so we have to let him play out front and we have to watch him 24 hours a day because the little fellow can unlock the door. Mr. Anderson said he put new locks on the house. Mr. Anderson said he could go out the front but now we have a new danger out there. Mr. Hicks asked if it's too deep to put sod in, would that get rid of the water? Commissioner Brennan asked Mr. Edwards once you get past the right side of his house, you have someplace that water is going. Mr. Hicks said it breaks two ways. Commissioner Brennan said does the water also go into the Persimmon ditch, in that direction, somewhere as well? Mr. Edwards says it goes directly to his driveway on both sides. Commissioner Brennan said once you get away from his property, the one we know goes into that ditch and what happens the other way, does it also run into the Persimmon Ditch, down at the other end? Mr. Edwards said, yes. Commissioner Brennan said maybe he has the high spot and Mr. Edwards said the high spot is to the right of his house. Commissioner Brennan said putting a little dirt in there will not allow him to accumulate and water will run out in both directions. Mr. Hicks said he had the engineer look when he was there about putting a pipe under the road, getting it out of his ditch, into the other ditch to flow out and there was not enough fallout to do it. Mr. Hicks said the only three solutions are to tear out three driveway culverts, put the dirt back in like Mr. Anderson is talking about, or leave it alone. Mr. Hicks said, and we will be glad to do whatever we are directed to do. Mr. Anderson said he is not asking the Town to tear out culverts. Mr. Anderson just a little extra dirt that you are pulling out of somebody else's clean out and level it, just what you dug out, just level it. Mr. Anderson said if it is left down, it doesn't solve anything because the water is not going to flow until it gets level. Mr. Anderson said that is all he is asking. Mr. Anderson said he would like to fill out this room if he can't get some remedy. Mr. Anderson said he can fill up a room. Mr. Anderson said the population is around 5,000 in Carolina Shores. Commissioner Brennan said there are 2,200 culverts. Mr. Anderson said you are talking about fixing half of the Town, we don't want to do that, you can't. Mr. Anderson said he keeps hearing the word flood, flood, flood. Mr. Anderson said he also hears that half of the culverts are off and everything you do concerning flooding is really not going to work. Mr. Edwards said it will work; he has been here during a flood, and it will do exactly what it is supposed to. Mr. Anderson said you can tell me from Interstate 95 all the way to the coast that you have this one little area that won't flood. Mr. Edwards said no, he is not saying that it will do what it is supposed to. Mr. Anderson said his ditch is going to stop all this from happening. Mr. Edwards said he is not saying that. Mr. Edwards said I will tell you that is why we are cleaning them. Mr. Anderson said I would just like to see the ditch in front of my house leveled out and it won't interfere with the flood. Mr. Edwards said if we put dirt in yours, it's going to go to your neighbors and do the same thing there. Mr. Anderson said if it does, it will be because you took out too much dirt. Mr. Anderson said Mr. Hicks, you gave me a piece of paper...can I just address him a little bit. Mr. Hicks, you gave me a piece of paper that clearly showed the flow coming down from both corners of my property, just like that and the Town came out and scooped it out. Mayor Pro Tem Davis said Mr. Anderson, you have proved your point to us of what you want. Mayor Pro Tem Davis said he doesn't think they are going to be able to help you other than if Mr. Hicks thinks that anything is feasible, and Chris and our engineer, thinks it's feasible, we can do whatever we can, but we cannot just fix yours and create problems for your neighbors. Mayor Pro Tem Davis said we have a stormwater study that was done four years ago for us to never have flooding homes again in Carolina Shores. Mayor Pro Tem Davis said we are completing that stormwater study. Mayor Pro Tem Davis said if you have water in your ditch, I'd rather have you have water in your ditch, then your house flood. Mayor Pro Tem Davis said I would rather you have water in your ditch than your neighbor's house flood. Mr. Anderson said that is what you all did to me, you all put my neighbor's water on me. Mr. Anderson said you put my neighbor's water on me and all you did was take out the dirt and replace it with water. Mr. Anderson said it doesn't make the water flow any differently and you said I proved my point. Mayor Pro Tem Davis said I don't know if there is a remedy sir. Mr. Anderson isn't what I'm saying a remedy. Mr. Anderson said I have water, but my neighbors have no water, it's at the

bottom of the culverts and I've talked until I'm blue in the face. Mayor Pro Tem Davis said to Mr. Anderson, "I appreciate you being here, I appreciate what you have been telling us. Mayor Pro Tem Davis said if there is anything we can do, we will and if it's not feasible, we can't. Mayor Pro Tem Davis said Mr. Anderson, we have a five-minute limit on public speaking, and you have been speaking for twenty minutes. Mayor Pro Tem Davis said I appreciate your effort, I understand your problem, what I don't want to do is trade a problem to anyone else. Mayor Pro Tem Davis said he understands what we did, according to the study that was done to create no flooding to homes in Carolina Shores, Mayor Pro Tem Davis said please understand, that's why we did what we did. Mayor Pro Tem Davis said he is sorry you have standing water sometimes in your ditch, better in your ditch than in your house or anyone else's. Mayor Pro Tem Davis said thank you. Mr. Anderson said and you're welcome and ditches are designed to be used with a public highway, thank you.

Mayor & Commissioner Comments:

Commissioner Brennan – Commissioner Brennan asked that more information get out about SeeClickFix. Commissioner Brennan said that is on our website and a handy thing to have and he went to a POA meeting last week and there was only 1 person on the Board that knew what he was talking about. Ms. Hewett said we can write something up and send it out.

Commissioner Watts – Commissioner Watts said when we get our new website up and running, we need to advertise it.

Commissioner Vandergrift – Commissioner Vandergrift said that information can go out in their monthly newsletter.

Commissioner Mayhew – Commissioner Mayhew said she has two quick things. Commissioner Mayhew said she attended the rededication ceremony for the firehouse on April 29th. Commissioner Mayhew said it is now the Jennings Edge Firehouse and there is a picture and plaque in the entranceway. Commissioner Mayhew said she wanted to say thank you to Chad for getting the speed limit dropped down to 35mph past the park.

Mayor Pro Tem Davis – None

Closed Session Pursuant to N.C.G.S. 143-318.11(a)(6) Personnel:

None

Adjourn:

COMMISSIONER BRENNAN MADE A MOTION TO ADJOURN THE MAY 8, 2023, REGULAR MEETING AT 11:06 A.M. MAYOR PRO TEM DAVIS SECONDED THE MOTION. MAYOR PRO TEM DAVIS CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Pro Tem

Submitted by:
Nicole L. Hewett, Assistant Town Administrator/Town Clerk