

**TOWN OF CAROLINA SHORES  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
February 4, 2016  
2:00 p.m.**

Mayor Joyce Dunn called the February 4, 2016 meeting to order at 2:00 p.m. The Pledge of Allegiance was recited and there was a moment of silence. Commissioners Present: Mary Timothy, Gere Dale, John E. Manning, Greg Davis and Bill Brennan. Also Present: Jon Mendenhall, Town Administrator; Nicole Marks, Town Clerk; Julie Munday, Finance Director and Town Attorney James E. Eldridge.

Absent: None

Others Absent: None

**Agenda Adjustments:**

COMMISSIONER MANNING MADE A MOTION TO ADD TO THE AGENDA TOO RECOMMEND A POLICY CHANGE TO PERMIT RECYCLE/CONVENIENCE CENTER STICKERS TO BE ISSUED TO RESIDENTS FOR ALL LEGALLY LICENSED VEHICLES IN THEIR HOUSEHOLD AT NO CHARGE AND UNDER OLD BUSINESS A SHORT REVISIT TO EQUIPMENT. COMMISSIONER BRENNAN SECONDED THE MOTION. MAYOR DUNN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

**Public Comment:**

Walter Goodenough, 905 Palmer Dr. – At Monday’s meeting, you discussed purchasing a jetter or possibly borrowing one from Calabash. Mr. Goodenough said he was present at both of the demonstrations for the smaller unit and the larger unit. Mr. Goodenough said the smaller unit demonstration was kind of a flawed demonstration in that the culvert was probably 8-10 inches in diameter and half way through it was clogged and so you really couldn’t tell how well the machine was going to work cleaning out at 60 foot culvert. Mr. Goodenough said the second machine, the larger one which was demonstrated over at The Village on Waterview and I believe Mr. Brennan was there, worked and did a better job; it’s a bigger machine, a more powerful machine. Mr. Goodenough said he asked the person demonstrating, I asked him we have 18, 20, and 24 inch diameter culverts within Carolina Shores and where Calabash has 16 and smaller culverts and do we need a bigger machine to work and do a better job and Mr. Goodenough said the other thing you mentioned was 1200-1500 culverts within the Town and between the community of Carolina Shores and The Village at Calabash we have 1700 driveway culverts, minimum and you’re talking another 150-200 crossover culverts and you’re not taking into account that Calabash Lakes and The Farm also have a culvert system underneath the roads that this machine will handle whenever you have too. Mayor Goodenough said so that’s my take on the machine and I wanted to give you my information on it.

Ron Floor, 37 Carolina Shores Dr. – Mr. Floor asked with the change to the Recycle Center stickers, will they all be ten dollar charges for the stickers?

Jim Fish, President and CEO of Brunswick County Senior Resources – Mr. Fish said he just wanted to formally request a presentation for this Board at some point about the new Senior Center that is coming to this region and provide information concerning that and of course get some feed back. Thank you.

It was the consensus of the Board of Commissioners to have Mr. Fish do a presentation at the Board of Commissioners March Workshop on March 7, 2016 at 10:00 a.m.

**Consent Agenda:**

COMMISSIONER MANNING MADE A MOTION TO APPROVE THE FOLLOWING CONSENT AGENDA ITEMS.

- Approval of Minutes: January 4, 2016 and January 7, 2016 Regular Sessions, January 7, 2016 Closed Session
- Boards and Committees - Appointments
- Farm at Brunswick Phase 11 Preliminary Plat
- Award Bids for Pinewood Drive Capital Project

Mayor Dunn said under Boards and Committees – Appointments, the Town has two new Tree Advisory Committee potential members that unfortunately the names were not available or confirmed in time for the workshop but they are now. Mayor Dunn asked the Board if they would like her to read them to the Board. Commissioner Davis said because we haven't had any prior knowledge of this, I don't know if we should permit this without talking about it since it's on the Consent Agenda. Mayor Dunn asked the Board if they wanted her to hold this and put it under New Business and Commissioner Davis said then you're back to changing the Agenda again. Commissioner Dale said but there is an urgency because the next Tree Advisory meeting is in April but perhaps we could hold off until the Board's March Workshop Meeting. Mayor Dunn said we don't like to leave Volunteers waiting because they disappear. Commissioner Brennan asked when Arbor Day is and Ms. Marks said March 18<sup>th</sup>, the first Friday in March after the 15<sup>th</sup>. Mayor Dunn said the Board could approve them at the March workshop and then they would be official before Arbor Day. Commissioner Davis said that would still give us time and I just don't want to start putting things on the Consent Agenda that weren't discussed at the workshop. COMMISSIONER BRENNAN SECONDED THE MOTION. MAYOR DUNN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

**Administrative Reports:**

Mr. Mendenhall said he has nothing to add to the report on Monday but did want to give the Board some statistics. Mr. Mendenhall said we have completed 48 individual Safety Trainings so far. Mr. Mendenhall said so far this fiscal year, we received ten new volunteers on the volunteer sign-up day. Mr. Mendenhall said of course, we have two individuals interested in the Tree Advisory Committee. Mr. Mendenhall said he was able to contact Holland Consulting Planners and the February 17<sup>th</sup> date is out for a joint meeting and Mr. Holland is proposing February 22, 2016 and that is the regular meeting of the Planning Board and Commissioner Davis said he has a conflict with the time of 3:00 p.m. It was the consensus of the Board of Commissioners to see if the Planning Board could do February 22, 2016 at 10:00 a.m. instead of 3:00 p.m. Mr. Mendenhall said he would confirm with the Planning Board and Mr. Holland and it would be a Special Called meeting of both Boards. Mayor Dunn asked Mr. Mendenhall to explain to the public in attendance where the Town Administrator's report is on the website.

## **Public Hearings:**

None

## **Old Business:**

### Equipment:

Mayor Dunn said yesterday or the day before yesterday, she had a get acquainted meeting with the Maintenance Staff and she found it very interesting and informative, they are a very smart bunch and they know a lot of stuff about a lot of different things and they are very eager to be actively involved in providing the best possible service to the community. Mayor Dunn said one of the things I learned from them, we started talking about equipment acquisitions, is that they have a lot of knowledge over there about where to find things on the used market. Mayor Dunn said they suggested that before we buy a new dump truck and a new jetter, that we go out and with their help, get prices on used equipment. Mayor Dunn said they believe that at least in the case of the dump truck, a used one could be found at a perfectly good value. Mayor Dunn said the jetter could be another question because there are technical issues with keeping it running but they suggested that we take a little time to look at that. Mayor Dunn said they also suggested that the Board take a serious look at acquiring our own wood chipper because the one we are currently renting does not have a large enough capacity for what we need to do and so it breaks down a lot and they said if we had our own instead of renting, we would be able to do our own chipping year round with all the clean-up they do with big branches and trees. Mayor Dunn said we could save a lot of money and save on the capacity that is occupied in our yard waste containers. Mayor Dunn said we don't have to decide that today; she just wanted to share that information. Mayor Dunn said do we want to move a little more slowly in buying the jetter and dump truck. Commissioner Manning said we already approved the truck and Commissioner Davis said months ago. Commissioner Manning said if we don't move ahead with the truck it's going to cost another \$10,000.00 because the cost of equipment keeps going up. Commissioner Manning said the jetter was just discussed in full detail, can we hold off on it, it depends on how fast we want to clean the culverts. Commissioner Timothy said we also discussed if we buy used, we are also buying all the problems with it. Commissioner Manning said we have a used dump truck that we have had tremendous amounts of problems with and have spent a lot of money to have it fixed. Commissioner Manning said I think we should go ahead with the dump truck and have Julie cut a check for it. Commissioner Manning said on the jetter, we could wait and get more information and have a demonstration for those that want to see what it can do. Commissioner Davis said I don't want to buy another used truck, we have bought used in the past and have spent more money on it; we could have bought a new one for what we spent on that truck over there. Commissioner Davis said I know that there are good one's out there on occasion but you have to wait to find them and we have already approved the purchase and we need the dump truck. Commissioner Davis said we need to get work done with the dump truck and it would be ours with a warranty, I would prefer for us to buy a new dump truck. Commissioner Davis and Timothy both said they thought the jetter was decided on. Commissioner Davis said we need to start working on those culverts now, not a month from now, not another six weeks from now, now. Commissioner Davis said this was talked about since last July/August, it was talked about in October, it was talked about last month and is being talked about now, why are we dragging our feet on a piece of equipment that our men need. Commissioner Davis said as far as adding a chipper, if Jon will come to us with an amount on the chipper, then that is something we should consider. Commissioner Timothy said just on

Monday, we all agreed that we would get a new one and we would vote on it today, I thought it was a consensus, that was her impression. Mayor Dunn said the jetter we don't need today; it was an item that we would move on. Commissioner Davis said the jetter was excluded from the Flood Recovery Plan back in October but the dump truck was approved. Commissioner Davis said we do have to vote to put the jetter back on, the money is there. Commissioner Davis said it was a budget thing; it was an emergency fund, so I can't say it was budgeted but the emergency fund had been okayed. Commissioner Dale said he is terribly confused, we had 35 homes that were flooded out in Carolina Shores Subdivision in October, none of those people were flooded out because of imperfect driveway culverts or roadside swales, none of them not any of the 35. Commissioner Dale said why are we hell bent to go in and clean out driveway culverts right now and clean the roadside swales when the attention should be directed at those things that are going to eliminate or alleviate the flooding that we had in October. Commissioner Dale said so can somebody explain that to me. Commissioner Davis said we are hiring out some of the work to bigger companies and at the same time we have a commitment to our citizens to keep those waterways clean and they have been left unattended for years. Commissioner Davis said he walked three and a half miles of our streets this morning after all that rain, there wasn't a single household that had a problem with flooding, with either a driveway culvert or a roadside swale, three and a half miles. Commissioner Davis said all we are doing is being proactive with the swales and the culverts, we already put into action the beginnings of working on the major things that caused the flooding. Commissioner Davis said we have Brunswick Trucking working one area, we're already looking into how to fix another area, we had a study done where all the canals go, so it's a twofold thing, I'm not saying that we are replacing one with another. Commissioner Dale said it sounds to me that way and Commissioner Davis said it's not. Mr. Mendenhall explained that what is in front of the Board today is one piece of the puzzle. Commissioner Brennan said we are moving on parallel paths. Commissioner Timothy discussed the problem of mosquitoes and said if we don't take care of the problem now; it is just going to get worse.

### **New Business:**

#### Acquisition of Equipment: Sewer Jetter:

COMMISSIONER TIMOTHY MADE A MOTION TO GO APPROVE THE ACQUISITION OF THE SEWER JETTER MID-RANGE SIZE AS DISCUSSED THE OTHER DAY. COMMISSIONER DAVIS SECONDED THE MOTION. MAYOR DUNN ASKED IF THERE WERE ANY DISCUSSION. MAYOR DUNN CALLED FOR A VOTE AND MOTION CARRIED WITH A 3-2 VOTE. COMMISSIONERS DAVIS, TIMOTHY AND BRENNAN AS YES AND COMMISSIONERS DALE AND MANNING AS NO.

#### Arbor Day:

Commissioner Timothy asked if it would be possible to plant a tree on the school property so that we can build good relationships. Commissioner Manning said last year he and former Commissioner Russo donated a tree to the school. Commissioner Davis said the school does not sit in our Town. Commissioner Timothy asked where will the tree be planted and Mayor Dunn said somewhere on our property. Mayor Dunn said Arbor Day is coming up soon and maybe that is something the Board can consider next year. Commissioner Timothy will meet with Ms. Marks.

## Policy Change Regarding Recycle Center Stickers:

Commissioner Dale said he is recommending a policy change to permit the Recycle Center/Convenience Center stickers to be issued to residents for all legally licensed vehicles in their household at no charge. There was discussion on this item and it was the consensus of the Board to review this item with the upcoming budget process and adoption of the Fee Schedule.

### **Public Comment:**

Charles Craft, 241 Furrow Lane - Mr. Craft said he has a house at 241 Furrow Lane at The Farm at Brunswick and behind at Calabash Lakes, he's not sure what's going on because he has been in and out of the hospital the past couple of years and hasn't been able to attend the meetings. Mr. Craft said he talked to the Building Inspector and he assured me that there was going to be a thirty foot buffer zone behind my house. Mr. Craft said in the past, I own both sides of the drainage canal behind my house. Mr. Craft said the previous developer that was there before D.R. Horton, I had to throw him off my own property because they think they own it and they bulldozed my property and knocked down a fifty foot swath of trees to put in an eighteen inch culvert. Mr. Craft said and I'm here out of concern because they are doing a lot of work right near my property line at the moment. Mr. Craft said I called the Building Inspector here today and the girl said there is a public meeting this afternoon come in and I don't know if I'm in the right place. Mr. Craft said it's very easy for these Developer's to say oh I'm sorry our bulldozer operator is an idiot and in the meantime I'm losing fifty foot pine trees that won't re-grow in my lifetime. Mr. Craft said I just wanted to be sure from somebody here within the Town that there is a thirty foot tree zone there and somebody will be watching my tree. Mr. Craft said I only live here five to six months a year and then up north for the rest of the year. Mr. Craft said the one year I came down my tree were gone. Mr. Craft said he hired a lawyer and they made a half hearted attempt to replace the trees and replaced the fifty foot trees with six to eight foot trees and now they are like up to twenty feet. Mr. Craft said I'm 74 years old and my significant other is 82 years old so we're not going to live to watch the trees grow again and I'm just very concerned. Mr. Craft said last year I saw bulldozer tracks within two feet of my property and I got really nervous and I got some "No Trespassing" signs which he never put up because he didn't want to aggravate people. Mr. Craft said so I don't know who to see but I just need a little comfort and I don't really want to be hiring a lawyer to get trees put back that will never recover in my lifetime. Mr. Craft said he owns thirty feet on the other side of the crick and he has his plot plan if someone would care to see it. Mr. Craft said he's been over on the other side when the other Developer was over there and I was confronted by the Homeowner's Association once and the manager or whatever he was from the other developer telling him that I was trespassing and I better get out of there so every time I do cross the crick to just look around and see what is going on, I usually put my map in my pocket so if they want to confront me, I can take it out and show it to them and I haven't had a problem since then. Mr. Craft said the last time it happened the lawyer told me it was an accident but in the meantime, they took out my trees. Mr. Craft said his neighbor at 243 Furrow Lane has the same concern.

Walter Goodenough, 905 Palmer Dr. - Mr. Goodenough said over the past six years sitting at that very Dias, I have heard the term boondoggle; you're favorite word, no less than six times. Mr. Goodenough said the very definition of this word is and I quote an expensive and wasteful product paid for with public monies. Mr. Goodenough said along side of that definition should be a picture of the Town's waste site. Mr. Goodenough said one of the first duties as the Town's elected officials is lessen the liabilities that could cause the Town to be sued. Mr. Goodenough said the other is the safety of its residents. Mr. Goodenough said in both instances, this Town is failed miserably by allowing the Town's waste site facility to operate as it is. Mr. Goodenough

said there are people, mostly elderly walking around garbage and yard debris enclosures and close proximity to other elderly people driving cars within a small space. Mr. Goodenough said there has been an increased number of people slipping, falling and fender benders with other cars and it is only a matter of time before there is a major injury or possibly a death. Mr. Goodenough said just last year, a backhoe took a roof off a car because the resident, in a hurry decided to park behind them. Mr. Goodenough said thankfully no one was injured, yes the machine operator was also at fault and eventually released but that is not the issue. Mr. Goodenough said the Board is once again contemplating more stickers per household, to allow two lanes of traffic, spending more money and installing a huge metal container for residents to walk in to in order to dispose of cardboard. Mr. Goodenough said are you kidding me. Mr. Goodenough said the only way to limit the Town's liability and increase the safety of its residents is to recommend curbside pickup of both household garbage, which we're already paying for and recyclables, a service provided by Waste Industries. Mr. Goodenough said then and only then can that site be used more safely for yard debris. Mr. Goodenough said stop putting off what is inevitable. Thank you.

Matt Hatez, 28 Picket Fence Lane - Mr. Hatez said Mayor, Commissioners and Town Staff good afternoon. Mr. Hatez said let me direct this comment to Commissioner Dale, thank you I have three vehicles, I would like three stickers and I said that last year and I will say it again. Mr. Hatez said I also agree with the ex mayor, there should be curbside pick up in Carolina Shores and I said that in the past and I will say it again. Mr. Hatez said the Recycling Center, it is unsafe at times and is there somewhere there's a map of The Farm at Brunswick's plat plan and asked if it is open for public viewing. Thank you.

#### **Mayor and Board of Commissioners Comments:**

Commissioner Davis – None

Commissioner Timothy – None

Commissioner Manning - None

Mayor Dunn – None

Commissioner Dale – Commissioner Dale said I see Ron in the audience and he had something to say on Monday at the Workshop about de-mucking that was along the berm near his home. Commissioner Dale said I was by there this morning and it's still there, it stretches all the way from his road to the Golf Course, correct me if I'm wrong. Commissioner Dale said I'm assuming Brunswick Trucking had a problem but that shouldn't be allowed to sit there for weeks on end. Commissioner Dale said it's not only unsightly but obviously it may be a health hazard. Commissioner Dale said we have some correspondence saying that Brunswick County is reactivating their Greenway/Blueway Committee and they had some interesting things to present. Commissioner Dale said I would like to volunteer to go to Brunswick County on the 29<sup>th</sup> of February to represent the Town when they have an all day seminar. Commissioner Dale said I got an interesting piece of paper here and he's not sure where he got it but it says the truth about idling a vehicle. Commissioner Dale said how turning over a vehicle for ten seconds can save millions and I think it is something that we make sure our maintenance people are aware of, I think it's something that our people that use the Recycle Center and stop at the compactor with the engine running, go over and have their engine running at the yard waste and then again at the Recycle bin. Commissioner Dale I think we ought to publicize this that there is a break even

point and the break even point is ten seconds. Commissioner Dale said I think running a vehicle on idling capacity for more than ten seconds it's not only unhealthy but it's financially a detriment. Commissioner Dale said I would like to see us advertise that for our Town's people and for our work people. Thank you.

Commissioner Brennan – Commissioner Brennan said yes, you can go (to Commissioner Dale) and that's it.

**Closed Session:**

COMMISSIONER BRENNAN MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO N.C.G.S. 143-318.11 (a)(3) TO CONSULT WITH OUR ATTORNEY IN ORDER TO DISCUSS A LEGAL MATTER CONCERNING THE ONGOING CASE OF WARD VS. THE TOWN OF CAROLINA SHORES. COMMISSIONER MANNING SECONDED THE MOTION. MAYOR DUNN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

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

Mayor Dunn reported that no action was taken in Closed Session and asked for a motion to adjourn.

**Adjourn:**

COMMISSIONER BRENNAN MADE A MOTION TO ADJOURN THE FEBRUARY 4, 2016 BOARD OF COMMISSIONERS MEETING. COMMISSIONER TIMOTHY SECONDED THE MOTION. MAYOR DUNN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

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Mayor

Submitted by:  
Nicole Marks, Town Clerk