

**TOWN OF CAROLINA SHORES
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
February 9, 2012**

Mayor Walter B. Goodenough called the February 9, 2012 meeting to order at 3:00 p.m. The Pledge of Allegiance was recited and there was a moment of silence. Commissioners present: Joyce Dunn, John Russo, Greg Davis and Bill Brennan. Also present: Mike Hargett, Town Administrator; Chuck Riggins, Building Inspector and Nancy Apple, Administrative Assistant.

Absent: Joseph Przywara, Commissioner; Julie Munday, Finance Director and Nicole Marks, Town Clerk

Approval of Agenda:

COMMISSIONER RUSSO MADE A MOTION TO APPROVE THE CURRENT AGENDA. COMMISSIONER DUNN SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Public Comment on Agenda Items:

Gere Dale, 46 Calabash Drive – Six homes on Pinebark which consists of 1/10 mile. Several residents on Pinebark had no idea there would be any paving done. Other residents didn't see a problem. It will cost \$20,737 to repave this section. It's not a good use of taxpayer dollars.

Informational Presentation, Mr. Phillip Bureau, Golf Course Manager

Mr. Bureau gave a brief history of the golf course and the necessity of removing pine trees. He stated that on January 31, 2012, the Town's Tree Committee with a representative from the School of Agriculture at NC State University met with him and his expert arborist. The trees in question are prohibiting the sun from reaching the grass therefore the grass does not grow. The golf course wants to work with the town, its committees and the residents of Carolina Shores. It is necessary to improve the condition of the golf course in order to stay in business and to compete with the other 104 golf courses that exist within a 40-mile radius of Carolina Shores.

Mr. Bureau received questions from the following residents:

Frances DiBona, 15 Carolina Shores Drive; Peter Paff, 10 Sunfish Court; Peter Kirkley, 19 Gate 6; Pete Gulliver, 13 Oakbark Court; Teddy Altreuter, 14 Sanddollar Court; David Ball, 4 Gate 8; John Bendy, 5 Niblick Court; Henry Kubacki, 72 Calabash Dr.; John Odgen, 6 Carolina Shores Dr.; Bill Marsh, 26 Gate 8; John Crane, 12 Carolina Shores Dr.; Gere Dale, 46 Calabash Dr.; Bill Altreuter, 14 Sanddollar Court; Pete Gulliver, 13 Oakbark; Mark Clements, 3 Landing Court; Jim Hartley, 15 Gate 6; Bea Wolf, 2 Moss Court; Teddy Altruder, 14 Sanddollar Court; Ken

Born, 4 East Pine Court; Pat Herdic, 79 Calabash Dr.; Brent Horten, 52 Carolina Shores Parkway; Jack Gagliano, 52 Calabash Dr.; Mark Clements, 3 Landing Court; David Ball, 4 Gate 8; Jackie Wright, 10 Carolina Shores Parkway; Jim Horne, 16 Pinewood; Marlene Stewart, 1 Canal Way Court; Ellen Pecina, 77 Calabash Dr.; Carolyn Bosman, 6 Cleet Court; Bruce Patterson, 2 Pinewood; Janine Sommer, 98 Carolina Shores Dr.; and Dave Cunningham, 22 Calabash Dr.

COMMISSIONER DAVIS MADE A MOTION FOR A FIVE MINUTE RECESS. 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.

Mayor Goodenough called the meeting back to order.

Approval of Consent Agenda:

COMMISSIONER BRENNAN MADE A MOTION TO APPROVE THE FOLLOWING CONSENT AGENDA ITEMS:

- January 3, 2012 BOC Pre-Agenda Meeting Minutes
- January 5, 2012 BOC Regular Meeting Minutes
- January 17, 2012 BOC Special Called Meeting Minutes
- Resolution Modifying Authorized Signatures for the Town Checking Account
- Resolution Approving Board of Commissioners Special Called Meeting on February 27, 2012 – Joint Meeting with Planning & Zoning Board on UDO
- Resolution Approving 2012-13 Budget Calendar
- Resolution Appointing Town Administrator as Budget Officer

COMMISSIONER DAVIS SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Ordinance Awarding Resurfacing Contract and Making Supplemental Appropriation:

COMMISSIONER DUNN MADE A MOTION TO APPROVE THE ORDINANCE. 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.

COMMISSIONER DUNN MADE A MOTION TO WAIVE THE SECOND READING OF THE ORDINANCE. 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.

Town Administrator Report: On File at Town Hall

- Brief explanation on the above motion to waive the second reading of the Ordinance.
- Discussion on the Resolutions approved above as discussed at Board Retreat. Information requested at the retreat by the Board of Commissioners will be given out as soon as all information is compiled.
- After hearing from the president of the Village at Calabash HOA, there is a meeting scheduled for February 15, 2012 to discuss the ditch maintenance proposal. A report will be given to the Board of Commissioners after this meeting takes place.
- Mr. Hargett said it is his understanding that the Board of Commissioners is in favor of the water extensions as offered by Brunswick County. Mr. Hargett will write a letter indicating this is the consensus of the Board an express an interest in sewer as well.

Financial Report – Ms. Julie Munday, Finance Officer: (Reported by Mike Hargett, Town Administrator) On File at Town Hall

- General Fund Balance - \$2,045,171
- Cash Balance Less Capital Improvements - \$1,595,471
- Reserve Funds - \$ 2,000,000
- 2010 Property Taxes Collected in November - \$112,679
- Business License Revenue for October - \$50
- Building Permit Revenue for October - \$7,577

Communication Committee Report:

None

HOA/POA Committee Report:

Vice-Chairperson Gulliver gave the HOA/POA Committee report. Beacon Townes reported that the issues with standing water have been resolved. There was an election at Carolina Shores Saturday but the results are being contested and there will be a recount sometime next week. A report will be provided next month after the results are finalized. The Farm is still in the initial stages of construction. Lighthouse Cove had nothing to report. The Village reported that there is still an interest in an emergency warning system. Walter has agreed to present this issue to the fire department at the next meeting. We thank you for that, Walter. We would also like to bring to the attention of the town that there are some dark areas in some of the back streets that could use lighting. That sums up the report.

Tree Committee Report:

George Mulcahy reported for the Tree Committee. The number of permits issued for January, 2012 was five, twenty-one trees were approved, including 8 under-sized trees over which we have no jurisdiction. The number of tress denied none, number of replacement trees was none, and number of appeals was none. Inspection days were four, long ones. We were also called to the golf course.

Commissioner and Mayor Comments:

Mayor Goodenough announced that Katherine Powell, a member of our Planning and Zoning Board, had a devastating death in her family. Please keep her and her family in your thoughts.

Commissioner Dunn – Reported that an item was omitted from the Agenda – Earth Hour 2012. The Brunswick County Commissioners have proclaimed the last Saturday in March, the 31st, from 8:30 pm to 9:30 pm as Earth Hour. Keep Brunswick County Beautiful is sponsoring this event. We are asked to turn off all non-essential lights during this period of time. I would recommend that we approve this and have the town participate. The only requirement on the town would be to publicize the event. I would ask the Board’s approval for this event.

COMMISSIONER DUNN MADE A MOTION SUPPORTING A RESOLUTION IN SUPPORT OF EARTH HOUR 2012. COMMISSIONER BRENNAN SECONDED THE MOTION. MAYOR GOODENOUGH CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Commissioner Davis – Thanked everyone for coming out to his first meeting and hoped that he did not disappoint anyone.

Commissioner Russo – The Tree Committee has put a lot into this matter but nothing has been decided. As far as private property, if there are trees on private that should be removed, it will be the decision of the owner of the property to get a permit for removal of the tree(s). As far as water run-off, we are still going to look into other agencies before we okay this issue. The Tree Committee will have to do a lot of work and that we are not going to just okay it. We will try to do everything we can to control the matter. We don’t even have an application for a tree permit yet. You must have some confidence in the Tree Committee.

Commissioner Brennan - None

Public Comment:

Tom Puls, 850 Watson Ave - Several people touched on it as far as the golf course goes, we all know how heavy we are into storm water management. And, you can’t have better storm water management than these trees. We’re talking about approximately 36,000 gallons of water per day of water not being absorbed. I would like to remind the Board and Commissioner Davis, I know you’re new to this, regarding the situation with Village of Calabash. The Village wants The Town to pay 100% of the cost of cleaning out this ditch. Being good citizens, The Town agreed to pay one-half of the cost of this project. They would contract with a contractor for the

work and send us a copy of the bill so that we could pay our half. If we agree to pay 100%, we are setting the precedent. Comments have been made that we clean everything else. But the ditches that we clean are owned by The Town. And this ditch is owned by the Village and the POA. We have to look at what their proposal is greater than 50%, I think you should reject it.

Teddy Altreuter, 14 Sanddollar Court - In my opinion, this is one of the most important things we are going to do this year. It's not just about trees or stormwater but property values and safety for a huge proportion of the population and not just for those who live around the golf course or are in the POA. It very much affects The Farm and very much affects The Village at Calabash and certainly the others such as Lighthouse Cove. I'm heartened by Commissioner Russo's statement that The Tree Committee takes this matter very, very seriously. You're asking us to trust in government and trust in government is not something we have a whole lot of these days. Now trusting the golf course, that's a different matter. We all know that they are in foreclosure and we all know that they have done some interesting things in the past. They may make this swell deal with the lumber company and they may actually make some money which could be used at the golf course which would certainly enhance the property values of this area. They could get that money and it could go down the same tube as the other monies. The golf course is doing a tremendous business. It's not as if they are starving. It's that their business model was not a great business model and they owe a ton of more money than their property is worth. It was suggested that an escrow account be established for these monies or something that would say to us that yes you can do this but only if the money they make would have to go into the golf course. Everyone will be watching, certainly everyone around Carolina Shores. I'm going to suggest that you call the water conservation people of the US Department of Agriculture, Southern Environmental Law and someone from soil conservation.

John Crane, 12 Carolina Shores Drive - I was listening to some of the people's comments about cutting down the trees and it causing a flooding problem. A little history: after Hurricane Floyd, plans for storm water management were completed. The ditch at the s-curve on Persimmon Road was eliminated and two large culverts were placed. The ditch at Northwest Drive was expanded and a large culvert was placed on Country Club Drive and the culvert on Carolina Shores Parkway was replaced. We spent a ton of money to put in a detention pond and an additional detention pond was created at the recommendation of the town engineer. A logging company came in and took away many truck loads of trees. There was no concern over losing trees at that time. In February, 2009, we had eight straight days of rain. I measured seven inches in one 24 hour period. There was no flooding anywhere around Carolina Shores and I looked everywhere. Yes, there was water in the ditches; but, that's what the ditches are for: to collect the water and carry it away. Carolina Shores Golf Course is a major asset to the community. The Chapter 11 bankruptcy is for re-structuring. I think Teddy's comments are a little out-of-line. The owner of the golf course put his money up; he took a chance. The economy took a nose dive, so he's in trouble. That doesn't make him a crook. The cart paths must be replaced in order to make the golf course competitive with the new courses and increase its chances of survival. Since the golf course is our most valuable asset, we need to do what we can to save it.

David Ball, 4 Gate 8 - Mr. Ball said that when the HOA was looking into possibly purchasing the golf course, Mr. Matheny was asking for approximately twelve million dollars and the highest assessment was at five or maybe six million dollars (he stated that his figure were approximate and may be a little off). The golf course is in bankruptcy and a year from now; it may not be Mr. Matheny's property depending on what the courts say. Mr. Ball said clearly removing that many

trees would reduce our drainage capacity. Mr. Ball also discussed speeding on Country Club Road and feels that over fifty percent of the people traveling that road are speeding and asked the Board of Commissioners for any help that they could offer on that matter.

Gere Dale, 46 Calabash Dr. - Mr. Dale has mixed emotions about the removal of the trees from the Golf Course. Mr. Dale read an excerpt from a letter dated December 8th of last year regarding the golf course. Mr. Dale said obviously the golf course is in financial trouble and He can't bring himself to accept the fact that they are coming to the Town to ask for approval of this many trees. The golf course is over three years delinquent in their taxes and there should be some type of commitment to the Town that these taxes get paid. Mr. Dale said the Town was built on a swamp and if the trees are taken down the water has to go someplace like into the stormwater management system. Mr. Dale said he trusts the Tree Committee and knows they will act responsibility. Mr. Dale discussed hole number three on the golf course and the seven trees that have been banded by the tee and if you go on the cart path, they are the only trees that shade the green. The trees that give the golf course the most trouble at that green, total about fourteen and Mr. Dale has a great deal of difficulty coming up to 900 or 1000 trees.

Pete Gulliver, 13 Oakbark Ct. – Mr. Gulliver urged the Town to respect the limitations (which is meant is a supportive, nurturing way) of the volunteers on the Tree Committee and that a tree expert should be called in. Mr. Gulliver said that there are about 450 homes that abut the golf course and some serious effort should be placed on the decision of this matter. Mr. Gulliver said there are as many homes that abut the golf course as are in the entire community of The Farm or Village at Calabash. The decision affects the property value and the lifestyles of 450 homes. The Town needs to bring an expert whose only allegiance is to the taxpayers of the Town.

Dave Pflaster, 23 Swamp Fox Dr. – Mr. Pflaster said that this is a company (golf course) that is in bankruptcy and they are going to make a certain amount of money from taking down the trees and yet if the bankruptcy goes through, who gets the money, the creditors, it will not go back into the golf course for improvements. Also, the golf course owes the Town money for back taxes.

COMMISSIONER BRENNAN MADE A MOTION TO ADJOURN THE FEBRUARY 9, 2012 BOARD OF COMMISSIONERS MEETING. COMMISSIONER DAVIS SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Walter B. Goodenough, Mayor

Submitted by:
Nancy Apple
Administrative Assistant

