

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

**March 5, 2015**

**2:00 p.m.**

Mayor Walter B. Goodenough called the March 5, 2015 meeting to order at 2:00 p.m. The Pledge of Allegiance was recited and there was a moment of silence. Commissioners Present: Joseph Przywara, John E. Manning, Greg Davis, Bill Brennan and John Russo. Also Present: Jon Mendenhall, Town Administrator and Nicole Marks, Town Clerk.

Absent: None

**Agenda Adjustments:**

COMMISSIONER DAVIS MADE A MOTION TO AMEND THE AGENDA BY CHANGING ITEM NUMBER X. ON THE AGENDA TO ADJOURNMENT. 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:**

Gere Dale, 46 Calabash Drive – Mr. Dale said he is continuing his remarks from last Monday on transparency and forthrightness in our town government. Mr. Dale said he talked to quite a number of people in our community and they also talked to him about our town government. Mr. Dale said he boiled down their four complaints in these four categories: 1. the need for an honest and forthright government, 2. fiscal responsibility, 3. a user friendly Recycle Center and 4. effective monitoring of the storm water management system. Mr. Dale said under honest and forthright government, he doesn't understand why you folks can't tell we taxpayers about the need and scope of the reorganization of the Maintenance Department. Mr. Dale said our residents interact with the Maintenance Department a lot more than they interact with you, they recognize our maintenance Department; Tom, Sal, Bill and John have served this town longer I believe than any of you who are up there on the dais. Mr. Dale said he wondered if they were offered full time positions and he doesn't expect any answers because obviously there have not been given any answers up to this point. Mr. Dale said he is wondering why you haven't introduced the new Maintenance Supervisor as you did with the Code Compliance Officer, what's his name, what's his work hours, what's his salary. Mr. Dale said he thinks the taxpayers are deserving of knowing that information. Mr. Dale said how many full time maintenance men did you hire, I think the taxpayer money deserves an answer on that. Mr. Dale said what are the financial implications to the town if their hired with benefit packages; he thinks the taxpayers deserve the courtesy of that information. Mr. Dale said in regards to fiscal responsibility, he's not sure why the town spent \$30,000.00 on vehicles at the end of last year. Mr. Dale said he's not sure of what the cost of the desktop computers that you have and how that benefits the residents, taxpayers who paid for those desktop computers. Mr. Dale said I don't know why you can't tell the residents how much the resurfacing of Clubview cost, he thinks that is very important (At this point, Mayor Goodenough said that Mr. Dale could still have his time but on that subject, everybody is aware what that cost, it was publicized, it was \$500,000.00 and

something sir.) Mr. Dale said I am unaware of that and you tell me where that's been publicized because you published a newsletter in February, you said that that road had been resurfaced and the comment that was added to that, "please drive safely along this road." Mr. Dale said there wasn't anything in there about what the cost was, I beg your pardon. Mr. Dale said lastly in this category, why haven't we been told as taxpayers about the very serious accident that occurred over in the Recycle Center, a little over a month ago. Mr. Dale said it involves a town piece of equipment and it involves one of your constituents, his car was totaled over there and he hasn't seen anything in which you've had the forthrightness to tell your taxpayers about what happened. Mr. Dale said with regard to the Recycle Center, he submitted a recommended traffic pattern, complete with a recommendation to put painted white lines three months ago, including making the left side of the compactor available for the residents and he doesn't see anything that has happened with that, that was three months ago that he presented that. Mr. Dale said your sticker limit of two limits per household, changing a practice that's existed for sixteen years, where households were permitted to have a sticker for each one of their vehicles and you are permitting a second one, as long as they pay ten dollars for it. Mr. Dale said finally, I've not noted any progress on improving the swale handling of stormwater or an effective working on golf course ditches to eliminate stoppage points and eliminate long and standing water. Mr. Dale said he's heard all kinds of positudes about you're going to do that but he hasn't seen any evidence. Thank you.

### **Consent Agenda:**

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

- Approval of Minutes: February 2, 2015; February 5, 2015

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

### **Administrative Reports:**

Request – Mr. Mendenhall said he has a request that came in today for a request of funding for \$8,000.00 to fund the Calabash firework's display on July 4, 2015 for the Board's consideration. There was discussion on this item. It was the consensus of the Board to discuss this item at the Board Retreat.

Re-Inspection Process – Mr. Mendenhall said that we are working on some re-inspection programs and it's no secret that we have been inundated for some time on requests for inspection. Mr. Mendenhall said we have a lot of good positive activity in our communities particularly in The Farm at Brunswick, Calabash Lakes and Lighthouse Cove and we are seeing a lot of activity. Mr. Mendenhall said we billed out about \$1,100.00 in re-inspection fees to try to get that under control.

Maintenance Activities – Mr. Mendenhall said today we finished drainage activity at Cleek Court, replaced the pipe and re-graded and fixed the bottom of the catch basin which needs additional attention. Mr. Mendenhall said we don't quite have all the tools we need to do some of these things and had to rent a concrete saw to cut through the headwall. Mr. Mendenhall said we have scheduled for the month of March to go through and do some drainage work, pull some

roadside ditches and de-sill them. Mr. Mendenhall said weather is a factor; if it's too wet we won't be able to get the backhoe out on the shoulders to do anything.

Calendar Activities - Mr. Mendenhall reviewed the upcoming events.

**Public Hearings:**

Public Hearing on an ordinance to amend the zoning map for Parcels #2400000401 and 2400000402 on Calabash Road:

COMMISSIONER BRENNAN MADE A MOTION TO OPEN THE PUBLIC HEARING ON AN ORDINANCE TO AMEND THE ZONING MAP FOR PARCELS #2400000401 AND 2400000402 ON CALABASH ROAD. 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.

Public Comment on Public Hearing:

Kevin McGrath, 130 Calabash Road, NW – Mr. McGrath asked where is it exactly.

(Mr. David McPherson responded to Mr. McGrath's question)

David McPherson – Mr. McPherson said it's approximately 5/10 of a mile on Calabash Road off Highway 17, on the left just before Koolabrew. Mr. McPherson said there is one piece of property in between Koolabrew and them.

Beverly Moran, 191 Calabash Road – Ms. Moran said she is speaking on behalf of herself and her brother who owns property that's in the middle of this property. Ms. Moran said she was told that they would not be using the easement to the property that goes all the way to Carolina Shores North because she spent \$1,500.00 on that dirt drive and Mr. McPherson said no, they would not use that. Ms. Moran said her next concern is will she sit on the front porch and look at a warehouse. Mr. McPherson said they are going to do the front of the building where it looks nice like a cottage style appearance to give it a residential look. Mr. McPherson said they are going to plant some type of buffer which will give it some type of cushion between. Ms. Moran said the house that sits amidst that property was her moms and she is deceased and it is now her brothers and she asked Mr. McPherson if they were going to do the same thing around that and Mr. McPherson said they will have a buffer around that too. Ms. Moran said when her grandmother gave her this land, she gave her a fifteen foot easement to her property and all the way back to Carolina Shores North where her brother also owns two acres, now once you get past hers, that is her moms it's only a fifteen foot easement, so you will not be using that road at all. Mr. McPherson said no. Ms. Moran said that was her concern because she maintains the road. Mr. McPherson said they are going to put their own drive in, actually kind of start from that road and Ms. Moran said that doesn't bother her. Ms. Moran said to Jon Mendenhall, you had asked me about annexation and she has talked to probably about fifty people and that's a no go. Ms. Moran said she doesn't know anything about a petition but she doesn't have a problem doing that. Mr. Mendenhall said it's just a routine question they ask everyone. Ms. Moran said that Jon Mendenhall asked her about annexation and she just wanted to give him an answer and he is a very nice gentleman and she appreciates his services and concerns, thank you.

Mayor Goodenough said annexation is not enforceable; it's just a question we ask if someone's interested and would not be pursued in any other way. Mayor Goodenough asked if this was going to be a manufacturing facility and Mr. McPherson said no it's only going to be a warehouse facility. Mr. McPherson said at some point he may change it to manufacturing but at this point, no.

COMMISSIONER DAVIS MADE A MOTION TO CLOSE THE PUBLIC HEARING ON AN ORDINANCE TO AMEND THE ZONING MAP FOR PARCELS # 2400000401 AND 2400000402 ON CALABASH ROAD AND GO BACK INTO REGULAR SESSION. COMMISSIONER PRZYWARA SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Public Hearing on an ordinance to amend the subdivision process to allow for more Board of Commissioners input:

COMMISSIONER RUSSO MADE A MOTION TO OPEN THE PUBLIC HEARING ON AN ORDINANCE TO AMEND THE SUBDIVISION PROCESS TO ALLOW FOR MORE BOARD OF COMMISSIONERS INPUT. 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.

Public Comment on Public Hearing:

None

COMMISSIONER RUSSO MADE A MOTION TO CLOSE THE PUBLIC HEARING ON AN ORDINANCE TO AMEND THE SUBDIVISION PROCESS TO ALLOW FOR MORE BOARD OF COMMISSIONERS INPUT AND GO BACK INTO REGULAR SESSION. 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.

**Old Business:**

None

**New Business:**

Second reading and adoption of an ordinance to amend the zoning map for property located on Calabash Road, parcel # 2400000401 and 2400000402

Mr. Mendenhall said for the benefit of the Board and the public, this is an Ordinance of the Town of Carolina Shores, providing that its Code of Ordinances be amended by changing and altering the boundaries of a certain zoning district established under the Zoning Ordinance of the Town of Carolina Shores, North Carolina, so as to amend the Zoning Map thereof. Mr. Mendenhall said it's a technical Ordinance as defined in N.C.G.S. 160A-77. Mr. Mendenhall said what this does is amend Title IX: Planning and Regulation of Development, Chapter 91 Unified Development, Section 91.09 that the official Zoning Map shall be amended as follows: That portion of the real property southwest of SR 1300 known as Calabash Road located on

Calabash Road, Calabash, North Carolina, 28467, Brunswick County Tax Record Number 2400000401 and 2400000402, are hereby reclassified Industrial (ID) from Neighborhood Business (NB). Mr. Mendenhall said there is a Consistency Statement required by State Statute and the Consistency Statement reads as follows: "Consistency Statement: Section 1 is found to be consistent with the plan of land use and zoning for the Town of Carolina Shores. Section 1 is found to be both reasonable and in the public's interest as it continues with the land development patterns in the vicinity of the area in a westerly and northerly direction. A portion of the intended use of the property is currently permitted by right in the NB district (retail), the addition of wholesale/warehousing necessitates an ID (industrial) classification change, but does not change the overall use or development pattern of the area. The relationship of this use to the uses already found in the NB district is found to create no greater a burden on the public's health, safety, and welfare and further advances the general welfare through the productive use of the parcels mentioned in Section 1 for the purposes of development to a higher and more productive use than the residential non-conforming use currently established on the property. Mr. Mendenhall said all ordinances and parts of ordinances in conflict with is ordinance are hereby repealed and this ordinance shall be effective as of the date of the date of final adoption, which will be today if the Board so chooses.

COMMISSIONER BRENNAN MADE A MOTION TO APPROVE THE SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND THE ZONING MAP FOR PROPERTY LOCATED ON CALABASH ROAD, PARCEL # 2400000401 AND 2400000402. COMMISSIONER DAVIS SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. Commissioner Russo asked if this answered Ms. Moran's question. Commissioner Przywara asked Ms. Moran to repeat her question. Ms. Moran asked if she was still going to be zoned as Neighborhood Business on her property and the Board responded yes, her property is not changing whatsoever. Commissioner Przywara said the rezoning is specifically for the two parcels mentioned. Ms. Moran asked is that not spot zoning? I mean I don't know it's just a question. Commissioner Davis said yes it is and he's never heard that term before. Mr. Mendenhall said the Consistency Statement has found that it's consistent with the pattern of development in that area, meaning it's commercial, its uses are similar to the uses found in Neighborhood Business and it's with the pattern of development along that portion of Calabash Road, from the corner all the way up to Koolabrew, so based on the legal description it is not spot zoning. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Second reading and adoption of an ordinance to amend the subdivision process to allow for more Board of Commissioners input

COMMISSIONER BRENNAN MADE A MOTION TO APPROVE THE SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND THE SUBDIVISION PROCESS TO ALLOW FOR MORE BOARD OF COMMISSIONERS INPUT. COMMISSIONER PRZWARA SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY DISCUSSION. Mayor Goodenough said it keeps the Board of Commissioners in the loop as far as Planning goes and the Planning Board would bring an item to the Board of Commissioners. Mayor Goodenough said as it stands right now, the Board is not really in that process. Commissioner Brennan said it's a text issue. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

**Mayor and Commissioner Comments:**

Commissioner Brennan – Commissioner Brennan said he certainly feels rather bad when the integrity of this Board is impugned and the only thing he wants to say about that is everybody has a right to their opinion but I don't believe everybody has a right to their own set of facts, that's all.

Commissioner Russo – Commissioner Russo said he wanted to talk about Arbor Day and the letter from Jessie Mae. Commissioner Russo said they wanted to Arbor Day at their school and he felt it's a town procedure something we do here at the Town. Commissioner Russo said he has already made arrangements with somebody to donate a tree to the school himself. Commissioner Russo said to him, it's a continuation of Arbor Day. Commissioner Russo said otherwise, things are going to be the same since 2009.

Commissioner Przywara – None

Commissioner Davis – None

Commissioner Manning – None

Mayor Goodenough - None

**Closed Session:**

None

**Adjourn:**

COMMISSIONER BRENNAN MADE A MOTION TO ADJOURN THE MARCH 5, 2015 BOARD OF COMMISSIONERS MEETING. COMMISSIONER RUSSO SECONDED THE MOTION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

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Walter B. Goodenough, Mayor

Submitted by:  
Nicole Marks  
Town Clerk