

**TOWN OF CAROLINA SHORES  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
November 5, 2015  
2:00 p.m.**

Mayor Walter B. Goodenough called the November 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.

Absent: None

Others Absent: Nicole Marks, Town Clerk

**Agenda Adjustments:**

None

**Public Comment:**

Gere Dale, 46 Calabash Dr. – Mr. Dale said he would like to commend Mr. Brennan on his reelection. Mr. Dale said he wanted to comment on one of the Resolutions that the Board is going to address this afternoon which is the Resolution for Approval Closed Session Meeting Minutes. Mr. Dale said just an observation, you're going to approve minutes for four years, where you've had nine closed door meetings and so far this year you have had ten. Mr. Dale said I'm curious about that. Mr. Dale said I know the Town has published information, several of the Commissioners have reiterated that; that all the ditches were cleaned before this recent rainfall and that of course is absolutely incorrect. Mr. Dale said I walked all of these ditches except the ditch between the Village at Calabash and the Acreage. Mr. Dale said those ditches are still all in the same shape they were in back in the spring, except worse. Mr. Dale said they are in the same shape they were a year ago, except worse. Mr. Dale said a little historic perspective if you will, you had Hurricane Bonnie in 1998; we split from Calabash the next month, September, 1998 in all relationship. Mr. Dale said the Houston Report was prepared in June of 1999. Mr. Dale said I don't know whether anybody in the Town has ever bothered to go back and look at this document. Mr. Dale said you had Floyd in September of 1999, terrific flooding. Mr. Dale said that prompted the Town to make a number of changes in ditches, culverts and stormwater management and it also prompted them subsequently for this report; the Hobbs & Upchurch Stormwater Drainage Update and I don't know if anybody here has seen this report. Mr. Dale said anyway, all of these reports indicated that it was extremely essential to keep ditches and canals clear in this Town. Mr. Dale said I haven't kept close track so pardon me if I make an error in terms of timeframe. Mr. Dale said Mayor Mann here can probably confirm with me that under his regime, Gerin Hughes and Brunswick Trucking were in here regularly. Mr. Dale said as often as once a year to clean out the ditches and he cleaned out the sandbars. Mr. Dale said I have not seen Brunswick Trucking in here in four years. Mr. Dale said he hopes Brunswick Trucking has bid on the job to try and repair the problems that exist right now. Mr. Dale said Brunswick Trucking has always been here for this Town, they've always been responsive and they have always been financially prudent. Mr. Dale said and I hope

if you're going to pass any kind of resolution today, that it includes the use of Brunswick Trucking. Thank you.

**Consent Agenda:**

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

- Approval of Minutes: September 8, September 10, September 17 and October 8, 2015.
- Resolution of Approval of Closed Session Meeting Minutes

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:**

Mr. Mendenhall said he has a number of reports, primarily for answers to the requested information at the workshop meeting:

Jetter – Mr. Mendenhall heard back from four companies who have all said that the rental of Jettors are not available.

Request to have Brunswick Trucking Look at the Driveways and Roadway Culverts – Mr. Mendenhall said there is a price of \$500.00 per driveway and \$700.00 per roadway culvert from Brunswick Trucking. Mr. Mendenhall said we feel like there are 100 driveways and probably 50 roadway culverts that need to be washed/cleaned out. Mr. Mendenhall said he uses the term wash very loosely. Mr. Mendenhall said if there are a lot of roots in the culverts, the price could escalate. If it's just mud and that sort of thing, it's an easy job it would be much cheaper than that.

Maintenance Responsibility for Driveway Culverts – Mr. Mendenhall said it's in the Town Code that the Town is responsible for all the repairs of streets, sidewalks, storm drains and is responsible for cleaning them as required and that is Section 40.21. Mr. Mendenhall said there is another section on the second page 40.14 that talks about drainage and it's the responsibility of each and every person in the Town to make sure driveway culverts, ditches, drains or other property owned by the Town is not obstructed nor any culvert, ditch or drain to prevent the free flow of water on, over or under the streets of the Town, causing the street to be inundated. Mr. Mendenhall said Section 40.20 are the acts and conditions requiring special street cleaning or repair, meaning that it's against the Town Code to damage streets, sidewalks and all the related attachments including storm drains. Mr. Mendenhall said finally, Section 41.01 which is in a different chapter, which is Chapter 41 talks about the definition of a drainage way. Mr. Mendenhall said it specifically says: "Drainage Way is any drainage easement, right-of-way, channel, stream, creek, swale, ditch or other facility which the general public or the town has a right or interest for stormwater drainage purposes, which conveys surface stormwater runoff throughout the town, except that roadside ditches shall be considered as an integral component of street operation and maintenance and not a drainage way".

Website – Mr. Mendenhall said staff has ascertained that there is a website vendor that currently does our website that can create a Listserve. Mr. Mendenhall said Nags Head currently has one and staff is trying to contact Nags Head to see how that would work. Mr. Mendenhall said it's an online form that's available on the website and would self populate a database but we are not sure how it works, it may not be the best option. Mr. Mendenhall said it is currently something the Town has, it is just not set up via the website that we have in place.

Public Speaker Regarding Ditch Ownership – Mr. Mendenhall said the Board asked if the public speaker could bring supporting documentation on who owns the ditch between his house and his neighbor and he has done that. Mr. Mendenhall said it is private property, the property line runs down the center of that ditch.

There was lengthy discussion on cleaning out the driveway and roadway culverts. The Board said it would cost a quarter of a million dollars or more.

COMMISSIONER BRENNAN MADE A MOTION TO INSTRUCT BRUNSWICK TRUCKING TO WORK AND CLEAN OUT THE MAIN DITCHES AS PER NOTED IN THE PROPOSAL. COMMISSIONER DAVIS SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY FURTHER DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

There was discussion on purchasing equipment for the Town. It was the consensus of the Board to postpone until the new Board sits.

There was discussion on road repair. Mr. Mendenhall said at the last workshop meeting the Board was committed to getting more prices. Mr. Mendenhall said since then, we received two more bids for a total of three bids. Mr. Mendenhall said that Coastal is the low bid at \$9,052.00. Mr. Mendenhall said these areas are the Gateway, The Farm any area that was inundated with and had significant water damage. Mr. Mendenhall said there are some areas in the Village that have the same type of potholes needing repair. Mr. Mendenhall said at The Farm entrance where the riprap has become disjointed is probably the most expensive part. Commissioner Manning asked Mr. Mendenhall if Coastal has done work for us before and Mr. Mendenhall said yes, the seal coating at The Farm. Commissioner Manning asked Mr. Mendenhall if Coastal is competent to do this work and Mr. Mendenhall said yes sir.

COMMISSIONER PRZYWARA MADE A MOTION TO APPROVE THE \$9,100.00 FOR COASTAL TO DO THE WORK. COMMISSIONER DAVIS SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY FURTHER DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

There was discussion on Response for overtime and supplies that were used in the event.

COMMISSIONER DAVIS MADE A MOTION TO PAY THAT. COMMISSIONER PRZYWARA SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY FURTHER DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

**Public Hearings:**

None

**Old Business:**

Flood Recovery Package – Previously discussed under Administrative Reports.

**New Business:**

Exploratory Memorandum of Understanding with Brunswick Community College – Mr. Mendenhall said the Board has in front of them a MOU as a Memorandum of Understanding between the Town of Carolina Shores and Brunswick Community College to develop a future of the South Brunswick Island Center. Mr. Mendenhall said this is basically an exploratory MOU to work and partnership with Brunswick Community College on that center and to bring community type services more integrated to the community.

COMMISSIONER DAVIS MADE A MOTION TO ENABLE MR. MENDENHALL TO FULFILL THE MEMORANDUM OF UNDERSTANDING WITH THE TOWN OF CAROLINA SHORES AND BRUNSWICK COMMUNITY COLLEGE. COMMISSIONER MANNING SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY FURTHER DISCUSSION. Commissioner Brennan said yes, as long as this does not cost us anything. Commissioner Davis said we won't know what anything costs until we sit down with them. Commissioner Brennan said it's not a question of that but he recalls a point and time about having a gathering place but everybody was happy having their own place with amenities and so on. Commissioner Przywara mentioned the 15<sup>th</sup> Anniversary Celebration and said that maybe Joyce, Gere and Mary can think of something that will benefit everybody. Commissioner Davis said we have talked many times in the last four years about becoming one and we did have a birthday party there and that was the one time it worked. Commissioner Davis said if we can work out something with Brunswick Community College, so we possibly have concerts or a place for our six neighborhoods or for HOA meetings, we have to go rent a Church for HOA meetings and other places do too because we don't have an amenity center to hold enough people. Commissioner Davis said maybe it's a chance to open up something that we never had before. Commissioner Davis said all we are doing is opening up discussions, we're not solidifying anything, we're not spending any money, just discussions. Commissioner Russo said we will find out more when we get started. Mayor Goodenough said he still likes the idea that we have the right for first refusal. Mayor Goodenough said the County turned it down already. Mayor Goodenough said the option is there and it could be a bigger place to vote. Commissioner Davis said and then you wouldn't have to stand out in the rain and Mayor Goodenough said some of us didn't do that. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Goodenough said before we move on to Mayor and Commissioner Comments, thanks to the gentleman sitting on the end seat in the blue shirt rubbing his face, bringing up what he brought up a few minutes ago as far as expenditures and how this Town spent money and where this Town spent money or anything like that. Mayor Goodenough said for one of our last meetings, lets try something different. Mayor Goodenough said one at a time, if you have a question for this Board that you think we did something inappropriate or you would like an answer to, one at a time, it's not going to be a banter back and forth, if you have a problem with possibly us spending half a million dollars on something in my community that you didn't get in

your in community. Mayor Goodenough said I will answer that one, that was a road project and explained further. Mayor Goodenough opened up the floor and there was general discussion with the Board and public.

Mayor Goodenough said before we get to item #8, as far as swearing in the new members, the new Board, that will be done at the first regular meeting in December, December 10<sup>th</sup>, I think that is the regular meeting. Mayor Goodenough said the first regular meeting; the 10<sup>th</sup> will be the swearing in for the new Board.

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

Commissioner Brennan – None

Commissioner Manning– Commissioner Manning said this Board would like to congratulate the people that did run on Tuesday to the winners that are here, the new Mayor and two new Commissioners. Commissioner Manning said I would also like to thank the Commissioners that were not reelected for all the work they have done. Commissioner Manning said six years ago, he remembers when the Mayor ran as Commissioner and he did a hell of a job. Commissioner Manning said this Board, I think, has done a good job and we are going to change a little on the 10<sup>th</sup> of December but on a whole I think we have accomplished a great deal. Commissioner Manning said the Town isn't that old and as we look around, we've done a fairly decent job and we should all be thankful. Commissioner Manning said I thank them for serving on the Board and I think everybody here should be thankful this Board served the way they did.

Commissioner Davis – Commissioner Davis said I would like to publically congratulate elected Mayor Dunn, Commissioner Dale, Commissioner Timothy and reelected Commissioner Brennan. Commissioner Davis said I would also like to thank Commissioner Russo and Commissioner Przywara and Mayor Goodenough for their service.

Commissioner Russo – Commissioner Russo said I would like to congratulate the winners. Commissioner Russo said he, like Mr. Dale is the oldest and longest in the Town. Commissioner Russo said whatever he did for the Town; he always did for us the Town. Commissioner Russo said really I will miss my partners and wish good luck to all the ones that made it. Commissioner Russo said he is sorry that he can't continue but I'm going to make sure they continue. Thank you.

Commissioner Przywara – Commissioner Przywara said I was able to congratulate Joyce and Gere at the night of the vote count. Commissioner Przywara said congratulations to Mary. Commissioner Przywara said change is not a bad thing, it's a good thing. Commissioner Przywara said new ideas that will come in hopefully with some of the concepts they have, they can try to pull the community together. Commissioner Przywara said it will be difficult because we all have our own identity; we all have our own amenity centers and stuff like that. Commissioner Przywara said from his perspective, I served as a Commissioner here for eight years and I enjoyed it. Commissioner Przywara said I also served fourteen years someplace else; so he has twenty two years under his belt and for eighteen years he was Deputy Mayor/Mayor Pro-Tem and spent twenty-eight years on a Planning Board. Commissioner Przywara said his whole career was Public Health, so I have been in Public Service all my life. Commissioner Przywara said maybe it's time as my wife tells me to think about her a little bit more. Commissioner Przywara said the only reason I am saying all of this is not because I want to ignore the individuals who won the election but the first week of December I have a commitment

someplace else and I won't be at the meeting. Commissioner Przywara said there are only a few things that I would like to talk about. Commissioner Przywara said one of the things that have changed internally in this building and I hope it continues with the newly elected officials is at one time the Commissioners sort of had control of different departments and could control people. Commissioner Przywara said we have established a process where the Commissioners all deal with the Administrator, everything goes to the Administrator. Commissioner Przywara said there is no conflict or people getting stressed out because they're being told by one Commissioner to do something and then being told by another to do something, let Jon battle it out and hopes that can stay true. Commissioner Przywara said he already mentioned when Gere talked about the ditches, he neglected The Farm and Calabash so that goes to thinking about we are one community except for when it comes of interest, he said all the ditches will be done. Commissioner Przywara said the Closed Minutes, when he got on this committee and after Gere was no longer around, we adopted Closed Minutes for meetings that Gere was at, so it's nothing unusual, you have this idea about closed door meetings, you can come and look at the minutes and he didn't realize we came back into open session and they took no action before they discussed it and it should continue on through because that is the process under North Carolina law. Commissioner Przywara said don't believe everything you hear. Commissioner Przywara said one last thing that he is happy to see accomplished here is that we got economic development in this Town. Commissioner Przywara said we've got the medical center and a 33 acre piece of property that will bring tax benefits to this Town. Commissioner Przywara said we gave incentives to one property but everybody else pays their full share, so to him that is a win, win. Commissioner Przywara said hopefully as this starts to populate there will be stores for people to go and shop in. Commissioner Przywara said he would like to thank everybody for the time he had here and now he is going to go and enjoy retirement like he was supposed to do when he moved down here. Commissioner Przywara said the one specific reason to move down here is golf. Thank you all.

Mayor Goodenough – Mayor Goodenough said he would also like to congratulate all the winners of this previous election. Mayor Goodenough said as I stated early on, when I saw the candidate's that were running and opposing us, I immediately said early on that this election is not about me and it still is not about me, it's about the Town, it always has been. Mayor Goodenough said I'm changing seats, December 10<sup>th</sup>, that seat becomes vacant. Mayor Goodenough said I want to say thank you to everybody, all the communities and the Board.

**Closed Session:**

None

**Adjourn:**

COMMISSIONER BRENNAN MADE A MOTION TO ADJOURN THE NOVEMBER 5 2015 BOARD OF COMMISSIONERS MEETING. COMMISSIONER PRZYWARA SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY FURTHER DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

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Mayor

Submitted by:  
Nicole Marks, Town Clerk  
Via notes from Jon Mendenhall, Town Administrator  
and Audio Recording.