

**TOWN OF CAROLINA SHORES
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
November 7, 2013
7:00 p.m.**

Mayor Walter B. Goodenough called the November 7, 2013 meeting to order at 7:00 p.m. The Pledge of Allegiance was recited and there was a moment of silence. Commissioners present: Joseph Przywara, Joyce Dunn, John Russo, Bill Brennan, and Greg Davis. Also present: Mike Hargett; Town Administrator, Nicole Marks; Town Clerk, Julie Munday; Finance Director and Chuck Riggins, Building Inspector

Absent: None

Approval of the November 7, 2013 Agenda:

COMMISSIONER DUNN MADE A MOTION TO APPROVE THE NOVEMBER 7, 2013 MEETING AGENDA. COMMISSIONER RUSSO 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 AMEND THE MEETING AGENDA BY ADDING TO THE AGENDA, THE ORDINANCE ADOPTING REGULATIONS FOR THE DISPOSITION OF SURPLUS PERSONAL PROPERTY AS ITEM 12A AND ADDING THE RESOLUTION DECLARING UNNEEDED TOWN EQUIPMENT AS SURPLUS PERSONAL PROPERTY FOR DISPOSAL AS ITEM 12B. COMMISSIONER RUSSO 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:

- Resolution for Julie Munday as Interim Town Administrator – Revised Resolution is placed on the Consent Agenda for this meeting.
- Resolution Approving the \$12,700 from the Carolina Shores Drive Project to the Public Works Department for Road Repairs
- Proclamation for Purple Heart City has been added to the Consent Agenda of this meeting.
- Isaac Norris is present to give overview of Audit
- Public Hearing – Has been duly advertised and letters sent to property owners. The Board may consider the Ordinance regarding the proposed text and map amendments.

- Resolution Approving the Modifications to Beacon Townes Development Plan this pertains to the addition of zero lot lines for future development and also modification of the front setbacks.
- Resolution Accepting Dedication of the Streets in the Beacon Townes at Carolina Shores which was covered at the Board's Workshop
- Ordinance and Resolution regarding surplus property has been added to this meeting agenda for Board consideration.

Public Comment on Agenda Items Only:

None

Consent Agenda:

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

- October 7, 2013, BOC Pre-Agenda Meeting Minutes
- October 10, 2013 BOC Regular Meeting Minutes
- Resolution Appointing Julie Munday Interim Town Administrator
- Resolution Approving Transfer of \$12,700.00 from Carolina Shores Drive Project to the Public Works Department for Road Repairs
- Proclamation - Purple Heart

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.

Annual Audit Presentation, Isaac Norris, CPA:

Town Auditor, Isaac Norris gave the presentation of the Town's year end audit to the Board of Commissioners. Mr. Norris reviewed the charts that he handed out to the Board regarding General Fund Revenues 2012-13, General Fund Expenditures 2012-13 and the Capital Projects Fund Expenditures for year ending June 30, 2013. In the report, it was Mr. Norris's opinion that the General fund for the year ended in conformity with accounting principles generally accepted in the United States of America. Mr. Norris said the Board did a very good job with spending and spent money conservatively. Mr. Norris thanked the Board of Commissioners and Town staff.

Public Hearing to Consider Proposed Rezoning from R-8 to Manufactured Home II (MFHII) District and Text Amendments to Allow More Than One Dwelling Per Lot in the MFHII District:

COMMISSIONER BRENNAN MADE A MOTION TO OPEN THE PUBLIC HEARING TO CONSIDER PROPOSED REZONING FROM R-8 TO MANUFACTURED HOME II (MFHII) DISTRICT AND TEXT AMENDMENTS TO ALLOW MORE THAN ONE DWELLING PER

LOT IN THE MFII DISTRICT. COMMISSIONER DAVIS SECONDED THE MOTION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Goodenough said they would hear public comments regarding the Public Hearing.

Mr. Guy L. Marlow, 1368 Simon Dr., Chesapeake, VA 23320 – Mr. Marlow said he and his wife felt it necessary to come to the Board of Commissioners meeting to express how they feel about the proposed rezoning. Mr. Marlow said no matter what decisions are made now days, we have to think about how it affects other people. Mr. Marlow said he and his wife feel that their land represents their legacy and their future and this rezoning will interrupt their future. Mr. Marlow said they wanted to express that they do not live here but the land has been in his family for more than seventy years and he would like to see the best for it but at the same time he understands how his family feels. Mr. Marlow said this is the first that he has heard from the Town Administrator that more than 20 members of his family wish for the proposed rezoning to take place. Mr. Marlow said he and his wife would not like to see the proposed rezoning take place. Mr. Marlow said he loves his family and doesn't want to be against them but not only are they thinking about their legacy and their past but their future as well. Mr. Marlow thanked the Board of Commissioners.

Mr. Ralph Mitchell, 3149 Sids Mill Road, Fayetteville, NC 28312 - Mr. Mitchell said he is the elder of the Peter J. Marlow Estate. Mr. Mitchell said his Mom and Guy's dad used to play by where the proposed rezoning will take place and that's where they were born. Mr. Mitchell said sometimes he feels like we have a tendency for expediency to take short term problems for short term pleasure, rather than long term gratitude. Mr. Mitchell said he grew up there and farmed there. Mr. Mitchell said in 1956 he planted a farm for his Grandmother while finishing high school. Mr. Mitchell said he left after high school, served three years in Vietnam and spent twenty years in the Army. Mr. Mitchell said he in the Army as a Private and looked at long term gratitude and retired as a Major after twenty-one years of service. Mr. Mitchell said his Mother always told him that God looks out for beggars and fools and he doesn't know where he falls on that spectrum. Mr. Mitchell said he doesn't want to cause anyone any displeasure but sometimes we have to look at what's best for the future and our families. Mr. Mitchell said he has five kids and that is what life is about, looking out for your kids. Mr. Mitchell said people may say that they can't afford to build a house but he says how can you afford not to. Mr. Mitchell said when you build a house, the value goes up. Mr. Mitchell said you can build a small house and add on and the value will still go up. Mr. Mitchell said he thinks they need to look at the long term future, not just the here and now. Mr. Mitchell says he doesn't want to deny anybody anything but he does not want to see the proposed rezoning take place. Mr. Mitchell said in 1961 he bought a house for \$10,000 and sold it in 1974 for \$18,000 and built another one for \$43,000 and in 1996 he sold the \$43,000 for \$150,000. Mr. Mitchell said he's not bragging, he is just saying that is how life works. Mr. Mitchell said he retired with a degree in Accounting and as a Major in the Army. Mr. Mitchell said he would not like to see the proposed rezoning take place. Mr. Mitchell said about a month and a half ago, he had a gentleman call him about some land he owns. Mr. Mitchell said he started out with \$10.00 in his pocket. Mr. Mitchell said things have worked out fine for him. Mr. Mitchell said in the end, he is not trying to say anything about anybody about what they need or want but let's think about the long term gratitude instead of the short term pleasure.

Reverend Douglas Moss, Pastor from Baptist Grove Church, 5, Court 6, NW Drive, Carolina Shores – Mr. Moss said the owner is trying to get him to buy his place. Mr. Moss said he has an opportunity to buy land and build a house but wants to know what is going on first with the proposed rezoning of the land over there. Mr. Moss said he would like to know where the change is going to occur and doesn't feel the exact location has been identified. Mr. Moss said he doesn't want to go through what he went through with the cemetery. Mr. Moss said it took a year to complete the cemetery and he doesn't want to go that route again. Mr. Moss said in regards to the cemetery it took more time and cost them extra money. Mr. Moss said he is a retired Engineer from Brown and Root. Mr. Moss said he will be getting back with the Town in the future.

Ms. Marilyn Gore, 492 Stanley Trail – Ms. Gore said she is in favor of the change because she knows a lot of people in the area that have trailers and they cannot afford to build stick built homes, simply because they do not have the money. Ms. Gore said she heard the public comment from the man who said how can you afford not to build a stick built home. Ms. Gore said they do not have the money he is talking about and she can only talk about the money they have. Ms. Gore said they live there and they can not do it.

Vera Marlow, 461 Marlowtown Road – Ms. Marlow said she is not favor of the proposed rezoning because the land is a family legacy, and it's their land. Ms. Marlow said she doesn't understand why people can't choose what they can or cannot do with their land. Ms. Marlow said for those people that have modular homes right now, that if a fire occurred or a storm were to come, they could not afford to build a stick built home and then they would have land that they could do nothing with because they can't afford to build stick built homes. Ms. Marlow said this would be like the Governor of California telling the people in England what they can and cannot do. Ms. Marlow said the people over there don't have paved roads, water and sewer. Ms. Marlow said if the residents there can't afford to, then they can't afford to and shouldn't be forced.

Mayor Goodenough explained the change to Ms. Marlow stating that if the proposed rezoning would take place, it would be the best of both worlds and would allow mobile homes. Commissioner Brennan asked Chuck Riggins, Building Inspector what the balance is in that area of types of housing. Mr. Riggins said his count was 14 manufactured homes, 1 modular and 7 or 8 stick built housing. Mr. Riggins pointed out on the map where the proposed rezoning change would take place if it where approved. There was discussion on why it was changed in the first place.

Kathryn Powell, 1070 Captains Court – Ms. Powell said that she went with Chuck Riggins, Building Inspector to the proposed rezoning area and saw how the different types of houses were laid out. Ms. Powell said her concern was she didn't think they were taking anyone's right away as to what type of housing was there. Ms. Powell said they didn't want to take people's rights away as far as what they could or could not do with their land. Ms. Powell said it brought before the Planning Board because a lady wanted to put up a residence on her land for her son. Ms. Powell asked if anything had changed that she was unaware of regarding now allowing the people to do with what they want with their land and wants to be clear about what is being said.

Lavar Marlow, Carolina Farms Blvd. – Mr. Marlow asked for clarity as to where the property line for the proposed rezoning is located on Calabash Road.

COMMISSIONER DUNN MADE A MOTION TO CLOSE THE NOVEMBER 7, 2013 PUBLIC HEARING. COMMISSIONER RUSSO 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 GO BACK INTO REGULAR SESSION. COMMISSIONER DAVIS SECONDED THE MOTION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Ordinance Adopting Amendments to the UDO Text and Zoning Map:

COMMISSIONER DAVIS MADE A MOTION TO APPROVE THE ORDINANCE ADOPTING AMENDMENTS TO THE UDO TEXT AND ZONING MAP. 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.

COMMISSIONER DUNN MADE A MOTION TO WAIVE THE SECOND READING OF THE ORDINANCE ADOPTING AMENDMENTS TO THE UDO TEXT AND ZONING MAP. 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.

Resolution Approving Modifications to Beacon Townes Development Plan:

COMMISSIONER BRENNAN MADE A MOTION TO APPROVE THE RESOLUTION APPROVING THE MODIFICATIONS TO BEACON TOWNES DEVELOPMENT PLAN. 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.

Resolution Accepting Dedication of the Streets in the Beacon Townes at Carolina Shores:

COMMISSIONER DUNN MADE A MOTION TO APPROVE THE RESOLUTION ACCEPTING DEDICATION OF THE STREETS IN THE BEACON TOWNES AT CAROLINA SHORES. 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.

Ordinance Adopting Regulations for the Disposition of Surplus Personal Property:

COMMISSIONER DAVIS MADE A MOTION TO APPROVE THE ORDINANCE ADOPTING REGULATIONS FOR THE DISPOSITION OF SURPLUS PERSONAL PROPERTY. 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 RUSSO MADE A MOTION TO WAIVE THE SECOND READING OF THE ORDINANCE ADOPTING REGULATIONS FOR THE DISPOSITION OF SURPLUS PERSONAL PROPERTY. 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.

Resolution Declaring Unneeded Town Equipment as Surplus Personal Property for Disposal:

COMMISSIONER DUNN MADE A MOTION TO APPROVE THE RESOLUTION DECLARING UNNEEDED TOWN EQUIPMENT AS SURPLUS PERSONAL PROPERTY FOR DISPOSAL. 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.

HOA/POA Committee Report:

No representative present.

Tree Advisory Committee Report:

Jim Meyer, Chairperson of the Tree Advisory Committee gave the report. Chairperson Meyer said the committee met on October 23, 2013. Chairperson Meyer said they voted to continue pursuing the 40 Year-Plan and elected to acquire the service of a consultant. Chairperson Meyer said they would have to apply for grants and would like to identify and categorize the quality and quantity of the trees we have in the Town. Chairperson Meyer discussed the Laurel Wilt disease. Chairperson Meyer said the consultant will advise us, along with working with the State and Federal Forestry Departments on how to manage and keep the trees healthy that we have. Chairperson Meyer said he would like to ask the Board of Commissioners to allow the Tree Advisory Committee to pursue a consultant. Chairperson Meyer said the grant would be a matching grant. Chairperson Meyer said the Laurel Wilt disease will probably wipe out all the bay trees in a two to three year period in Carolina Shores. Chairperson Meyer said the best defense is to have diversity.

It was the consensus of the Board to allow the Tree Advisory Committee to pursue a consultant for the 40 Year Plan but the committee needs to advise the Board on any costs that would be incurred ahead of time for their approval.

Calabash EMS Liaison Report:

No representative present.

Town Code:

Mr. Hargett said at the Board of Commissioners Workshop meeting the Town Code was discussed. Mr. Hargett said Nicole Marks; Town Clerk has disbursed the Town Code material to the Board, staff and Town Attorney. Mr. Hargett said hopefully the recommendations could be combined and discussed at the December Board of Commissioners meeting. A deadline date of November 22, 2013 was set to have recommendations turned into Ms. Marks. Mr. Hargett said the Board will have to adopt the final copy of the Town Code.

Mayor and Commissioner Comments:

Commissioner Dunn – Commissioner Dunn said Mr. Hargett could not leave until the cake was gone.

Commissioner Davis – None

Commissioner Przywara – Commissioner Przywara said The Farm is going to have a house decorating contest for Christmas and are looking for non-partial people to judge the houses.

Commissioner Russo – Commissioner Russo said he was glad to see the Marlowtown area residents at the Board meeting.

Commissioner Brennan - None

Mayor Goodenough – Mayor Goodenough said he and Julie Munday, Finance Director attended a meeting in Bolivia regarding having taxes re-distributed in a different way than what they are currently doing. Mayor Goodenough said they want to do ad-valorem which means the government or other entities that contribute to the Town would dwindle down to about 4%. Mayor Goodenough said they are looking to get about \$500,000.00 from the Town. Mayor Goodenough said there were about 40-50 people there and most Mayors in attendance made a comment. Mayor Goodenough said the committee is going to hold another meeting December 16, 2013 at 5:00 pm. Mayor Goodenough said he sees that committee sending a recommendation to the County Board of Commissioners of being in favor of the ad-valorem which would be devastating for our communities. Mayor Goodenough said this something to think about.

Public Comment:

John E. Manning, 55 Carolina Shores Dr. – Mr. Manning wanted to publically thank the Town Engineer for overseeing the Carolina Shores Paving Project along with the Town Administrator.

Mr. Manning thanked Mr. Hargett for his work with the Planning Board and getting the UDO completed. Mr. Manning congratulated Commissioner Davis on his re-election. Mr. Manning thanked Commissioner Dunn for her last four years of service on the Board of Commissioners.

Town Administrator Ad:

Commissioner Dunn said there were editorial changes for the ad regarding the Town Administrator position. Commissioner Dunn will email Ms. Munday the changes. Mayor Goodenough thanked Mr. Hargett and the Board of Commissioners for their work. Mayor Goodenough said that Mr. Hargett will be missed.

COMMISSIONER BRENNAN MADE A MOTION TO ADJOURN THE NOVEMBER 7, 2013 BOARD OF COMMISSIONERS MEETING. COMMISSIONER DUNNN SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY FURTHER DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Walter B. Goodenough, Mayor

Submitted by:
Nicole Marks
Town Clerk