



Town of Southern Shores

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

Phone 252-261-2394 / Fax 252-255-0876

info@southernshores-nc.gov

www.southernshores-nc.gov

Town of Southern Shores

Council Meeting

January 9, 2007

7:00 p.m.-Pitts Center

MINUTES

The Southern Shores Town Council met on January 9, 2007 at the Pitts Center.

The following Council Members were present: Mayor Don Smith, Dan Shields, Jodi Hess, David Sanders, and Brian McDonald.

Also present were: Webb Fuller, Town Manager; Carrie Gordin, Town clerk; and Ike McRee, Town Attorney.

Mayor Smith called the meeting to order at 7:00 p.m., led the Pledge of Allegiance and held a moment of silence for the armed forces serving around the world, for the family of President Gerald Ford and for David Cowan's family who recently lost his father. Mayor Smith stated that President Bush called for a national day of mourning for President Ford and council closed the town hall on Tuesday, January 2.

APPROVAL OF AGENDA

Mayor Smith moved to approve the agenda as presented. Council Member McDonald seconded. The motion passed with Mayor Smith and Council Members Shields, Hess, Sanders, and McDonald voting aye; no Council Member voting no; and no Council Member absent or not voting.

INTRODUCE NEW POLICE OFFICER

Lt. Paul Terry introduced Melissa (Missy) Clark. He stated that she is a native of Manteo and she recently was employed with the Kill Devil Hills Police Department for the past five years.

PUBLIC COMMENT

Mayor Smith opened the public comment section of the agenda and stated that council may reserve the option to respond to issues raised under the public comment during council's agenda toward the end of the meeting.

Pat Storey, 362 Sea Oats Trail, addressed council by saying that at a previous council meeting she requested an update on the investigation that was reported in the local newspaper regarding Chief Pledger's death and she felt she was shut down. Once again she is requesting if any reports have been provided they should be made public. She stated that it has been three months to the day and the citizens have a right to know what the report has found, favorable, or unfavorably. She stated that there are many residents in town who were fond of the chief and would like to put this to rest.

Karl Daniels, 168 Chicahauk Trail, stated that he has two concerns for council consideration. He stated that storm water on Chicahauk is a very big problem and the road needs to be repaired. He would like to know what council is doing about it. He stated that he heard there is discussion about condemnation of certain property for the dredging spoil sites. He stated that the roads are just as important as the canals, if not more important. He asked what is council doing as far as road projects. Is Chicahauk being considered?

Dan Ottavio, 162 Chicahauk Trail, stated he has the same concerns as Mr. Daniels.

Hearing no further comments, Mayor Smith closed the public comment section of the agenda.

REPORTS

Planning Board

George Kowalski, chairman of the Planning Board presented the December 18, 2006, Planning Board report.

[Clerk's Note: A copy of the December 18, 2006, Planning Board report is attached hereto as Exhibit A and made part of these minutes].

Consideration of the Cove (LDA 2006-10-01) amended site plan (36 Unit Condominium)

Mike Hejduk stated that he supports the approval of the amended site plan for the Cove with the standard and special conditions set forth by the planning board.

Mayor pro tem Shields asked if there is physical evidence that the wastewater treatment plant is able to support the development and have needed permits been obtained. Mike stated that the State has granted a permit for efficient capacity for wastewater use and that all other permits have been obtained through the site plan approval process.

The number of fire hydrants was determined to be three new ones and one existing one.

The town manager stated that when the Certificate of Occupancy is issued it will be for the entire structure not for each individual unit.

Council Member Hess moved to approve the amended site plan for the Cove (LDA-2006-01-01) to include the standard and special standard conditions recommended by the planning board. Mayor pro tem Shields seconded. The motion passed with Mayor Smith and Council Members Shields, Hess, Sanders, and McDonald voting aye; no Council Member voting no; and no Council Member absent or not voting.

[Clerk's Note: A copy of the standard and special conditions are attached hereto as Exhibit B and made part of these minutes].

Grant the Stormwater Policy Advisory Committee a three-month extension

As part of the December 20 planning board report Jay Russell, chair, of the Storm water Policy Advisory Committee requested that council considers that the committee be granted a three-month extension to allow the committee additional time to complete their report. They are waiting for a study compilation from UNC-Coastal Studies Institute.

Following discussion, Mayor pro tem Shields moved to approve Resolution 2007-01-02 and to amend the three month extension to a six month extension. Council Member Hess seconded.

The motion passed with Mayor Smith and Council Members Shields, Hess, Sanders, and McDonald voting aye; no Council Member voting no; and no Council Member absent or not voting.

[Clerk's Note: A copy of Resolution 2007-01-02 is attached hereto as Exhibit C and made part of these minutes].

Southern Shores Volunteer Fire Department

Fire Chief Harvey presented the monthly fire report.

Police Department

Lt. Paul Terry presented the monthly police report.

CONSENT AGENDA

Approval of Minutes- December 5, 2006.

Mayor Smith moved to approve the consent agenda (December 5, 2006 minutes) as presented. Council Member McDonald seconded. The motion passed with Mayor Smith and Council Members Shields, Hess, Sanders, and McDonald voting aye; no Council Member voting no; and no Council Member absent or not voting.

PUBLIC HEARINGS

Mayor Smith announced that the two public hearings scheduled for tonight's meeting have been rescheduled to the February 6 council meeting due to the cancellation of the January 2 council meeting. He stated that certain legal notification deadlines have to be met for public hearings.

OLD BUSINESS

Official Traffic Map Amendment

The town manager stated that in accordance to Town Code an Official Traffic Map is required and past councils have taken independent actions through time allowing changes in enforcement of traffic but that the map was not updated accordingly. He stated that there is no parking allowed in town rights-of-way except by council action. He stated that staff has provided an updated traffic map for council consideration.

Mayor pro tem Shields moved to adopt the Official Town Traffic Map as presented. Mayor Smith seconded. The motion passed with Mayor Smith and Council Members Shields, Hess, Sanders, and McDonald voting aye; no Council Member voting no; and no Council Member absent or not voting.

Request to Reconsider Amended Resolution 2006-12-01- Regarding the formula for distribution of Land Transfer and Occupancy Taxes among municipalities of Dare County

The town manager stated that the original resolution was drafted by the town attorney amending the formula for distribution of the Land Transfer and Occupancy taxes among the municipalities of Dare County. Upon council adopting Resolution 2006-12-01 and forwarding the resolution to the other towns requesting their support the Town of Nags Head requested that the resolution be amended in its text by removing that all the towns supported it. The towns of Manteo and Kitty Hawk made some changes to the original resolution and adopted a resolution in support.

The amended Resolution 2007-01-01 amends the text and provides a signature page for the municipalities.

The town attorney stated the proper way to adopt the new resolution is to move to rescind Resolution 2006-12-01 and move to adopt Resolution 2007-01-01.

Mayor Smith moved to rescind Resolution 2006-12-01 and moved to adopt Resolution 2007-01-01. Council Member McDonald seconded.

Mayor Smith called for any discussion, hearing none he called for the vote. Mayor Smith stated that the vote was 3 to 2. The motion passed with Mayor Smith and Council Members Sanders and McDonald voting aye; Council Member Shields and Hess voting no. No Council Member absent or not voting.

Council Member Sanders stated that he did not vote and has not decided yet. He stated that it has become apparent the resolution that council originally adopted has not been adopted by all the other towns and some towns have modified the resolution and adopted their version. He stated that we enacted a resolution and the other towns can do whatever they want and he votes no to rescinding or modifying the original resolution.

Council Member McDonald stated that the reason for modifying the original resolution was as a courtesy to Nags Head in that the original language it appeared to Nags Head that they supported the resolution.

The town attorney stated the resolutions adopted by the other towns do not include the names of all the towns that gives the appearance that all the towns support the position set forth in the resolution.

Mayor Smith explained the motion is to eliminate the original resolution and redraft a resolution that eliminates the list of the towns as shown in the original resolution. The new resolution does that and allows for the towns to sign the resolution on a separate signature page.

Council Member Hess stated that she voted no on Resolution 2006-12-01. She asked if all the towns need to support the resolution before it can be enacted

The town manager stated that the county has a relationship with the General Assembly. The commissioners would vote to move it forward to the General Assembly and not all the towns need to support the resolution for this to happen.

Mayor Smith stated that he attended a mayor's lunch today and he stated that they all agreed (mayor of Nags Head included) that it does not make any sense that a town who holds it tax and another town increases their tax rate the town that does not raise their taxes they get penalized. He stated that if Nags Head raises their tax rate for beach nourishment as proposed the Town of Southern Shores will lose \$500,000 in revenues over the next five years. This resolution would give some time to find a better way to distribute the land use and occupancy taxes more fairly.

Council Member Sanders asked what are the substantial changes between the resolutions? He stated when he read the original resolution it appears it is semantics as the way Nags Head read it.

Council Member Sanders moved to reconsider his vote. Mayor Smith seconded.

Mayor Smith asked for any discussion, hearing none the motion passed with Mayor Smith and Council Members Shields, Hess, Sanders, and McDonald voting aye; no Council Member voting no; and no Council Member absent or not voting.

Mayor Smith moved to rescind Resolution 2006-12-01 and moved to adopt Resolution 2007-01-01.

Council Member McDonald seconded. The motion passed with Mayor Smith and Council Members Sanders and McDonald voting aye; Council Member Shields and Hess voting no. No Council Member absent or not voting.

[Clerk's Note: A copy of Resolution 2007-01-01 is attached hereto as Exhibit D and made part of these minutes].

NEW BUSINESS -None

OTHER ITEMS

Council

Council Member McDonald addressed comments made during the public comment section by saying that council is aware of the storm water problems at Chicahauk. He stated that the town is involved in five storm water studies and waiting for those to be completed at which time one study would be compiled and recommendations would be made. He stated that at that time council would then decide how to appropriate money in the budget to improve those areas of concern. He also stated that the editorial stating that the town may need to condemn certain property for a spoil site was private editorial from a resident.

Mayor pro tem confirmed what Council Member McDonald stated about the studies and the funding.

Council Member Sanders stated that council will get a good sense of what is needed overall and have a plan of action instead of like in the past, trying to correct a problem one at time.

Council Member Hess stated the first step in the budget is to set up the capital budget which has not been done in the past. She stated that council is concerned and sympathetic of this cause.

She also would like to submit some items for the manager to put on the upcoming retreat agenda.

Mayor

Mayor Smith stated that council has received no information regarding the investigation surrounding former Police Chief Pledger.

Mayor Smith stated that council has been asked to review the way the planning board report is presented. Chairman Kowalski provides a thorough oral report at the mid-month (day) and the first of the month (night) council meetings. Council agreed that Chairman Kowalski only needs to provide the oral report at the night meeting and a written update at the day meeting. The written report is provided in the council packet for their review.

Town Manager

The town manager asked council to provide some direction regarding the retreat. He will provide a capital improvement plan and budget.

He stated that the Land Management Group (LMG) who is compiling a storm water report on the Chicahauk area has not completed the report and that the product should meet the contractual agreement.

He stated he will be meeting with Mike Hejduk and John Williams, LMG representative, in finalizing the report. He stated that UNC-CSI will draft the complete storm water management study.

He stated that one of the recommendations that will be made by this study is that the town needs to take back their rights-of-way to aid in the design of improving storm water. He stated that a tax increase would be needed to fix these things and make them the way they should be.

Mayor pro tem Shields stated that the storm water committee will make recommendations to council for consideration.

He requested that council go into closed session following the business portion of the meeting under G.S. 143.318.11 (a) (3) consult with the attorney for attorney /client privilege.

PUBLIC COMMENT

Mayor Smith opened the public comment section of the agenda.

Nick Nuzzi, thanked council for allowing him to speak. He that stated he is concerned about the editorial written in the newspaper regarding talk of condemnation of property for the canal dredging spoil site. He urged council not to seek that course. He stated that it is very a costly in legal fees. He stated that the use of legal fee money could be used to solve problems.

Hearing no further comments, Mayor Smith closed the public comment section of the agenda

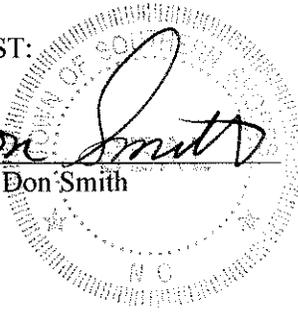
Town Attorney –None

Mayor pro tem Shields moved to go into closed session in accordance to G.S. 143.318.11 (a) (3) consult with the attorney. Council Member Hess seconded. The motion passed with Mayor Smith and Council Members Shields, Hess, Sanders, and McDonald voting aye; no Council Member voting no; and no Council Member absent or not voting.

Mayor pro tem Shields moved to enter into open session at 10:10 p.m. and moved to adjourn. Council Member McDonald seconded. The motion passed with Mayor Smith and Council Members Shields, Hess, Sanders, and McDonald voting aye; no Council Member voting no; and no Council Member absent or not voting.

ATTEST:


Mayor Don Smith



Respectfully submitted:


Carrie Gordin, Town Clerk

Memorandum

To: Southern Shores Town Council
CC: Town Manager
From: George Kowalski, Chairman, Planning Board
Date: 2/7/2007
Re: Recap, Planning Board Meeting of December 18, 2006

Planning Board recommended actions for the Town Council:

- 1. approve the site application, subject to special conditions, LDA 2006-10-01, the Cove at Southern Shores.**
- 2. grant the Stormwater Committee a three month extension, beginning January 1, 2007**

Organization: Chairman Kowalski called the meeting to order at 7:00 PM. Planning Board members George Kowalski, Georgine Poisal, Jay Russell, Dave Peckens, Joe Walter, ETJ Representative Ed Overton, Alternate Nancy Wendt, and Alternate Jim Connors were all present. Also in attendance were the Code Enforcement Administrator Mike Hejduk and Administrative Support Assistant Cyndy Gabrys.

Public Comment: There was no public comment

Committee Reports:

The **Stormwater Management Advisory Committee** report was presented by Jay Russell, who stated that the committee has received the first draft of the 'UNC Coastal Studies Institute Stormwater Management Planning Recommendations for Southern Shores' by Robert McCleden, who is working on writing the committee's report. The committee also received the final copy of the 'The Analysis of Flooding Within the Chicahawk Community' by the Land Management Group. The next Stormwater committee meeting will be on January 4, 2007 at 1:00 PM in the Pitts Center.

The **Hazard Mitigation Plan Committee** report was given by Mike Hejduk. A meeting will be held on Wednesday, January 10, 2007 at 10:00 AM.

The **Vegetative Advisory Committee** report was presented by its chairman, Jim Connors. Jim asked if the Vegetative Committee could have 20 minutes at the next Planning Board meeting to meet with the Planning Board to discuss several issues. The Board agreed.

The Land Use Plan/ Steering Committee: Mike Hejduk stated that the contract had been signed and that Cindy Camacho would be heading up the tasks of this committee. The first item will be to catch up since they are six months behind. Mike felt that it will be possible to be on schedule by June, 2007.

Site Plan Applications:

1. LDA 2006-10-01: The Cove at Southern Shores.

Jim Evans, representing Republic Cove Partners, James Mozingo, representing McKim & Creed, and Neal Blinken, representing Northern Outer Banks Assoc. along with other representatives, presented additions to their proposal to build a 36 unit condominium located at 6195 N. Croatan Hwy. ETJ representative Ed Overton was present and asked a series of questions regarding the building construction. Jim Evans presented the Planning Board with the required elevations and discussed at length the vegetation that will be planted within this project.

Subsequent to discussion, the Board, by motion, unanimously approved a recommendation that Council approve the application LDA 2006-10-01 subject to the Standard Conditions and the Special Conditions as follows:

1. Prior to ground disturbing activity, placement of fill, or installation of pilings, a structural survey of adjacent homes will be conducted by a qualified engineer at the expense of the applicant and a report be submitted to the Code Enforcement Administrator.
2. Disclosure in all the sales contracts, by the Cove developers, of the impact of an improperly operating (or in violation) wastewater treatment plant, which may delay or prevent the issuance of a certificate of occupancy.
3. The Building permit will be written specifying 2006 FIRM, 1988 NAVD standards.
4. The Building Permit shall include, under Terms & Conditions, that all thirty six (36) units will be completed and the pool installed, complete and operational with permit issued, prior to the issuance of a Certificate of Occupancy for the building.
5. The Certificate of Occupancy requires that the Condominium Owners Association contracts for:
 - a. solid waste disposal
 - b. pool maintenance
 - c. fire sprinkler and alarm system maintenance

Old Business:

- 1. Ordinance No. 2006-06-PB9 (An Ordinance of the Southern Shores Town Council Relating to Amending the Zoning Ordinance Relating to Home Occupations.)**

Planning Board member Nancy Wendt made an excellent presentation outlining the major themes that are driving the creation of this ordinance. Once the presentation was completed, the Planning Board simplified the definition of a Home Occupation and agreed in principal to the Ordinance as written.

HOME OCCUPATION / HOME BASED BUSINESS:

A profession or occupation carried on within the dwelling unit by a member or members of the household residing in the dwelling unit. A home occupation / home based business shall be secondary to the use of the dwelling unit for living purposes.

Home Occupations / Home Based Businesses are permitted in any residential dwelling unit subject to the following provisions:

1. Up to five hundred (500) square feet or twenty-five (25) percent of the habitable square footage of the principle structure on the building permit, whichever is greater, may be used in connection with a home occupation / home based business.
2. There shall be no change in the outside appearance of the dwelling unit or premises, or any visible evidence of the existence of a home occupation / home based business and no storage or display of equipment, materials or goods related to the business shall be visible.
3. No home occupation / home based business shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard or any other hazard or nuisance to any greater or more frequent extent than is reasonable and customary for an average dwelling unit.
4. No toxic, explosive, flammable, combustible, corrosive, etiologic, radioactive or other restricted materials, as may be regulated by the State Department of Environment, Health, and Natural Resources, Division of Solid and Hazardous Materials, shall be used or stored on the site to any greater or more frequent extent than is reasonable and customary for an average dwelling unit.
5. No person shall conduct a home occupation / home based business without obtaining the appropriate business, service and/or occupational license required by law. All home occupations / home based businesses shall comply with applicable state, federal, and local regulations.
6. No home occupation / home based business shall operate as a sexually oriented business or conduct sexually oriented business activities as defined in section 6.10.

A final vote will not be taken until all other complementary aspects are written.

The next section to be written is a modification of Fairfax, VA parking ordinance which will tackle the question of what types of vehicles will be allowed to be parked in Southern Shores. This will be written as a separate ordinance. After this ordinance is finalized, the questions of signs and possibly noise will also be explored and when a complete package has been created, the Planning Board will vote on it, in its entirety, and submit it the Town Council.

2. Planning Board Rules of Procedure:

The Planning Board discussed any necessary changes to the Rules of Procedure. They agreed that if a meeting date falls on a legal holiday, it will held the next business day. This is a change from past practice. This will change the January meeting from the 15th to the 16th and the February meeting from the 19th to the 20th.

A modification of Section 10. Agenda Generally: a: will now read:

A request to have an item of business placed on the agenda must be received at least ten (10) business days before the meeting. Applications must be submitted at least thirty (30) days before the next scheduled meeting.

A vote was taken and this document was approved, unanimously, however directly after the vote, Mike Hejduk noticed a discrepancy with the last Section # 21: Adoption of Ordinances generally. It will be changed to read the same as it reads in Chapter 7 of the Town Code as follows:

There shall be a quorum of three (3) members for conducting official business, and official action must be supported by a majority of the five (5) members of the board.

When the planning board is enlarged by addition of extraterritorial representation, official actions will require a quorum of four (4) members and at least four (4) members of the planning board as thus constituted must support any official action.

A new vote will be asked for at the next Planning Board meeting.

New Business:

There was no new business.

Other Items:

1. Jay Russell reminded the Planning Board that the Stormwater Committee status expires at the end of 2006 and he requests that the Town Council grant the Stormwater Committee a three month extension.
2. Mike Hejduk stated that Ziff Properties (The MarketPlace) has fired their demolition company and will be hiring a new one to continue work on the Movie Theater. They would like an assurance from the Town that if they decide to tear down that section of their building, their application for a new building permit would pass unimpeded through the Planning Board and Town Council process.

Announcements:

1. Next regular meeting: Tuesday, January 16, 2007; 7:00PM Pitts Center

Adjournment: Upon motion, the Planning Board meeting adjourned at 9:00 PM.

Exhibit B

Council approved the application LDA 2006-10-01 subject to the Standard Conditions and the Special Conditions as follows:

1. Prior to ground disturbing activity, placement of fill, or installation of pilings, a structural survey of adjacent homes will be conducted by a qualified engineer at the expense of the applicant and a report be submitted to the Code Enforcement Administrator.
2. Disclosure in all the sales contracts, by the Cove developers, of the impact of an improperly operating (or in violation) wastewater treatment plant, which may delay or prevent the issuance of a certificate of occupancy.
3. The Building permit will be written specifying 2006 FIRM, 1988 NAVD standards.
4. The Building Permit shall include, under Terms & Conditions, that all thirty six (36) units will be completed and the pool installed, complete and operational with permit issued, prior to the issuance of a Certificate of Occupancy for the building.
5. The Certificate of Occupancy requires that the Condominium Owners Association contracts for:
 - a. solid waste disposal
 - b. pool maintenance
 - c. fire sprinkler and alarm system maintenance

Exhibit C

Resolution 2007-01-02

A Resolution of the Town Council of Southern Shores, North Carolina, Relating to the Stormwater Policy Advisory Committee

Whereas, the Town of Southern Shores created the Stormwater Policy Advisory Committee (aka "Stormwater Management Committee") through Resolution 2004-11-02; and

Whereas, the Committee has met many times since its creation, taken field trips, received public input, reviewed materials, and is awaiting the results of several Town-funded studies; and

Whereas, the Town Council has extended the authority and directions of the committee through Resolution 2005-05-01 and Resolution 2005-11-02; and

Whereas, the Town Council continues its desire to improve the infrastructure, rules and regulations relating to the management of stormwater in the Town;

Now, Therefore, Be it Resolved, the Southern Shores Town Council does hereby agree to continue the authorities and directions of the Committee's report and recommendations for an additional six (6) months and the report to be given on or before June 30, 2007.

Adopted this 9th day of January 2007.

Mayor Don Smith

ATTEST:

Carrie Gordin, Town Clerk

RESOLUTION IN SUPPORT OF AMENDING THE FORMULA FOR DISTRIBUTION OF LAND TRANSFER TAX AND OCCUPANCY TAX AMONG THE MUNICIPALITIES OF DARE COUNTY

WHEREAS, the North Carolina General Assembly has enacted Session Laws 1985-449, 1985-826, 1991-177, 1991-906 and 2001-394 authorizing the collection of occupancy tax in Dare County and providing for the method of distributing the occupancy tax to the municipalities in Dare County; and

WHEREAS, the North Carolina General Assembly has enacted Session Laws 1985-535 and 2001-394 authorizing the assessment and collection of a land transfer tax in Dare County and providing for the method of distributing the land transfer tax to the municipalities in Dare County; and

WHEREAS, as provided by the enabling acts Dare County must distribute sixty-eight (68%) of the net proceeds of the occupancy tax and thirty-five (35%) of the net proceeds of the land transfer tax to the towns in Dare County in amounts proportionate the amount of ad valorem taxes levied by each town for the preceding fiscal year; and

WHEREAS, because occupancy tax and land transfer tax is distributed to a town based on a town's ad valorem tax rate levied the previous year, a town increasing its ad valorem tax will receive more occupancy tax and land transfer tax than a town maintaining or decreasing its ad valorem tax rate and thus receive a disproportionate share of taxes; and

WHEREAS, it is advisable that a more fair and equitable occupancy tax and land transfer tax distribution formula be developed and the respective enabling acts amended by the North Carolina General Assembly.

NOW, THEREFORE BE IT RESOLVED by the Town Council or Boards of the undersigned municipalities of Dare County that they acknowledge their support by executing the document as set forth on the signature page and that in effect upon signing they are agreeing to support an amendment to the occupancy tax and land transfer tax enabling acts freezing the distribution of the taxes at fiscal year 2006-2007 rates until another distribution formula agreed to by the respective towns is created and the enabling acts amended accordingly.

FURTHER BE IT RESOLVED that the foregoing towns request that the Dare County Board of Commissioners endorse amendment to the occupancy tax and land transfer tax enabling acts as set forth in this resolution and that the Dare County Board of Commissioners request that Senator Marc Basnight and Representative Tim Spears support and introduce such legislation in the session of the General Assembly convening January 24, 2007.

Town of Southern Shores

Adopted ___ day of _____, 2007

S E A L

Mayor Don Smith

ATTEST:

Carrie Gordin, Town Clerk

Town of Manteo

Adopted ___ day of _____, 2007

S E A L

Mayor John Wilson, IV

ATTEST:

Becky Breiholtz, Town Clerk

Town of Kill Devil Hills

Adopted ___ day of _____, 2007

S E A L

Mayor Chuck Ball

ATTEST:

Mary Quidley, Town Clerk

Town of Duck

Adopted ___ day of _____, 2007

S E A L

Mayor Neil Morrison

ATTEST:

Christopher Layton, Town Clerk

Town of Kitty Hawk

Adopted ___ day of _____, 2007

S E A L

Mayor Clifton Perry

ATTEST:

Lynn Morris, Town Clerk

Town of Nags Head

Adopted ___ day of _____, 2007

S E A L

Mayor Renee Cahoon

ATTEST:

Carolyn Morris, Town Clerk

Dare County Commissioners

Adopted ___ day of _____, 2007

S E A L

Warren Judge, Chairman

ATTEST:

Fran Harris, Clerk to the Board