



Town of Southern Shores

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Council Meeting
September 22, 2009
8:00 a.m.-Pitts Center

The Southern Shores Town Council met on September 22, 2009 at the Pitts Center.

The following Council Members were present: Mayor Don Smith, Brian McDonald, Jodi Hess, Kevin Stroud and Jim Pfizenmayer.

Also present were: Charlie Read, town manager, Ben Gallop, town attorney and Carrie Gordin, town clerk.

Mayor Smith called the meeting to order at 8:00 a.m. and led the Pledge of Allegiance. He held a moment of silence for the families of Bob Siegel and Francis Rogallo. He stated Bob was a long time resident who volunteered for many years on the Town's Board of Adjustment and as the president and member of the Southern Shores Civic Association. He stated Mr. Rogallo also was a long time resident and is remembered for his years being instrumental in hang gliding on the Outer Banks. He also remembered all our military men and women serving around the world.

APPROVAL OF AGENDA

Council Member McDonald moved to amend the agenda by moving Item VIII. B. Council representative to canal project to the canal dredging update. Council Member Hess seconded. The motion passed with Mayor Smith and Council Members McDonald, Hess, and Stroud and Pfizenmayer voting aye; no council member voting no and no Council Member absent.

PRESENTATION-EMPLOYEES YEARS OF SERVICE

Mayor Smith presented Jennifer Couture, police department administrative assistant with certificate of appreciation for her ten years of service and a plaque.

Mayor Smith presented Carrie Gordin, town clerk with a certificate of appreciation for her fifteen years of service and a gift.

GENERAL PUBLIC COMMENT

Mayor Smith opened the public comment section.

Jim Winebarger, Dare County Board of Education Facilities Director, stated he attended the Southern Shores Planning Board meeting last night to provide information on a Kitty Hawk Elementary School project for renewable energy known as Renewable Energy Discovery Zone "Schoolyard Demonstration Project" funded by NC Department of Environment and Natural Resources (NCDENR). He stated this program provides elementary school student to participate in a "real world" application of science curriculum and provide a broader understanding of alternative energy sources.

He now is asking Council's support on the project. He stated the project involves placement of solar panels at the school as well as a wind turbine. He stated he is aware the planning board is drafting an ordinance for the use of wireless towers and wind turbines.

He asked Council as they are moving forward on drafting the ordinance to allow this type of wind generator. He stated it is hoped that the school project will be used by other schools and more information can be found on the school's website. He stated he would be happy to take Council and or the Planning Board on a tour.

Hearing no other comments Mayor Smith closed the public comment section.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT)

The Town Manager introduced Jerry Jennings, district manager and Chad Edge, traffic engineer and stated they were invited to attend the Council meeting to address several traffic issues. They provided a Power Point presentation.

Mr. Jennings stated NC12 has many functions other than moving traffic and that vehicle and pedestrian safety is the number one factor.

Mayor Smith asked if the speed limit should be reduced to 35 mph from 45 mph on NC 12 due to the additional crosswalks.

Mr. Edge stated not necessarily and explained there are many factors to consider. He stated DOT would allow the speed limit to be reduced to 35 mph on a seasonal basis if the town requested it.

Mayor Smith feels placing signs before the crosswalk alerting drivers a crosswalk is ahead would be helpful.

Mr. Edge stated that blinking lights and signage becomes over used at times and once they blend in people tend to ignore them.

Council Member Stroud stated his observation is when drivers see people walking toward the crosswalk the drivers stop to early and this may cause a rear-end accident. He would like to see the yellow signs used not the sign that reads "must stop" at the crosswalk. .

The Town Manager thanked them for coming and asked if the R1-5 signs should be removed. Mr. Edge said yes.

Council Member Hess stated she is concerned with the number of crosswalks but that the signs do work. She stated there are thirty-three crosswalks. She asked if it would be safer to have fewer crosswalks.

Mr. Edge stated people will cross the road wherever they want.

Mr. Edge stated typically NCDOT will not put crosswalks on a road like NC12 they look at the situation and sometimes go against a standard and make a judgment call. He stated the town requested the signs.

Council Member McDonald stated he has many business trucks on NC12 and as he drives he finds it difficult to see the pedestrians due to signage and other vehicles. He feels there are too many signs or that the signs need to be reduced or placed higher so the pedestrians can be seen.

Council Member Hess asked if a traffic light could replace the blinking light.

Mr. Jennings stated there are certain requirements in the placement of traffic lights and he doesn't think traffic volume is there but they will look into it.

The Town Manager asked if NCDOT would consider a mowing contract with the town to mow the right-of-way on NC12. Mr. Jennings other areas supplement the NCDOT mowing by doing the mowing themselves. NCDOT may be willing to pay the town what they pay their mowing contractor.

The Town Manager asked if the high water signs could be replaced with signs that read "road susceptible to flooding".

Mr. Jennings stated new signs could be placed and NCDOT will meet with someone from the town to get locations.

Council Member Pfizenmayer stated he is in favor of the crosswalks and reducing the speed limit. He asked can signs be placed at the beginning and at the end of the town warning of all the crosswalks.

Mr. Jennings stated yes signs reading "crosswalks ahead" can be installed but after a while they will blend into the scenery and people won't notice them. He stated we need to educate the tourist about the crosswalks.

Mayor Smith stated the Mid-Currituck Bridge needs to be built and this would relieve the problems.

Mr. Jennings stated the schedule has not been changed from 2013.

The Town Manager asked if there is a traffic study being done for the intersection at Town Hall.

Mr. Jennings stated other than the bridge study there is none but they are aware of the congestion.

Council Member Stroud asked what can be done to allow low speed vehicles on the multiuse paths so citizens can get through town. To allow these types of vehicles on the road the speed limit must be 35 mph or less. He stated also allowing these vehicles to go to the beach would allow for more parking since they are smaller.

Mr. Jennings stated there have been legislation changes for these types of vehicles but NCDOT has no regulation authority on Town owned roads and motorized vehicles are not allowed on multiuse paths.

The Town Attorney stated low speed vehicles are street legal which requires them to meet the same safety and road standards as vehicles. He stated the use of an HOV lane may be an option which requires a separate lane.

Council Member Stroud asked about restricting cut through traffic by installing no left turn signs at S. Dogwood and Hickory Trail during specific times.

Mr. Jennings stated that is not a viable solution and would cause more problems.

APPROVAL OF MINUTES-August 25, 2009

Council Member McDonald moved to adopt the August 25, 2009 as presented. Mayor Smith seconded. The motion passed with Mayor Smith and Council Members McDonald, Hess, and Stroud and Pfizenmayer voting aye; no council member voting no and no Council Member absent.

CONSENT AGENDA

- A. Tax pickups and Releases
- B. FY2009-2010 Budget Amendment #2

Council Member Hess moved to approve the consent agenda as presented. Council Member Pfizenmayer seconded. The motion passed with Mayor Smith and Council Members McDonald, Hess, and Stroud and Pfizenmayer voting aye; no council member voting no and no Council Member absent.

[Clerk's Note: A copy of the Tax pickups and releases are attached as Exhibit A].

[Clerk's Note: A copy of the FY2009-2010 Budget Amendment #2 is attached as Exhibit B].

REPORTS-None

OLD BUSINESS

Beach Access Parking

Council Member Pfizenmayer addressed the confusion for residents and tourist of different required parking passes for different areas in town. The Southern Shores Civic Association (SSCA), Chichahauk Property Owners Association (CPOA) and the town all require a different parking pass for each of their respective parking lots. He stated he has not talked to CPOA. He stated this might encourage people to join the SSCA. He doesn't feel this would take away any parking spaces.

Council Member Stroud stated he disagrees that there would be less parking available because those who do not join the SSCA would use the town parking. He thinks the tow civic associations should have one pass and leave the town lot alone so property owners can have a place to park.

Council Member Hess asked would this mean that Chichahauk residents would be allowed to park in the SSCA parking lot without belonging to SSCA. She is not sure what we are trying to fix.

Council Member Pfizenmayer stated by having one sticker it would reduce the amount of tickets issued. He stated he would further discuss this with the SSCA and CPOA presidents and get back with Council.

Canal-Council Representative to Project

The Town Manager stated as the town prepares to kick-off Phase I of the canal dredge project it is important to keep the momentum into the permitting and grant application portions of the next phase. He requested Council consider keeping the team intact and direct the team to proceed with the next phase of this vital project as soon as the successful bidder/contractor is selected for Phase I. He stated Council Member Hess has agreed to remain as one of the team members and to participate in refining permits and preparation of the grants.

Council Member Pfizenmayer stated he thought this was the town manager's job to work with the project manager. The Town Manager stated direct council representative is important and is needed for a smooth transition into Phase II.

Mayor Smith stated he is confused with this direction since Council Member Hess was appointed to negotiate with certain parties to obtain spoil sites and that has been completed. He doesn't see why she would need to continue since Council will be kept up to date by the project manager and that Council can attend any meetings related to the project.

The Town Manager stated George Wood, EPI, and the town engineer has suggested keeping the team together.

The Town Attorney stated the project manager's contract is through Phase I. He stated the project manager will be working through issues on Phase II and there will need to be a line item in the budget for Phase II which will require a budget amendment.

Mayor Smith stated he is concerned with the budget needs and we should wait until after the bids are opened. The Town Manager needs to provide a report to Council as soon as possible regarding Phase II.

Council Member Stroud stated he appreciates Council Member Hess putting in the time and supports her staying on the team.

Council Member McDonald stated he also supports Council Member Hess remaining on the team. He stated the reason for confusion in the past is that no council person was appointed and this has been helpful.

Council agreed the team should move ahead and to keep Council Member Hess as part of the team.

NEW BUSINESS -None

OTHER ITEMS

Town Manager

The Town Manager reported Bonnie Swain, finance officer and he met with a Third Party (TPA) Administrator and the North Carolina League of Municipalities (NCLM) insurance to discuss a co-op managed by the TPA in conjunction with the NCLM (current carrier) to aid in lower insurance costs and greater benefits with an expanded network for our employee health insurance. He stated the towns of Kitty Hawk, Kill Devil Hills and Nags Head are also considering this option.

He reported working with the Capital Improvement Plan (CIP) a Cost Benefit Analysis will be discussed with Tim Gregory, public works supervisor, on ways to bring large road repairs in-house. A Funding Task Force will be established to address the financing options for the CIP and this will require Council input throughout the process.

He announced that the search for a Planner has been completed. An offer of employment has been made to Wesley Haskett to serve as planner with additional duties of inspections and permitting. He stated Wesley currently fills the dual-municipality role of Planner for Chowan County and Planning Director for the Town of Edenton. Previously he served as interim Planner for Gates County thereby working for three jurisdictions simultaneously. He stated he successfully completed a comprehensive pre-employment background investigation and will begin the first or second week in November.

Town Attorney

The Town Attorney stated upon review of the draft wireless ordinance he had made some changes and he asked Larry Lawhon, wireless committee chairman, if the planning board had approved those changes. Mr. Lawhon stated yes and that the planning board has set a public information workshop for October 14th and the Planning Board will be asking Council to hold a public hearing in November.

Mayor

Mayor Smith asked Joe Anlauf, town engineer, if there is an update on the rejuvenation project done on Soundview and Kingfisher. Mr. Anlauf stated there has been a visual inspection but to have a professional inspection it will cost \$6000 for GTE to perform it. He stated he doesn't know if now is the time to spend the money. He recommended waiting until December to visually inspect the roads and then contact GTE to ask them to support their warranty.

Council

Council Member McDonald announced the Dare County Tourism Board has hired Lee Nettles, as the new director of the Outer Banks Visitors Bureau. He stated Mr. Nettles previously was the director from Cape Fear.

GENERAL PUBLIC COMMENT-None

Council agreed to hold a five minute recess and then return for the Canal Maintenance Dredge Project Update.

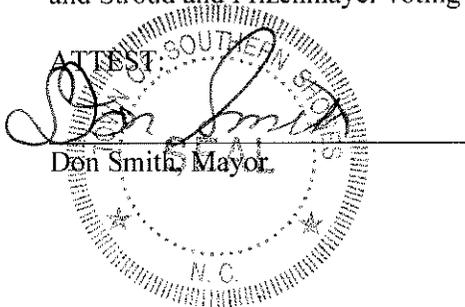
CANAL MAINTENANCE DREDGE PROJECT UPDATE

Tom Bennett, project manager, provided an update on the project by saying the town received the final permit from the Army Corp of Engineers with some requirement changes one of which is the Submerged Aquatic Vegetation (SAV) will need to be transplanted which will incur some additional costs. He stated the bid opening will be held next Monday (September 28) and three bids are required. He stated a permit modification will be needed if the new dewatering system is used.

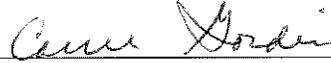
Council Member Hess stated if three bids are not received we will need to re-advertise for seven days and Council will need to hold a special meeting to approve the contract.

Joe Anlauf provided an informative power point presentation. Following the presentation he stated there will be a change to the Southern Shores Civic Association spoil site agreement dealing with the type of de-watering process sued but this will need to wait until the bids are opened. He also stated some trees will need to be removed at the marina.

Hearing no further business Council Member McDonald moved to adjourn the meeting at 10:55 a.m. Mayor Smith seconded. The motion passed with Mayor Smith and Council Members McDonald, Hess, and Stroud and Pfizenmayer voting aye; no council member voting no and no Council Member absent.



Respectfully submitted:



Carrie Gordin, Town Clerk

**TOWN OF SOUTHERN
SHORES
TAX DEPARTMENT**

9/22/2009

<u>PICKUPS</u>		<u>RELEASES</u>	
Feb. Vehicles	\$8.59	Feb. Vehicles	\$77.36
Mar. Vehicles	\$25.75	Mar. Vehicles	\$47.17
		April Vehicles	\$44.56
		May Real	\$4.56
		June Vehicles	\$2.20
<u>TOTAL</u>	\$34.34		\$175.85

**Town of Southern Shores
Budget Amendment Number # 2**

Increases			Decreases		
<u>Account Number</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
40-39909	Revenues Undesignated FB	\$12,200			
59-50915	Expenditures Brush Trimming	\$12,200			
	TOTAL			TOTAL	\$ -

Explanation: The cost to have brush trimmed back 5 feet

Recommended By:

Charles B. Read, Jr Town Manager

Approved By: Town Council

Don Smith, Mayor

Date