



Town of Southern Shores

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

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Council Meeting

June 1, 2010

7:00 p.m.-Pitts Center

The Southern Shores Town Council met on June 1, 2010 at the Pitts Center.

The following Council Members were present: Mayor Hal Denny, Mayor pro tem Jodi Hess, Council Members Kevin Stroud, Jim Pfizenmayer and George Kowalski.

Also present were: Interim Town Manager Chief David Kole, Town Attorney Ben Gallop and Town Clerk Carrie Gordin.

Mayor Denny called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. He asked that a moment of silence be held for the family of Herb Hawkins, long time resident, and for our troops serving around the world.

APPROVAL OF AGENDA

Council Member Hess moved to approve agenda as presented. Council Member Pfizenmayer seconded. Council Member Hess seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

GENERAL PUBLIC COMMENT

Don Bierwerth, 249 Sea Oats Trail, announced it is his 83rd birthday. He stated he was a previous Council Member. He stated he has come before Council many times trying to get resolve to his problems. He stated that he has certain issues with the Town and he once again provided Council with a letter. He stated the Pitts Center occupancy use has been changed without the proper health department permit. He has asked for many years to get a copy of an original health permit for the Pitts Center and he has not received it. He is asking that he gets a copy of the CAMA report and if his thoughts are confirmed he will file a lawsuit with CAMA that the Town be required to pay the portion of the money that was used to build the Pitts Center and with conjunction with that he is going to file that the interest due on that sum for the last ten years be paid. He doesn't take pleasure in doing this but if the law is broken he wants something done.

Mayor Denny explained Council normally doesn't respond to public comments but he feels the public should be aware that Mr. Bierwerth has brought this to Council since 2002 as well as sending letters to the District Attorney, three town attorneys and to staff for review and all have found no cause. He stated Mr. Bierwerth is entitled to be heard as long as he keeps coming to meetings.

[Clerk's Note: A copy of Mr. Bierwerth's letter is hereby attached as Exhibit A].

APPROVAL OF MINUTES - April 20, 2010

Council Member Hess requested to table approval of the minutes to the next meeting until she reviews them for comment with the Town Clerk. Council agreed.

CONSENT AGENDA-None

REPORTS

Planning Board –Planning Advisory Group (PAG) Recap-May 17, 2010

Sam Williams stated the Planning Board did not meet this month. Council has copy of PAG report.

[Clerk's Note: A copy of the PAG May 17, 2010 recap is hereby attached as Exhibit B].

Southern Shores Volunteer Fire Department-None

Police Department

Chief Kole presented the monthly report.

Southern Shores Civic Association

Karen Kranda, President, stated Paul Kapinos has completed the crossover improvements. Also they are evaluating the SSCA properties and would welcome comments from Council on ways to improve the wading beach and the park areas. Brush is being cut at the Sea Oats Park to have better visibility since the vandalism. Clean-up of seaweed at the wading beach has been done but it will cost \$6,000 to have it removed. The wading beach has been closed since April 26 due to water quality. Since the Town removed the trash/recycle cans at Public Works trash has been a problem at the Hillcrest Beach parking lot. The SSCA and AT&T are in negotiations on the construction of a telecommunication tower at the triangle site.

Council Member Pfizenmayer asked what happened to the flag at the triangle park. K. Kranda stated the rope broke but was repaired in time for Memorial Day but needs additional repair.

Chicahawk Property Owners Association

Marianne Landrum thanked Chief Kole for the Police Department's response to the speeders on Pudding Pan Lane by placing the radar trailer there. It did cut down on the speeders. She complimented the landscaping at the Town's parking lot at Chicahawk Trail saying it looks great.

Canal Dredging Project

Tom Bennett, Project Manager, reported the contractor has reached an agreement with two property owners for spoil disposal sites. There still may be a need for additional sites in that area. He stated he, George Wood and Joe Anlauf met with the regulatory agencies in Washington, NC today and it was a very positive meeting. The contractor and Joe Anlauf did a good job in presenting our plans and the agencies will make their recommendations. The Town is only asking for a minor modification to our current permit and it should take no more than 6-8 weeks for a decision. He is hopeful to have the modified permit by mid- August and start dredging the first part of October. He stated the new contractor

is recommending the inside (difficult part) of the canals be done first and work toward the channel. Following some technical explanations and questions on if the process is going to be ready to meet the dredge cycle Council Member Hess recommended it appears it is time the contractor meets with Council to address their proposals.

Council agreed to place this item on the June 15 agenda.

PUBLIC HEARING –Proposed FY 2010-2011 Budget

Mayor Denny stated in opening the public hearing those wishing to speak each have three minutes.

Mayor Denny addressed the public by reading his personally prepared statement on the Town Manager's proposed TOSS Budget FY 2011, June 1, 2010. "The proposed budget, which I hope many of you have taken the opportunity to examine on our web site, largely results from guidance and suggestions given the Interim Town Manager and his staff by Council at its January retreat and at budget workshops as the budget was being developed. The Operating Budget calls for a 1.25 (one and one fourth) cent increase in the ad valorem tax rate to a new rate of 11 cents. That increase, if enacted, will result in \$225,000 of new revenue for the day to day operation of our Town. The budget provides for an additional police officer, increased lifeguard services, increased recycle service, and increased support for the Volunteer Fire Department. It also covers mandated increases for items such as State retirement funding, medical insurance premiums, and landfill tipping fees. One might ask "How can all these increases be covered with the 1 and ¼ cents? Answer: The Town Manager and his staff did so by scrubbing all but the bare essentials from the original budget requests of the various departments. The increase for the Volunteer Fire Department has been made necessary because of the underfunding of the Department by the Town during the last four years. As a result of that underfunding, the Fire Department, in order to sustain the level of fire protection necessary to maintain the Town's fire rating, depleted its reserves and, indeed, used proceeds from the sale of some of its assets. The increase proposed in this budget should go far toward restoring a partnership relationship between the Town and the VFD in this vital area of public safety. Now, with respect to the Capital Improvement Program. As has been stated previously, a Capital Improvement Program is meaningless unless it is funded. Saying we will fund it as "money becomes available" means nothing unless specific action is taken to make the money available. Saying we will make capital improvements on a "pay as you go" basis means nothing unless specific action is taken to raise the money with which to pay. Unfortunately, those two meaningless approaches seem to have been the hallmark of Council for the past several years. In the meantime, more and more of our streets have fallen into disrepair, well identified storm water issues remain to be dealt with, planning for replacement of one town bridge, maybe two, needs to be incorporated in the Capital Improvement Program, and our canals simply must be dredged. Continued neglect of our infrastructure will degrade the quality of life that brought people to our town in the first place and property values will fall. I believe this Council is in broad agreement with respect to the need to fund the Capital Improvement Program. We want to start funding it on a regular, sustained basis. To do otherwise is to ignore our responsibility for stewardship of the Town's assets. Thus, the proposed levy of 3 cents, exclusively for capital improvements, is not an unwelcome recommendation from the Town Manager. But...this is the Town Manager's proposed budget. True, Council has had substantial input but it is not the Council's budget until we enact a budget ordinance, which must be done before mid-night, June 30th We have scheduled a budget workshop for next Wednesday, June 9th, 7:00 p.m., at which time we will be considering your views, as expressed to Council at this public hearing".

Frank Sciacchitano, 203 Wax Myrtle Trail, stated he has knowledge on budget process and he has been responsible for a 17 million dollar budget as a national director of finance and planning and as a vice-president of marketing. He understands both sides of a budget, but speaking on behalf of his family and

his neighbors the proposed tax rate increase is unacceptable. Instead of a 40% tax increase why not develop new leadership ideas and strategies that would result in spending decreases and budget control. He doesn't know anything about Fire Departments but he feels the Town's people are obsessed with the Fire Department. He questions why the Fire Department's 10-year contract is being rescinded. He asked why, in this depressed economy, is there a need for a employee salary increase across the board. He asked if there was a cost analysis done to decide if an additional police officer is needed. He asked has this Town ever had a 40% tax increase.

Norm St. Laurent, 63 Hickory Trail, he echoes Mr. Sciacchitano comments. Passing a budget is one of the basic fundamental responsibilities of government and he hopes Council takes this seriously. He asked if there have been any closed session regarding the budget, are there minutes and are those minutes available to the public.

Mayor Denny responded to Mr. St. Laurent that absolutely there have not been any closed sessions regarding the budget process; everything has been done in open session. Gray Berryman, 37 Skyline Road, stated he is opposed to the size of the proposed tax increase. He spoke previously on the occupancy tax increase and he was disappointed that Council reversed their decision and agreed to support that tax increase. He stated the Police Department has done a great job but he doesn't feel know is the time to expand the Department. He agrees the Capital Improvement Fund needs funding but he would think 1% is enough.

Joel Newton, 127 Otter Slide Lane, addressed his concerns from the May 18 Budget Presentation. He questioned the need for an additional Police Officer and the season expansion for Ocean Rescue. He would like to know what is the basis for the additional funds for the fire department. Is it the right time to expand recycling services. He would ask when the last merit raised and COLA were given to the employees. Bonuses may be something to consider. He supports the infrastructure as proposed but he has concerns about other operating perspective and our services. He thinks the budget sends the wrong message in theses economical times and we should look at how to sustain what we are doing now and in the future. In doing business as usual we need to come down to realty.

James Kranda, 80 Poteskeet Trail, stated this is the first reasonable and realistic budget to be presented in the years he has lived here. He is proud to see Council take the high road and taken the approach by looking at the tough and demanding issues. Past Council have not been good stewards of the Town. He thanked Council for honoring the offices that you hold to safe guard the assets and infrastructure of the Town for the foreseeable future while recognizing the pain that we will all feel with the increase of the taxes.

Mac McDanel, 245 Woodland Drive, provided an analogy in which where would the Country Club be if they raised the dues every year from 1972 to 2010 for cost of living. They lost sixteen million over a thirty year period. The Town is now in a place of catch-up and the taxes need to be raised. He blessed the Council.

Moe Utley, 132 E. Holly Trail, stated that he supported Mayor Denny during his campaign. He commented that 75% of the Market Place is empty and many houses are for sale in Town. We know how to spend but we need to tighten our belts. His insurance went up 300% and utilities keeping going up. We have the best Police Department and Fire Department but how many cars do we need. County taxes are going up and we don't know what the Federal government is going to do. We need someone to look through different eyes, look at what we need not want we want. Get feedback from the general public.

David Sanders, 158 Beech Tree Trail, stated he has looked over the Town's last six years of budgets and minutes he has seen the struggles over that time. Council attempted several times to put together a CIP but failed. Now it is catch-up time but it is the worst time in the past six years, economically, to be doing this. This budget proposal with a 3-cent for the CIP is a common sense approach based on reason and reality. With a continued "no growth" of revenues how can the Town be expected to maintain the infrastructure. There can be no savings plan. Building a CIP is the way to go if you don't have the money you can't pay as you go. He supports the 3 cent tax increase for the CIP. In commenting on the 10-year Fire Department contract, the contract allows for the Fire Department to request additional funds over a ten-year period. He stated during his research a previous Council Member stated seven or eight people speaking at a public hearing doesn't necessarily represent the majority of the Town, which was Mayor Smith.

Bob Harvey, Fire Chief and Town resident, stated he would like to address some comments. He stated there is no great conspiracy. He has met with Mayor Denny and other members of Council, Town Manager and Consultant in open meetings, yes the meetings have been heated and frustrating but options were explored but we have arrived at a point where both parties have won. He stated we have a ten-year contract with a second year rate of 2 cents with the option to request additional funds if needed. Both parties knew when the contract was signed knew 2 cents would not be enough. The Fire Department has told the Town for the last five years that funding is needed for the radios but Town did not provide the funds. The Fire Department has a plan to finance the radios over a five-year period and the Town will reimburse its share of the debt service over five years. He stated it has been said the increase of the Town's taxes is due to the Fire Department not true. He stated this year's Fire Department budget \$553,850 is less than last year's \$555,322 last year's budget. The Fire Department put up \$187,000 to balance the budget by selling off assets and using reserves due to the Town's underpayment. The Fire Department has considered charging for services or selling off assets. The Fire Department is not hiding anything. The Fire Department is annually audited and anyone can come to look at their budget.

Ed Cowell, 134 Beech Tree Trail, stated if you don't like paying taxes then you shouldn't live in North Carolina. He supports the Police Department and if you lower the level of service of the Fire Department then your insurance rates will increase. Look to see if something can be cut and do your best.

Ray Midgett, 154 Duck Woods Drive, stated he didn't know this was going to turn into a fire department hearing. He commended Council on their vision but the timing is off with a tax increase. He stated he doesn't have extra money for additional taxes. He does support the employees and the police officers. He is concerned about where the money is going to come from for the canal dredging and road repairs. He is not happy with the Fire Department's request. He asked Council not to raise our taxes 43%.

Sam Williams, 109 Pudding Pan Lane, stated Council has done the right thing in considering the CIP and we have waited too long and the longer we wait the worse the roads will become. He would recommend a 2-cent tax for the CIP. He asked Council to look at some of the services to see if they can be cut, look at the Police Department request for an additional officer and if it is needed. Look at salary and overtime for officers. He suggested Council consider what has been said tonight and look at ways to cut back some areas but not eliminate all the increases. Consider a penny increase instead of a penny and a quarter and two cents for the CIP instead of three cents. He appreciates Council's efforts but now is not the right time to raise taxes.

Carl Seto, 112 Turtle Pond Lane, stated the Town roads are falling apart he doesn't like to see taxes go up but something needs to be done with the roads. Property won't sell if the roads are bad. He would like to see the Town having a business license. Outsiders are coming in and taking over the local jobs and not paying taxes. He supports the increase to get the roads fixed.

Hearing no other comments Mayor Denny closed the public hearing.

OLD BUSINESS - None

NEW BUSINESS

Audit Contract

Mayor Denny stated the Local Government Commission requires the contract be approved annually even though Council approved a three-year audit contract. The contract is the same amount (\$16,500) and this is the second year.

Mayor Denny moved to approve the 2009 audit contract as presented. Council Member Hess seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

Retiree Health and Dental Insurance Benefits Policy (amended)

The Finance Officer presented this to Council previously. The Personnel Attorney has reviewed the policy.

Council Member Kowalski moved to adopt the policy. Mayor Denny seconded.

Council Stroud had questions regarding the policy as well as other Council Members.

The Town Attorney recommended tabling this issue and he will review and make changes to bring back to Council.

Council Member Kowalski withdrew his motion. Mayor Denny withdrew his second.

The policy will be presented at a later date. Council agreed.

OTHER ITEMS

Town Manager

Police Chief Kole reported the area at E. Dogwood where Mr. St. Laurent reported he fell has been repaired.

Town Attorney-None

Mayor

Mayor Denny thanked Chief Kole for taking on the additional duties as Town Manager. He stated the new Town Manager will attend the next Council meeting.

Mayor Denny reported he participated in a joint NC/VA hurricane evacuation exercise. He stated at some time Dare County may lose the evacuation route through Virginia. He also will be participating in the County Control Group exercise next Wednesday.

Council

Council Member Pfizenmayer stated he does not support Mayor Denny's comments made before the budget public hearing and he hopes to see everyone at the budget workshop.

Council Member Stroud stated he agrees with Council Member Pfizenmayer.

Council Member Kowalski stated, regarding Mr. Bierwerth's comments, he remembers this has been going on for several years and Mr. Bierwerth has been answered. He remembers Council agreeing that this would not be discussed anymore and that the attorney was not to respond.

The Town Attorney stated he was instructed by Council not to respond to Mr. Bierwerth and would not do so unless directed otherwise. He stated there is no merit to Mr. Bierwerth's claims.

Alvin Rountree, Code Enforcement Administrator, stated he has reviewed Mr. Bierwerth's claims and found no validation. He stated there is no occupancy issue. He stated proper protocol is when a person states they are going to sue the Town there should be no further discussion with that person.

GENERAL PUBLIC COMMENT

Chief Harvey announced the Fire Department is holding a workshop at the Pitts Center, Friday, June 11 and he is inviting elected officials and attorneys and other police and fire personnel regarding fire safety for firemen. The Battalion Chief from Salisbury, NC is providing a seminar on lessons learned from a tragic fire and the need for radios. Additional seminar will be led in Buxton.

Chief Kole announced that on June 14 the Tall Pine Bridge will be shut down for two days (day time only) for repairs. Notices and signs will be posted.

Comments on the Mid-Currituck Bridge need to be in by June 5, 2010.

Hearing no other business Mayor Denny moved to adjourn the meeting at 9:15 p.m. Council Member Hess seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

ATTEST
TOWN OF SOUTHERN SHORES
Hal Denny, Mayor
N. C.

The seal is circular with a double-line border. The outer ring contains the text 'TOWN OF SOUTHERN SHORES' at the top and 'N. C.' at the bottom. In the center, there is a five-pointed star. A signature, presumably of Hal Denny, is written across the seal.

Respectfully submitted:

Carrie Gordin, Town Clerk

The signature is written in cursive and is placed above a horizontal line. Below the line, the name 'Carrie Gordin, Town Clerk' is printed.

Exhibit A

249 Sea Oats Trail,
Southern Shores, NC 27949

June 1, 2010

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

Re: Land Contract, Blue Sky Building

Gentlemen:

In a legal opinion, "Blue Sky Legal Authority" prepared by Town Attorney Thomas White Jr, dated November 19, 1997, the building funding constraints of the FEMA grant was sent to the Town. The title to the land is vested in fee simple to the Town of Southern Shores and when the Blue Sky Building was built it became part and parcel of the land itself. Attorney White then describes procedures for selling the property, tearing down the building or no longer using the building for purposes required by the grant. First of all, the Town had to notify FEMA that the building was no longer needed for authorized Blue Sky purposes and the request disposition instructions. The Town never revealed the change to Assembly/Office Occupation or the permitting problems outlined in my letters to the Town of Southern Shores.

In a letter, "Blue Sky Legal Authority", presented at the Town Council meeting on March 15, 2002, I outlined the FEMA Grant problem. In a letter, "Blue Sky and the Kern P. Pitts Center" sent by certified mail to the Town of Southern Shores on January 18, 2007, the problem concerning to FEMA Grant was again presented. The Town has never given me a reply to FEMA Grants complaints presented in each letter.

In the Spring of 2008, I found out a bogus 100 Person Occupancy Permit had been posted in the Pfta Building. I went to the Town's office and requested a Copy of the FEMA/Southern Shores contract on February 6, 2008. In order to prevent confusion, I had a town clerk print out the document I was looking for and then I signed the record request form. I went back several times to look at what information was on the FEMA Agreement and entered into several discussions with Mrs Smith, a town employee, about the whole Blue Sky problem. With her, I tried to secure a meeting with someone on Council, the Town Attorney and myself to clear up any confusion on the entire problem. That effort failed. Since that time, in three letters to Town Manager, Mr. Charles Read, I have again requested the FEMA data. No FEMA contract has been sent to me. By the law, the FEMA Contract should be been sent to me long ago.

In the only letter sent to me by Town Attorney Donald E. McRee, Jr., dated December 4, 2007, Attorney McRee states: "I have not reviewed the Blue Sky project grant agreement between the state and federal governments and the town".

Attorney White wrote his legal opinion on November 19, 1997 and the change to 200 person Assembly/Office Occupancy occurred in 1991. Attorney White never wrote a legal opinion on the occupancy change. Attorney McRee should have modified his opinions to what happened in 2001 and later.

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The taxpayers in Southern Shores should understand that FEMA may have lien rights on the Town Center...I want a copy of the FEMA agreement to completely verify the facts in this letter are correct.

Yours truly,

D. B. Brewster

Encl: Request for Public Records, 3/6/2005, FEMA Grant document,

CC: The Coastland Times
The Virginia-Pilot

TO: Southern Shores Town Clerk

DATE: 3/6/08

REQUEST FOR PUBLIC RECORDS
Town of Southern Shores

Pursuant to North Carolina Public Records laws you may request Town public records. To ensure that you receive the records you request, please complete the following.

Name: Dev. Diener + B
Mailing Address: 249 SEA BAYS TR.
City SS State NC ZIP 27949
Phone: (252) 241-2670
Email Address: _____@_____

Please be specific as to the record(s) you are requesting. A fee will be charged for each copy based upon the cost of making the copy and the cost of shipping/mailling (if applicable) from the Town fee schedule or actual cost. If you want something other than a paper copy, please specify the media desired (e.g., diskette, CD, DVD, audio cassette, etc.) The Town will strive to provide you the public record(s) requested in a timely manner.

Record(s) Requested: BUILDING PERMIT FOR NEW PO
AGREEMENT FEMA TO TOWN ON DRAGWAY GRANT
BLUE SKY GRANT!

Please contact me beforehand with an estimate of the cost to reproduce the record(s) requested:

Yes No O.P. Bine

MONDAY _____
For Town Use Only

Date Received: _____
Date Record(s) Sent/Given to Requester: _____
Received by: _____

Exhibit B

To: Southern Shores Town Council (Hal Denny, Jodi Hess, George Kowalski, Jim Pfizenmayer, Kevin Stroud)

Copies: Interim Town Manager (Chief David Kole)

Town Attorney (Ben Gallop)

Town Staff (Pat Forrester, Carrie Gordin, Alvin Rountree, Merrie Smith, Bonnie Swain)

Planning Board (Mike Florez, Bill Gleason, Larry Lawhon, Bob Palombo, Jay Russell, Nancy Wendt, Sam Williams and ETJ Rep, Ed Overton)

From: Wes Haskett, Town Planner

Date: May 28, 2010

Re: Recap, PAG Working Session May 17, 2010

PB / PAG RECOMMENDED ACTIONS FOR THE TOWN COUNCIL - None

PAG MEETING RECAP May 17, 2010

The Planning Advisory Group working session convened at 7:00 pm. Planning Board Members Sam Williams, Nancy Wendt, Mike Florez, Jay Russell, alternate member Larry Lawhon, alternate member Bill Gleason, Code Enforcement Administrator Alvin Rountree, Town Planner Wes Haskett, and Ross Mitchell were present.

Planned agenda items for the meeting included:

1. Height Calculation ZTA
2. General Project Status

Nancy Wendt asked for any additions or changes to the agenda. There were none.

HEIGHT CALCULATION ZTA (Nancy Wendt)

As background for the non-PAG meeting attendees, most who represented the building community, Nancy Wendt presented the history of the proposed height calculation Zoning Text Amendment (ZTA).

In 2008, the Code Enforcement Department noticed that more and more permits for proposed homes to be built on hilly or low lots were being denied as a result of the height calculation method currently being used by TOSS. This method uses the lowest corner of the proposed structure to calculate the building height. Often this calculation resulted in denied permit application appeals, produced negative drainage impacts, and filling and substantial grading of

lots that were difficult to develop. A proposal to amend the current height calculation method from the lowest corner of the adjacent grade to the average of the four corners was addressed by the Planning Board in March, 2010. The Planning Board unanimously recommended approval of the proposed ZTA to the Town Council.

On April 6, 2010 the Town Council considered the proposed ZTA. While a few meeting attendees spoke in support of the proposed ZTA, several citizens spoke in opposition to the proposed ZTA due to concerns with increased building height (compared to structures which were constructed using the current calculation method). The number of lots impacted and the need to more fully address drainage issues were also raised. The Town Council rejected the proposed ZTA and asked that the Planning Board revisit the proposed ZTA.

In reconsidering the proposed ZTA, the PAG intends to meet with various groups (e.g., building and real estate representatives, and civic associations/property owner associations) to more fully understand their concerns and possible ways to address these concerns in a revised ZTA proposal. This meeting with the building representatives is the first of these discussions.

The goals of the Planning Board are to establish a height calculation method that:

1. Considers the concerns raised by the Council and TOSS citizens.
2. Enables all platted lots (both undeveloped and those to be redeveloped) to be reasonably developed.
3. Permits, as often as possible, property owners to build a house they would like to build.
4. Increases/maintains property values of surrounding properties.
5. Ensures that the development of lots with holes or slopes do not create safety hazards or drainage problems.
6. Does not, or minimally increases the roof line height and/or the size of the structure.

Andy Ward, Jeff Sawyer, Brian McDonald, Mark Martin, and Willo Kelly provided feedback to the PAG on those issues of most concern to the building industry and possible solutions to those issues. They also indicated that they would be willing to continue to participate in the proposed ZTA amendment process as needed.

The PAG and Town Staff will continue to gather information from other interested groups, develop a revised version of the proposed ZTA and hold a public workshop before presenting a revised ZTA proposal to the Planning Board and Town Council for review.

LAND USE PLAN (Sam Williams)

Sam Williams reported that the Town Council will provide feedback on the Land Use Plan Update at their May 18th meeting and that he and Wes Haskett will offer to meet with the Council members to address comments if needed.

CITIZEN COMMUNICATION PLAN (Larry Lawhon)

Larry Lawhon reported that the Citizen Communication Plan committee would be holding their first meeting within the next week and that they are currently looking in to the number of citizens that need to be reached.

PARKS, RECREATION, AND OPEN SPACE PLAN (Ross Mitchell)

Ross Mitchell reported that his first step in the development of a Parks, Recreation and Open Space Plan was to visit the properties owned by the SSCA. Several of the properties (open space) were created when streets were constructed and the access rights to the open spaces were given only to the citizens that lived on the adjacent street/block. Other vacant properties include part of Sea Oats Park and one large tract near the SSCA tennis courts which was next to the platted undeveloped road to be used by the Fire Department or for evacuation. Ross will research the vacant property and adjacent road to see if there are any legal restrictions associated with the road that could restrict development of the adjacent SSCA property.

WIND GENERATION PLAN (Mike Florez)

Mike Florez reported that the Wind Committee was currently working on drafting the final report for the Wind Generation Plan. The Wind Committee will conduct further research into recommended facility heights and discuss their findings at their next meeting.

STORMWATER MANAGEMENT PLAN (Wes Haskett)

Wes Haskett reported that he and Joe Anlauf had met and discussed the Emerald Isle Stormwater Ordinance, State stormwater requirements, and a map that divides the Town into four stormwater districts. They will present their findings at the June 7th PAG meeting.

UPCOMING MEETINGS & PROPOSED AGENDA ITEMS

1. PAG Working Session June 7, 2010
 - Height Calculation ZTA
 - Stormwater Management Plan
 - General Project Status
2. Planning Board Application Review meeting June 21, 2010.
3. PAG Working Session June 21, 2010 following Planning Board meeting.

ADJOURNMENT

The PAG meeting adjourned at 9:25 pm.