



**Town of Southern Shores  
Council Meeting  
October 1, 2013**

The Town of Southern Shores Council met in the Pitts Center located at 5375 N. Virginia Dare Trail at 7:00 p.m. on Tuesday, October 1, 2013

**COUNCIL PRESENT:** Mayor Hal Denny, Mayor pro tem Jodi Hess, Council Members George Kowalski, David Sanders and Larry Lawhon.

**COUNCIL ABSENT:** None

**OTHERS PRESENT:** Town Manager Peter Rascoe, Town Attorney Ben Gallop and Deputy Clerk Sheila Kane.

**CALL TO ORDER / PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE**

Mayor Denny called the meeting to order at 7:00 p.m., led the Pledge of Allegiance, and held a Moment of Silence.

**APPROVAL OF AGENDA**

**MOTION:** Council Member Lawhon moved to approve the agenda as presented. The motion was seconded by Council Member Sanders. The motion passed unanimously.

**CONSENT AGENDA**

The Consent Agenda consisted of the following items:

- Approval of Minutes-September 3, 2013
- Tax Pickups and Releases

**MOTION:** Mayor Pro Tem Hess moved to approve the consent agenda. The motion was seconded by Council Member Lawhon. The motion passed unanimously.

[Clerk's Note: A copy of Consent Agenda items are hereby attached as Exhibit A].

**PRESENTATION**

Albemarle Regional Bicycle Plan-Matt Hayes, consultant with Alta/Greenways

**MOTION:** Mayor Pro Tem Hess moved to approve Resolution 2013-10-01- A Resolution Supporting Adoption of the Albemarle Regional Bicycle Plan. The motion was seconded by Council member Sanders. The motion passed unanimously.

[Clerk's Note: A copy of Resolution 2013-10-01 is hereby attached as Exhibit B]

**STAFF REPORTS**

Town Planner: Town Planner, Wes Haskett, presented his monthly report containing the following:

- Permitting and Inspections for September 2013

[Clerk's Note: A copy of the Town Planner's report is hereby attached as Exhibit C].

Police Department:

Chief Kole presented his monthly report.

Southern Shores Volunteer Fire Department:

No report

**REPORTS FROM BOARDS, COMMITTEES, AND ASSOCIATIONS**

Town Planning Board

No report

Southern Shores Civic Association

No report.

Chicahawk Property Owner's Association

Leo Holland gave an informational report on behalf of the CPOA.

**GENERAL PUBLIC COMMENT**

Lori Williams, 109 Pudding Pan: The League of Women Voters will be holding a candidate night on Thursday, October 3, 2013 from 7:00 p.m.-9:30 p.m. at the Pitts Center. This event is open to the public.

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**OTHER ITEMS**

Town Manager's report

The Town Manager submitted a recommendation from staff to amend the current purchasing and bid policy of the Town. The first change to amend is to require informal and formal bidding be consistent with state statutes. The second change under formal bidding process clarifies the binding requirements of the state statutes supply.

**MOTION:** Mayor Pro Tem Hess moved to approve the proposed changes to the purchasing and bid policy. The motion was seconded by Council Member Kowalski. The motion passed unanimously.

[Clerk's Note: A copy of the amended purchasing and bid policy is hereby attached as Exhibit D].

The Town Manager addressed several issues:

- The thirteen (13) major street repairs have been completed by Barnhill Contracting.
- The consulting engineer is currently drawing the design for the other two repairs that were included in the capital improvement repair plan for the year. Those projects are the North Dune Loop erosion escarpment and the drainage improvement project at North Dogwood Trail.
- The consulting engineer is also designing the rebuild projects that were approved and plans should be available in the next couple weeks.
- The contractor for the phase II canal dredge project has mobilized today on Sassafra Lane. They will begin work on the northern area and then move down to the Tall Pine area and establish a transfer site. Once that is complete they will begin work on the southern part of Town.

- The Police Department training room and three bay garage project went out to bid yesterday. The Town is restructuring the current septic system and it will not need to be replaced.
- The Town is encouraging property owners to prune their vegetation and prevent it from growing in the right-of-ways. The Town is conducting a 5-8 foot vegetative cutback to keep the right-of-ways clear.
- The NCDOT bridge inspections have a target date of March 2014.
- The engineer for the Tall Pine Bridge Project has projected a hopeful start date of November 2014. The Town Manager will report more on right-of-way acquisition work that will be needed once that information is available.
- Towne Bank will officially open to the public on Monday, October 7, 2013.

Town Attorney: none

Mayor's comments:

The Mayor stated he would like to encourage the public to attend the League of Women Voters Forum.

Council Members' comments:

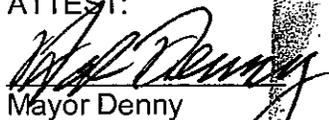
Council Member Kowalski thanked the Town Manager for all his help at the surfing tournament last month. His time and effort went above and beyond.

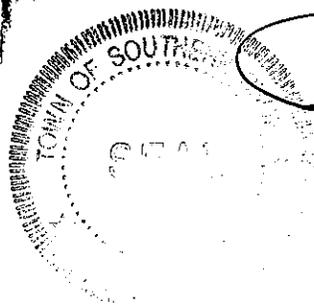
Council Member Sanders announced that the second edition of "Destination Dare" is out and is viewable on Channel 20 or on YouTube.

**ADJOURN**

**MOTION:** Mayor Denny moved to adjourn. The motion was seconded by Mayor Pro Tem Hess. The motion passed unanimously. The time was 7:58 p.m.

ATTEST:

  
Mayor Denny



Respectfully submitted,

  
Sheila Kane, Town Clerk

EXHIBIT A

**TOWN OF SOUTHERN SHORES  
TAX DEPARTMENT**

**10/1/2013**

**PICKUPS**

**RELEASES**

June Real	\$145.45
June Vehicles	\$54.36
July Vehicles	\$121.20
August Vehicles	\$104.18
	\$11.35

**TOTAL**

**\$0.00**

**\$436.54**



# Town of Southern Shores

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

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

www.southernshores-nc.gov

RESOLUTION 2013-10-01

## A RESOLUTION SUPPORTING ADOPTION OF THE ALBEMARLE REGIONAL BICYCLE PLAN

WHEREAS, the Albemarle Commission and Albemarle RPO, participating local governments, and its subcontractor Alta/Greenways, has prepared the Albemarle Regional Bicycle Plan (the Plan) and;

WHEREAS, the purpose of the Plan is to study the feasibility of establishing an interconnected network of off-road and on-road bicycle facilities throughout the entire Albemarle region and;

WHEREAS, the proposed bicycle network include lands located within the multiple counties and municipalities of the Albemarle Region and;

WHEREAS, the Plan process involved public participation, and;

WHEREAS, the Plan was financed by a North Carolina Department of Transportation grant.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Town of Southern Shores that:

- a. The Plan and related materials are acceptable to the Town of Southern Shores and;
- b. The Plan and related materials will be used to guide future bicycle transportation development, operations, and maintenance.

ADOPTED THIS 1<sup>st</sup> DAY OF OCTOBER, 2013, by the

\_\_\_\_\_  
Town of Southern Shores

\_\_\_\_\_  
Hal Denny, Mayor

Attest: \_\_\_\_\_  
Sheila Kane, Town Clerk

EXHIBIT C

**10-1-13 TC Report**

**1. Permitting and Inspections for September, 2013**

- 6 Zoning Permits were issued.
- 17 building permits were issued: 2 new single- family dwellings, 4 additions/alterations, and 11 others.
- 67 building inspections were conducted (50 job sites).
- 10 single-family dwellings are currently under construction.
- Total amount of fees collected in September was \$8,049.00

**2. AT&T Wireless Stealth Tower**

- The application and materials have been submitted for the AT&T stealth wireless tower at Triangle Park which will be reviewed by the Town Planning Board at their October 21st meeting.

Once the Planning Board has made their recommendation, a Public Hearing will be requested before Council at your November 5th or December 2nd regular meeting. All of the information is available for public inspection during office hours.

**3. Comprehensive Bicycle and Pedestrian Plan**

- A consultant (Alta/Greenways) has been selected and we are finalizing the contract. We hope to obtain a Notice to Proceed from NCDOT so that we can begin working on the plan in November or early December. Steering Committee members will be contact by the end of October for details.

## EXHIBIT D



# TOWN OF SOUTHERN SHORES PURCHASING AND BID REQUIREMENTS

This purchasing and bid requirements policy is intended to serve as a guide for all departments in obtaining supplies, materials, equipment, apparatus, and services. The Town of Southern Shores' purchasing and bidding program is based on the principal of competitive bidding. A valid reason must be provided and documented when competitive bidding is not sought and obtained. The practice of favoritism, whether to the seller or the user department, is not permissible.

The Town's purchasing and bidding requirements are governed by North Carolina General Statutes and, therefore, must seek competitive offers from qualified sources of supply unless the items can be obtained through existing contracts established by NC State Purchasing and Contracts Division. Whenever possible, the Town of Southern Shores participates in the NC State Contracts. The Town's local purchasing and bidding requirements may cite provisions which are stricter in policy thresholds than the requirements of the applicable North Carolina General Statutes.

The Finance Officer relies on the Department Heads to fully identify their needs, obtain competitive pricing, and exercise sound and legal purchasing and contracting practices. Department Heads are responsible for communicating their needs to the Finance Officer on a timely basis in order to obtain the correct items at the best possible price.

Any and all purchases and contracts that are made on behalf of the Town of Southern Shores must be for the use of the Town. Such purchases can only be made if an appropriation has been set up in the approved annual budget.

A purchase order is needed for services, materials, supplies and equipment purchased that exceed \$250.00. The amount for shipping and handling along with sales tax should be included on the purchase order. The Finance Officer may not validate any purchase order unless sufficient unencumbered funds are available to pay at the time of purchase. A properly signed purchase order must **precede** the purchase. No invoice will be honored if the purchase order has not been issued and signed by the appropriate Department Head and Finance Officer. The purchase orders will be pre-numbered for control purposes and should include descriptions of the items being purchased. Unauthorized purchases are classified as a personal expense, and therefore, will be paid by the employee. In the event that the Finance Officer is not available, the purchase order can be signed by both the Department Head and the Town Manager.

The following steps must be taken:

1. All Department Heads will read and understand this policy;
2. All employees involved in the purchasing process will become familiar with the procedures outlined in this policy;
3. This policy will be kept where it is easily accessible for reference;
4. All comments or clarifications of contents contained in this policy will be directed to the Town Manager or the Finance Officer.

## **GENERAL RULES AND PROCEDURES FOR PURCHASING AND BIDDING**

**Note: all obligations evidenced by a contract or agreement, regardless of amount, must be certified as pre-audited by the Finance Officer.**

### **Purchases of \$250.00 to \$29,999.99**

All purchases between \$250.00 and \$29,999.99 (individually or in total) must be made with the use of a purchase order. The department wishing to make the purchase will prepare a purchase order and present it to the Finance Officer for approval. Town Council has given authority to the Town Manager to approve all contracts/purchases up to a maximum of \$29,999.99.

### **Purchases or Contracts of \$30,000 to \$89,999.99 (Informal Bidding Process)** **Informal Bidding Process**

For all purchases, lease-purchases, and contracts above \$29,999.99 and below the state mandated thresholds for formal bidding prescribed by NCGS § 143-129, informal bids must be obtained. Only written informal proposals will be accepted. The purpose of public bidding is to obtain the best value for tax dollars, to provide fairness in contracting and prevent favoritism. Contracts will be awarded to the lowest responsible bidder, taking into consideration quality, performance and time. A Bid Form will be used for this process. Three (3) written proposals will be sought during the bidding process. In cases where available or appropriate vendors are limited, every effort will be made to obtain bids from at least two (2) vendors. In cases where the item or service is available from a single source, this information must be noted on the Bid Form. For any purchase, lease-purchase or contract cost not previously authorized by the Council in an annual budget appropriation, the Town Council must authorize the award of all bids over \$29,999.99. The Finance Officer will issue a purchase order to the chosen vendor and the Department Head will proceed with the purchase.

### **Purchases of \$90,000.00 + (Formal Bidding Process)** **Formal Bidding Process**

Expenditure of funds totaling or exceeding the state mandated thresholds for formal bidding prescribed by NCGS § 143-129 ~~\$90,000.00~~, either for the purchase of apparatus, supplies, materials and equipment, or for construction or repair work, are required to be handled by the Formal Bid Process, and the bonding requirements of NCGS §44A-26 shall apply. ~~A performance bond AND payment bond are required for all construction or repair projects over \$90,000.00.~~ Note: Performance and payment bonds are required for contracts costing more than \$50,000 that are part of a project costing more than \$300,000.

The advertisement for bidders required by this section shall appear at a time where at least seven (7) full days shall lapse between the date on which the notice appears and the date of the opening of bids. The advertisement shall: (i) state the time and place where plans and specifications of proposed work or a complete description of the apparatus, supplies, materials, or equipment may be had; (ii) state the time and place for opening of the proposals; and (iii) reserve to the board or governing body the right to reject any or all proposals. (G.S. 143-129).

### **Purchases not requiring a Purchase Order**

The following purchases do not require a purchase order:

- A. Advertising;

- B. Dues;
- C. Utilities;
- D. Insurance;
- E. Postage;
- F. Professional services for accounting, legal, engineering, etc. that are covered by a separate approved contract;
- G. Purchases less than \$250.00.
- H. Purchases obligated by written contract or agreement (These written obligations require Finance Officer certification, regardless of amount).

### **Emergency Purchases**

An emergency is defined as a sudden, urgent, usually unexpected occurrence or occasion requiring immediate action. When an emergency does arise, and can be rectified only by immediate purchase or rental of equipment, supplies, materials or services, the following procedures must be followed:

- A. Secure a purchase order from the Finance Officer or the Town Manager. If the emergency occurs when offices are closed, the department should proceed to acquire only the materials of services necessary to meet the emergency;
- B. On the next working day, the Department Head must submit a requisition to the Finance Officer with the following information:
  - 1. Nature of the Emergency;
  - 2. Itemized list of purchases made;
  - 3. Cost per item;
  - 4. Vendor's name and address;
  - 5. Account Number
  - 6. Authorizing signature of the Department Head
  - 7. Purchase Order Number – if one was given.
- C. The Finance Officer will prepare a confirming purchase order and send the requesting department a copy of the purchase order. The employee receiving the requested items should verify that the purchase order information is correct. The employee should also make sure that the vendor knows who to invoice and the correct address for billing. All invoices should be made out to the appropriate Town Department. Failure to make sure this information is passed on to the vendor could result in the misplacement of the invoice, causing late payment on the invoice and loss of any possible discount. No emergency purchase orders will be given unless it is an emergency as described above. North Carolina General Statutes govern this procedure. Written approval for disallowed emergency purchases will have to be obtained from the Town Manager, with overall approval resting with the Town Council.

### **Telephone Purchase Order Procedures**

In certain emergency or special situations, the Finance Officer will issue a purchase order number over the telephone to the requesting department. In such cases, the requesting department will be required to submit a supporting requisition to the Finance Officer the next business day. The requisition is to include the vendor, complete item description, quantity, price, and the purchase order number that was issued.

### **Credit Cards**

The credit cards are kept under the control of the Finance Officer. Any employee or Council Member who needs the credit card must sign it out with the Finance Officer. On completion of travel and/or purchase the employee or Council Member must return all charge slips (a receipt of what was actually ordered at a restaurant must accompany the credit card receipt) and receipts to the Finance Officer and sign the card back in. Purchases made with the Town credit card are subject to the same purchasing procedures as other purchases, however, when the receipt is returned with the credit card, a purchase order is not necessary. The Department Head must approve purchases. Unauthorized purchases are a violation of this policy. If proper procedures are not followed, the employee may be personally liable for the payment.

**Updated 1/28/08**

**Revised 7/6/10**

**Revised 1/22/13**

**Revised 10/1/13**