



**Town of Southern Shores
Council Meeting
June 2, 2015**

The Town of Southern Shores Council met for a Regular Council Meeting in the Pitts Center located at 5375 N. Virginia Dare Trail at 5:30 p.m. on Tuesday, June 2, 2015.

COUNCIL PRESENT: Mayor Bennett, Mayor Pro Tem Jodi Hess, Council Members Larry Lawhon, David Sanders and Leo Holland.

COUNCIL ABSENT: None

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

CALL TO ORDER / PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

Mayor Bennett called the meeting to order at 5:30 p.m., led the Pledge of Allegiance, and held a Moment of Silence.

AMENDMENTS / APPROVAL OF AGENDA

MOTION: Mayor Pro Tem Hess moved to approve the agenda as presented. The motion was seconded by Council Member Lawhon. The motion passed unanimously (5-0).

CONSENT AGENDA

The consent agenda consisted of the following items:

- Approval of Minutes- April 21, 2015, May 5, 2015 and May 6, 2015
- Amendment to Ordinance 2007-01-03 Fee Schedule-Beach Parking Tag Replacement Fee

MOTION: Mayor Pro Tem Hess moved to approve the consent agenda. The motion was seconded by Council Member Holland. The motion passed unanimously (5-0).

ANNUAL INTRODUCTION OF OCEAN RESCUE-2015 BEACH LIFEGUARDS

Ocean Rescue Director Mirek Dabrowski introduced a majority of this season's 2015 lifeguards.

GENERAL PUBLIC COMMENT

Mayor Bennett called on public comment and the following citizens offered comment:

Tommy Karole, Southern Shores property owner

[Clerk's Note: A copy of the general comment sign-up sheet is hereby attached as Exhibit A].

STAFF REPORTS

Town Planner:

The Town Planner, Wes Haskett presented the Planning Department's monthly report containing the following:

- Permitting and Inspections for May, 2015

Southern Shores Police Department

Chief Kole presented the Police Department's monthly report for May.

Southern Shores Volunteer Fire Department: Fire Chief, Ed Limbacher presented the Fire Department's monthly report for May.

[Clerk's Note: A copy of staff reports are hereby attached as Exhibit B].

OLD BUSINESS

None

NEW BUSINESS

Public Hearing on FY 2015-2016 Proposed Budget and Consideration of Budget Ordinance 2015-06-01

The Town Manager presented Council with Ordinance 2015-06-01 Budget and Tax Rate for FY 2015-2016. The Town Manager stated the following is a brief synopsis of some highlights as well as cover budget questions received from written comments:

- The proposed budget calls for no tax increase and no proposed appropriation from the unassigned fund balance.
- Ad Valorem taxes make up 44% of our revenue. Other revenue taxes derive from the various others including land transfers, occupancy tax, and sales tax.
- Total Revenues are \$6,692,258.00
- The Budget is developed at Staff level by line and actual Council adoption is by Department in its Budget Ordinance.
- The Town Manager covered each Department's and Council's specific training schedule for FY 2015-2016.
- The Wellness Initiative and the benefits that has been in the budget for numerous years was explained.
- The technology upgrade is a grant item-no match needed.
- The proposed vehicle for the administration department in the budget is due to the Department currently sharing a 10-year old vehicle with Code Enforcement Department which is becoming unreliable for distant travel. This new vehicle will be used for not only travel for training but for day to day operations such as banking and local meetings.
- The Town Code Update –there are sections that overlap and contradict throughout the Town Code and this includes the zoning chapters as well. It has been discussed over the years with the School of Government, the League of Municipalities, with other Town and County Planners, along with other Town Attorneys, and it finally is able to make it into the Manager's proposed budget for FY 2015-2016. It has been priced by interviewing other Town's with like size who are going through the same thing. It is a liberally estimated until it goes out to bid and we know exactly what it will cost.
- The Police Department Budget does have some new personnel so any line items that do show change is due to the fact that there are additional employees including the School Resource Officer (SRO).
- The Capital Street Improvement line is the revenue neutral rate to the old .3 cent rate from the former evaluation which is \$516,000.

- The full cost of Town's Tall Pine Bridge which is scheduled for replacement this October is in the budget. Most of this expense is covered by an 80% grant.
- Bulkhead repair and maintenance which is a new line item is \$80,000. This is for Town-owned areas of bulkhead.
The Public Works Department has remained the same as well as Fire Services and Sanitation (both of which are provided by contract) lines.

Upon the Town Manager finishing his summary on the proposed Budget for FY 2015-2016 Mayor Bennett called on public comment and the following citizens offered comment:

Joe Van Gieson, Southern Shores property owner
Anne Sjoerdsma, Southern Shores property owner

MOTION: Council Member Lawhon moved to adopt Ordinance 2015-06-01 Budget and Tax Rate for FY 2015-2016 as presented. Council Member Holland seconded the motion. The motion passed unanimously (5-0).

Consideration/Approval of Proposed Legal Services Contract

MOTION: Council Member Holland moved to approve the legal services contract as presented. Mayor Pro Tem Hess seconded the motion. The motion passed unanimously (5-0).

Consideration/Adoption of Albemarle Regional Hazard Mitigation Plan

MOTION: Mayor Pro Tem Hess moved to adopt the Albemarle Regional Hazard Mitigation Plan as presented. The motion was seconded by Council member Sanders. The motion passed unanimously (5-0).

Consideration of Amendment to Council's Rules of Procedure for calling Emergency Meetings.

MOTION: Council Member Holland moved to approve the amendment to the Council's Rules of Procedure Section 6 (c) Emergency Meetings. The motion was seconded by Mayor Pro Tem Hess. The motion passed unanimously (5-0).

[Clerk's Note: A copy of the New Business items are hereby attached as Exhibit C].

COUNCIL COMMITTEE REPORTS

Planning Committee Meeting Report of May 11 by Councilwoman Hess

- 1) A Martins Point citizen suggested the Town give them a separate commercial zone for commercial properties in the ETJ area. The Committee discussed that there is pending legislation in connection with the status of ETJ so until it is known what the State declares, the Committee will not be making a recommendation on this to Council.
- 2) The Committee did a review, one more time, the vegetation removal ordinance which Council considered as a citizen-requested zoning text amendment at a prior meeting. The Committee discussed it and has no further recommendations to make to the Council on this topic.
- 3) The Committee considered a citizen request or the Town to allow chickens as pets. No recommendation on this matter came from the Committee.
- 4) The Committee discussed the upcoming Planning Board vacancies and recommends Council reappoint the two members (1 full and 1 alternate member) that wish to continue as full members, and then have Staff seek volunteers for Council to later consider to fill other two vacancies.

MOTION: Mayor Pro Tem Hess moved to reappoint Sam Williams, and appoint alternate David Neal to fill Mike Florez's seat who does not wish to continue. The motion was seconded by Council member Sanders. The motion passed unanimously (5-0).

- 5) The fifth Committee Report item the Committee discussed was the safety concerns and the suggested solutions that have been talked about on South Dogwood Trail.

They discussed ways and means to try and find out what the citizens really desire. The Committee supported the Mayor in his communication initiative to get feedback from citizens through the bi-weekly newsletter.

Public Safety Committee Meeting report of May 18 by Councilman Sanders

Council Member Sanders started his report by stating the Public Safety Committee met on May 18th and covered four (4) basic topics with no action or recommendation to Council

- 1) Mirek Dabrowski Ocean Rescue Director gave a briefing of the ocean lifeguard preparations in place for the 2015 season.
- 2) The Committee reviewed the current official adopted street map indicating traffic signage. Council Member Sanders stated that recommendations have come from some citizens concerning stop signs, street reflectors, and delineation of center lines throughout the Town. The Committee reviewed the placement of current stop signs throughout Town on the Town street map. Any changes would have to be approved by Council. Council Member Sanders stated that the Committee recognized there are no standards on just using reflectors alone to designate the center of the road and they are meant to be used in coordination with painted lines which is the standard for center lines on a thoroughfare. Council Member Sanders also stated that staff recommended replacement of the parking stickers with plastic hang tags which the Committee agreed. The Committee's recommendation for replacement cost is on this evening's consent agenda.
- 3) The third topic discussed by the Committee was the Fire Department location and strategic planning for the future. Council Member Sanders stated this is an ongoing and continuing discussion and the Committee has no recommendation for Council.
- 4) The Committee discussed safety concerns and possible solutions for South Dogwood Trail. The Committee decided to continue with evaluating a study as long range planning and no recommendation to Council.

OTHER BUSINESS

Town Manager's report

The Town Manager addressed several matters:

- Today marks the Town Manager's 5th anniversary with the Town of Southern Shores.
- The Town has closed on the property at #7 Skyline Rd and it was paid for out of this year's current budget-transfer of funds from unassigned fund balance. There are no plans at this time for the property other than to incorporate it into the Town Hall Complex for possible future use.
- The road improvement to Pintail Court will start next week.
- The Public Hearing to consider, and possibly amend and/or adopt a prioritized capital street improvement plan for the fiscal year 2015-2016 has been set for July 7th as part of the regular Council meeting at 5:30 p.m.
- National Run Day is Wednesday, June 3rd and several Town Employees are participating or volunteering this year. The Town sponsored this year's National Run Day along with Runcations to take place at the Marketplace in Southern Shores at 6:00 a.m.

Town Attorney

None

Mayor's comments:

The Mayor stated that NCDOT committed to timing signage to the Outer Banks and they are up. He also stated that he has received a good response of well thought out emails about Dogwood Trail. It is about 75% in favor of some sort of pedestrian walkway on both East and

South Dogwood. Two responders wanted to widen South Dogwood Trail with a connected path, but the others were in favor of a separate walking path and to not do anything to the street - or a modest widening to fix edge failure and give a little bit of room for passing vehicles.

Council Members' comments:

Council Member Holland mentioned that if citizens have questions or they cannot find something on the website, because often documents are moved or rearranged, just call the Town Hall and Staff can help you.

Council Member Holland also stated he recently attended a book signing of the David McCullough book about the Wright Brothers. It was a good event. The book will be made into a movie produced by Tom Hanks.

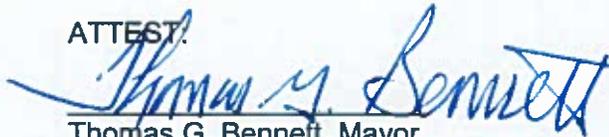
CLOSED SESSION

MOTION: Council Member Lawhon moved to go into closed session--Pursuant to NCGS 143-318.11(a) Section (1): "to consider proposed draft closed session minutes which are privileged or confidential pursuant to N.C.G.S. 143-318.10(e)". Mayor Pro Tem Hess seconded the motion. The motion passed unanimously (5-0).

ADJOURN

MOTION: Upon returning to open session and taking no action Council Member Holland moved to adjourn. The motion was seconded by Council Member Lawhon. The motion passed unanimously (5-0). The time was 6:53 p.m.

ATTEST:


Thomas G. Bennett, Mayor



Respectfully submitted,


Sheila Kane, Town Clerk

Southern Shores VFD

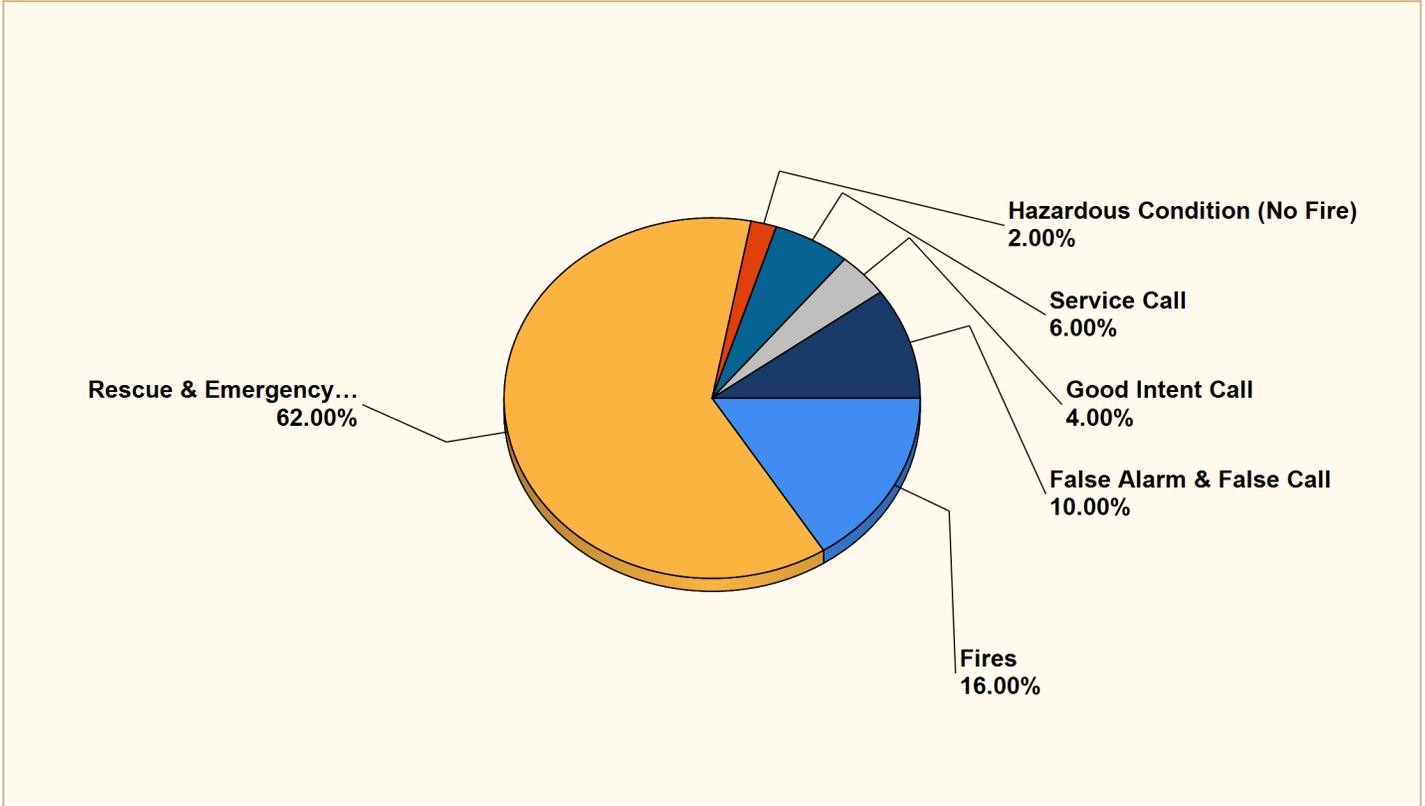
Southern Shores, NC

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Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 05/01/2015 | End Date: 05/31/2015



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	8	16.00%
Rescue & Emergency Medical Service	31	62.00%
Hazardous Condition (No Fire)	1	2.00%
Service Call	3	6.00%
Good Intent Call	2	4.00%
False Alarm & False Call	5	10.00%
TOTAL	50	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.



Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
111 - Building fire	4	8.00%
118 - Trash or rubbish fire, contained	1	2.00%
142 - Brush or brush-and-grass mixture fire	3	6.00%
311 - Medical assist, assist EMS crew	1	2.00%
321 - EMS call, excluding vehicle accident with injury	30	60.00%
440 - Electrical wiring/equipment problem, other	1	2.00%
553 - Public service	2	4.00%
561 - Unauthorized burning	1	2.00%
611 - Dispatched & cancelled en route	1	2.00%
631 - Authorized controlled burning	1	2.00%
743 - Smoke detector activation, no fire - unintentional	3	6.00%
745 - Alarm system activation, no fire - unintentional	2	4.00%
TOTAL INCIDENTS:	50	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

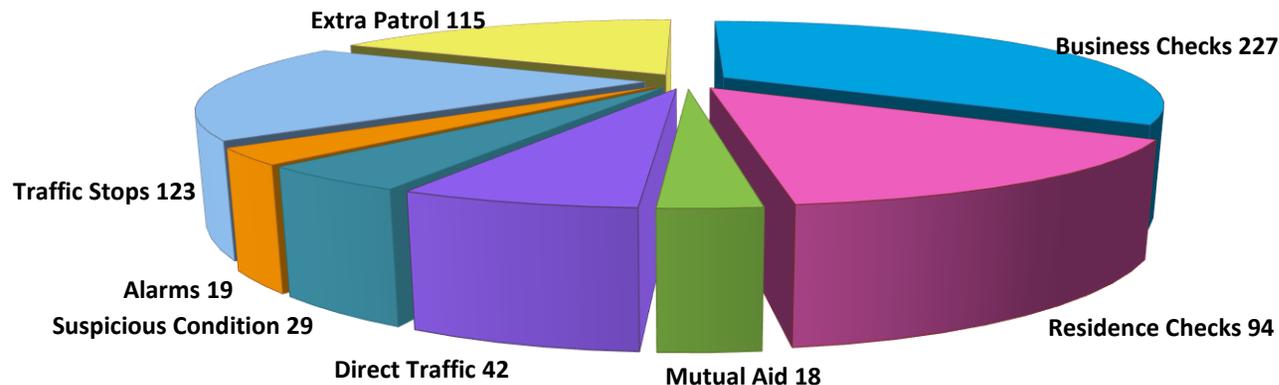


May 2015

Southern Shores Police Department



Calls For Service - 960



6-2-15 TC Report

1. Permitting for May, 2015

-9 Zoning Permits were issued.

-28 building permits were issued: 1 repair, 1 repair/addition, 1 remodel/addition, 2 additions, 3 accessory structures, and 20 others (bulkhead, mechanical, electrical, or plumbing).

-12 single-family dwellings are currently under construction.

-Total amount of fees collected in May was \$4,800.40.



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

Ordinance No. 2015-06-01

An Ordinance of the Southern Shores Town Council Adopting a Budget and Tax Rate for FY 2015-2016 and Continuing a Capital Project

BE IT ORDAINED by the Town Council of the Town of Southern Shores, North Carolina that the following be the various budgets for FY 2015-16:

SECTION I. GENERAL FUND

- A. Appropriations: The following amounts are appropriated for the operation of the Town government and its activities for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

Administration Department	\$ 969,185
Code Enforcement & Inspections Department	\$ 300,572
Fire Department	\$ 475,505
Ocean Rescue Services	\$ 158,245
Police Department	\$ 1,633,765
Public Works Department	\$ 444,695
Public Works Department – Streets, Bridges & Canals	*\$ 2,014,131
Sanitation Services	\$ 676,160
Contribution to Capital Reserve Fund	\$ 20,000
Total General Fund Appropriations	\$ 6,692,258

- B. Estimated Revenues: It is estimated that the following revenues will be available during the fiscal year beginning July 1, 2015 and ending June 30, 2016 to meet foregoing appropriations:

Property Taxes- Current Year	\$ 2,817,831
Vehicle Taxes- Current Year	\$ 80,000
Property & Vehicle Taxes- Prior Years, Penalties and Interest	\$ 9,500
Subtotal: Property and Vehicle Taxes	\$ 2,907,331
Land Transfer	\$ 217,000
Local Option Sales Tax	\$ 845,234
Occupancy Tax	\$ 885,791
Other Intergovernmental Revenues	\$ 1,701,502
Building Permits & Fees	\$ 106,000
Other Revenues	\$ 29,400
Total General Fund Revenues	\$ 6,692,258

SECTION II. CAPITAL RESERVE FUND

Appropriations Authorized:

Transfer OUT to General Fund	\$ 0
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Revenues Anticipated:

Transfer IN from General Fund for "Canal and Channel Maintenance"	\$ 20,000
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EXISTING CAPITAL RESERVE FUND BALANCE (As of 5/20/15)	\$50,746
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SECTION III. CEMETERY FUND

Appropriations Authorized:

Cemetery Maintenance and Beautification	\$ 11,180
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Revenues Anticipated:

Transfer from Cemetery Fund-Undesignated Fund Balance (UFB)	\$ 10,180
Proceeds from Sales of Cemetery Plots	\$ 1,000

TOTAL FY 15-16 CEMETERY FUND REVENUES	\$ 11,180
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EXISTING CEMETERY FUND-UFB BALANCE (as of 5/20/15)	\$ 47,508
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SECTION IV. TAX RATE ESTABLISHED

There is hereby levied a property tax of twenty-two cents (\$0.22) on each one hundred dollars (\$100) valuation of real and personal taxable property in the Town of Southern Shores, as listed for taxes as of January 1, 2015 by the Dare County Tax Department, for the purpose of raising revenue included in "Property Taxes – Current Year" and "Vehicle Taxes – Current Year" in the General Fund, being Section I. B. of this Ordinance.

The rate of tax is based on an estimated total valuation of real and personal property for the purpose of taxation of \$ 1,280,719,291 with an estimated collection rate of 99.72%, and an estimated total valuation of vehicles of \$ 37,105,751 with an estimated collection rate of 98%. The estimated rate of collection is based on the fiscal year 2013-2014 collection rate pursuant to NCGS §159-13(b)(6).

SECTION V. EXPENDITURES

All expenditures must be made in accordance with governing North Carolina General Statutes and adopted Town policies regarding purchasing and bidding as last updated by the Town Council on April 1, 2014. Notwithstanding, the Budget Officer is hereby authorized to expend funds consistent with the governmental functions and amounts shown as appropriated and to execute such documents necessary for same. Notwithstanding current Town policies regarding purchasing and bidding, the Budget Officer is also hereby authorized to execute documents for the following items or services in accordance with the specific appropriations established by this Ordinance or as the budget may be amended during the fiscal year:

1. multi-year lease, lease-purchase, or purchase of vehicles and equipment.

Notwithstanding current Town policies regarding purchasing and bidding, the Budget Officer is also hereby authorized to execute documents for the following items or services in accordance with the specific appropriations* established by this Ordinance or as the budget may be amended during the fiscal year:

2. contracting services for Council-approved capital street improvement projects. *

*An amount of \$516,000 is included in the total amount appropriated in Section 1. A. for "Public Works Department – Streets, Bridges & Canals". This amount represents the total appropriation for capital street improvements for the fiscal year beginning July 1, 2015 and ending June 30, 2016. The Budget Officer is only authorized to expend these funds, in accordance with the terms of this Budget Ordinance, upon subsequent and separate adoption of an Ordinance establishing a "Capital Improvement Plan with Authority to Implement" by the Town Council for the fiscal year beginning July 1, 2015 and ending June 30, 2016.

SECTION VI. CAPITAL RESERVE FUND EXPENDITURES

Withdrawals from the Capital Reserve Fund shall continue to be made for the purposes outlined in that Fund's establishing resolution adopted March 6, 2007, and amended June 19, 2012, and by this Ordinance are authorized to be made to the General Fund for such purposes consistent with the provisions outlined in NCGS §159-22.

SECTION VII. CAPITAL PROJECT AND FUND ESTABLISHED [NCGS §159-13.2(b); §159-26(b)(6)]

Pursuant to authority granted in NCGS §159-13.2(b), the Town Council did heretofore (Budget Ordinance adopted for FY 2013-2014) establish a *Capital Project* as defined in NCGS §159-13.2(a)(1) and a *Capital Project Fund* within the meaning of NCGS §159-26(b)(6). The Capital Project, known as the "Canal Dredging Project Phase II", was established for the primary purpose of removing remaining accumulated spoil material from the submerged bottoms of Town-owned recreational and navigable canals located throughout the Town. Also included in the Capital Project was the secondary purpose of constructing improvements to buildings (or new construction) at the Town Hall complex. After completion of all Capital Project work has been completed and all related debt has been now satisfied, the Capital Project and Capital Project Fund as described herein is hereby terminated.

SECTION VIII. LEASE REVENUES

The Budget Officer is hereby authorized to negotiate in the best interest of the Town and execute such documents necessary for the realization of revenues or other consideration from lease or use of any Town property with a term not to exceed three years.

SECTION IX. BUDGET OFFICER LINE TRANSFER AUTHORIZATION

The Budget Officer shall be authorized to re-allocate intra-departmental appropriations among the various objects of expenditures as he believes necessary for appropriate budget performance, and is also authorized to affect inter-departmental transfers including from a departmental contingency line, within the same Fund, not to exceed 10% of the appropriated monies for the Department whose allocation is reduced.

SECTION X. BUDGET OFFICER RESTRICTIONS

With exception of any cost of living adjustments as appropriated in this ordinance, no salary increases may be made without approval of the Town Council. Inter-fund transfers not established in this budget document may be accomplished only with the prior authorization of the Town Council.

SECTION XI. UTILIZATION OF BUDGET AND BUDGET ORDINANCE

This Ordinance and the Budget Document shall be the basis of the financial plan for the Town of Southern Shores, North Carolina Municipal Government during the fiscal year 2015-16. Copies of this Budget Ordinance shall be furnished to the Clerk of the Town Council and to the Budget Officer and Finance Officer, and is to be kept on file by them for their direction in the disbursement of funds.

ADOPTED this _____ day of _____, 2015.

Mayor Tom Bennett

ATTEST:

Sheila Kane, Town Clerk

SEAL

NORTH CAROLINA

DARE COUNTY

This instrument has been preaudited in the manner required by the Local Government Budgets and Fiscal Control Act.


Finance Director

CONTRACT FOR LEGAL SERVICES

This Agreement for the employment of Town Attorney is entered into the 2 day of June, 2015, by and between Town of Southern Shores, North Carolina, a body corporate and politic existing pursuant to the laws of the State of North Carolina (hereinafter "Town"), and Hornthal, Riley, Ellis & Maland, L.L.P. (hereinafter collectively referred to as "Attorney") and is effective as of the 1 day of July, 2015.



RECITALS

1. Town is in need of the legal assistance of a law firm to fill the position of Town Attorney.
2. The law firm is desirous of filling that position.
3. The parties desire to memorialize their agreement as hereinafter set forth.

NOW, THEREFORE, for and in consideration of the mutual covenants expressed herein it is agreed as follows:

1. **Term of Employment:** It is the agreement and understanding of the parties, that this is an appointed position and may be terminated at will by the Town provided, however, Attorney shall not cease employment in such manner as to prejudice any legal positions, whether by litigation or otherwise, the Town may be maintaining through the Attorney. In this regard, the Attorney shall not withdraw from any litigation, negotiations, drafting or the like without the specified permission of Town, if to do so would prejudice Town's position.

2. **Services:** Attorney shall provide to Town such legal services as Town requires and requests.

3. Independent Contractor Status: Attorney offers its services as an independent contractor and Town has no liability for payment of any benefits that would normally accrue to its employees by virtue of their employment with the Town.

4. Reimbursement and Billing: Attorney, including its partners, associates and paralegals, shall be reimbursed as follows:

- a. A non-refundable retainer of \$2,500.00 per month shall be paid to Attorney by the Town for the provision of any legal services including representation at meetings upon request and communications with Town staff and officials. Attorney shall submit monthly invoices to the Town indicating all work performed and actual expenses incurred. The invoices shall indicate legal services performed at the rate of \$175.00 per hour, paralegal services at a cost of \$95.00 per hour, law clerk services at \$105.00 per hour and the amount of actual expenses incurred. All fees for services shall be debited from the retainer first, with any remaining fees invoiced in excess of the expended retainer. Actual expenses shall be billed and paid without regard to the retainer.
- b. Beginning June 1, 2016 the hourly rate for legal services shall increase to \$180.00 per hour and on June 1, 2017 the hourly rate of legal services shall increase to \$185.00 per hour.

5. Expectations: Attorney recognizes the need of Town for accessibility and prompt service. To this end, it shall be the obligation of Attorney to diligently return phone calls, be available upon request, and otherwise meet reasonable deadlines imposed by the Town. Benjamin M. Gallop, partner of the firm, shall be primarily responsible for providing the requisite services to the Town. However, Town understands it is hiring the firm as opposed to an individual attorney. In the event of Mr. Gallop's unavailability, the Town shall seek advice from other Partners or Associates within the firm who shall comply with the Town's needs.

6. Organization and Access to Services: Attorney represents the Town Council and not administration. However, the Attorney shall be assigned legal tasks by the Town Manager pursuant to instructions from the Town Council and unless requested to the contrary, shall report to the Town Manager as to the progress and status of legal matters. In the event

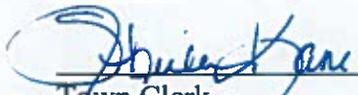
Attorney recognizes a legal matter it deems in need of attention, the same shall be reported to the Town Manager for permission to proceed. Except in emergency situations, Attorney shall not initiate any legal action, or maintain any position on behalf of the Town, without the permission of the Town Council pursuant to the instruction of the Town Manager.

7. **Non-exclusive Obligation:** It is agreed and understood that Attorney is a private law firm with a substantial and varied practice. Nothing herein shall be construed as to prohibit the Attorney from continuing to serve its other clients and promote its practice outside representation of Town.

8. **Conflict of Interest:** During its representation, Attorney shall not undertake any new representation in conflict with the Town or any of its agencies. In the event a conflict of interest is discovered as a result of prior representation, the same shall immediately be reported by Attorney to the Town Manager. If the conflict is ethically irreconcilable, the Attorney shall not represent either the Town or its other client in the controversy.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

ATTEST:


Town Clerk

TOWN OF SOUTHERN SHORES

By: 
J. Peter Rascoe, III, Town Manager



HORNTHAL, RILEY, ELLIS & MALAND, L.L.P.

By: 
Benjamin M. Gallop, Partner

TOWN OF SOUTHERN SHORES RULES OF PROCEDURE FOR TOWN COUNCIL

SECTION 6: MEETINGS

REPLACE THIRD PARAGRAPH (C. EMERGENCY MEETINGS) WITH THE FOLLOWING:

Emergency meetings. The Mayor, the Mayor pro tempore or any two members of the Council may at any time call an emergency meeting of the Council due to generally unexpected circumstances that require immediate consideration by the Council. An emergency meeting may be initiated by the signing of a notice stating the time and place of the meeting, a general description of the circumstances giving rise to the emergency and the subjects to be considered at the emergency meeting. The person or persons calling an emergency meeting or their designees shall take reasonable steps to notify the remaining members of the Council of the emergency meeting using any appropriate method including, but not limited to, e-mail, telephone or instant messaging. In accordance with NCGS §143-318.12(b)(3), the Town shall cause public notice of an emergency meeting to be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written request, which includes the newspaper's, wire service's, or station's telephone number, for emergency notice with the Town Clerk. This public notice shall be given either by e-mail, by telephone, or by the same method used to notify the members of the Council and shall be given immediately after notice has been given to those members. This public notice shall be given at the expense of the party notified. Town Staff and/or the person or persons calling the emergency meeting may provide additional public notice. Only business connected with the emergency may be considered at an emergency meeting.

CURRENT VERSION:

Section 6. Meetings.

(a) Regular meetings. The Council shall hold a regular meeting on the first Tuesday of each month, except that if a regular meeting day is a legal holiday, the meeting shall be held on the next business day. In addition to the regular meeting, the Council shall hold a work session on the third Tuesday of the month.

(b) Special meetings. The Mayor, the Mayor pro tempore or any two members of the Council may at any time call a special meeting of the Council by signing a notice stating the time and place of the meeting and the subjects to be considered. At least 48 hours before a special meeting is called in this manner, written notice of the meeting stating its time and place and the subjects to be considered shall be (a) delivered to the Mayor and each Council member or left at the usual dwelling place of each Council member; (b) posted on the Council's principal bulletin board, or if none, at the door of the Council's usual meeting room; and (c) mailed, emailed, or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the Town Clerk. Only those items of business specified in the notice may be transacted at a special meeting.

~~(c) Emergency meetings. The Mayor, the Mayor pro tempore or any two members of the Council may at any time call a special meeting of the Council by signing a notice stating the time and place of the meeting and the subjects to be considered. If a special meeting is called to deal with an unexpected circumstance requiring immediate consideration, the notice requirements of this section do not apply. However, the person or persons calling an emergency meeting shall take reasonable action to inform the other members and the public of the meeting at least six hours before the meeting. Local news organizations shall be notified of such emergency meetings by the same method used to notify Council members. Only business connected with the emergency may be discussed at the meeting.~~

(d) Work sessions and informal meetings. The Council may schedule work sessions, committee meetings, or other informal meetings of the Council or of a majority of its members at such times and concerning such subjects as may be established by resolution or order of the Council. A schedule of any such meetings held regularly shall be filed in the same place and manner as the schedule of regular meetings. Work sessions and other informal official meetings not held regularly are subject to the same notice requirements as special Council meetings.

(e) Sunshine list. Any individual and any newspaper, wire service, radio station, and television station may file a written request with the Town Clerk for notice of all regular and special Town of Southern Shores Council Rules of Procedure *Page 3 Of 9* meetings of the Council. Requests by individuals and news organizations must be renewed annually by December 31.



Closed Session
June 2, 2015

Those in attendance: Mayor Bennett, Mayor Pro Tem Hess, Council Members Holland, Sanders and Lawhon.

Also present: Town Manager Peter Rascoe, Town Attorney Ben Gallop and Town Clerk Sheila Kane.

Absent: None

Mayor Bennett called the meeting to order stating there is one agenda item.

A.) The Town Clerk presented Council with closed session minutes for approval.

May 5, 2015

MOTION: Council Member Lawhon moved to approve the May 5, 2015 closed session minutes as presented. The motion was seconded by Mayor Pro Tem Hess. The motion passed unanimously.

May 6, 2015

MOTION: Council Member Lawhon moved to approve the May 6, 2015 closed session minutes as presented. The motion was seconded by Mayor Pro tem Hess. The motion passed unanimously.

MOTION: Council Member Holland moved to adjourn the closed session. The motion was seconded by Council Member Sanders. The motion passed unanimously.

Sheila Kane
Town Clerk