



**Town of Southern Shores
Council Meeting
October 6, 2015**

The Town of Southern Shores Council met in the Pitts Center located at 5375 N. Virginia Dare Trail at 5:30 p.m. on Tuesday, October 6, 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: Council Member Holland moved to approve the agenda as presented. The motion was seconded by Council Member Sanders. The motion passed unanimously (5-0).

CONSENT AGENDA

The consent agenda consisted of the following items:

- Approval of Minutes- September 1, 2015
- Appointment/ Designation of a statutory Deputy Finance Officer
- Budget Amendment #1 (Budgetize Insurance Proceeds from Property Loss Claim)

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).

[Clerk's Note: A copy of the consent agenda items are hereby attached as Exhibit A].

EMPLOYEE RECOGNITION

Police Chief David Kole recognized Officer Tracy Mann for her five (5) years of dedicated service for the Town of Southern Shores. Officer Mann currently serves at the School Resource Officer for Kitty Hawk Elementary.

GENERAL PUBLIC COMMENT

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

Lori Williams, on behalf of the League of Women Voters
Ed Cowell, Southern Shores property owner

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

STAFF REPORTS

Town Planner:

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

- Permitting and Inspections for September, 2015

Southern Shores Police Department

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

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

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

TOWN BOARD REPORTS

Dogwood Trails Task Force Selection Committee

Chairwoman Pat Wilson gave a final report of the Selection Committee (attached) She stated the Committee's purpose was to recommend to Council separate appointment of a nine-member South and East Dogwood Trails Task Force. The Committee received 36 applications, conducted interviews, and nominates the following nine (9) Southern Shores residents:

- Shirley Ruff
- Jim Connors
- Mary Keith Lilly
- Michael Fletcher
- Maureen McGrath
- Richard Bell
- Dr. Dan Dwyer
- Tom Craney
- Sam Williams

MOTION: Council Member Lawhon moved to approve the Selection Committee's nominations for a nine (9) member South and East Dogwood Trail's Task Force. The motion was seconded by Council Member Sanders. The motion passed unanimously (5-0).

Planning Board

Chairperson Williams gave a report from the last Planning Board meeting on September 21st regarding ZTA-15-02 "*Setback Preservation Requirements*". The intent of the zoning text amendment, as applied for by the Southern Shores Civic Association, is to preserve and protect trees by minimizing removal of existing vegetation in rear and side yard setback areas. The zoning text amendment would apply only to residential lots in the RS-1 zoning district. The application requests two major sections of regulation be added to the zoning code. The first section would apply to undeveloped residential lots with no lot disturbance permits or proposed building permits yet in place. The second section would apply to residential lots subject to lot disturbance permits or building permits either applied for or issued for major renovations.

Chairperson Williams stated the Planning Board meeting had a high attendance with alot of issues raised during the presentation of the staff report and the ZTA application, and during the public comment session.

RECOMMENDATION: The Planning Board does not recommend approval or disapproval. The Planning Board recommends the Council direct it to revise and continue working on the proposed setback preservation requirements ordinance and bring another recommendation back to Council for its consideration.

MOTION: Following discussion, Mayor Pro Tem Hess moved to send ZTA-15-02 "Setback Preservation Requirements" back to the Planning Board as requested and to then bring back to Council a recommendation one way or another. The motion was seconded by Council Member Sanders. The motion passed unanimously (5-0).

[Clerk's Note: A copy of the board reports are hereby attached as Exhibit C].

OLD BUSINESS

None

NEW BUSINESS

Consideration of recommended appointment of TOSS representative to the SSVFD Local Firemen's Relief Fund Board.

Fire Chief Limbacher stated the Fire Department recommends Council appoint Pat Wilson to the SSVFD Local Firemen's Relief Fund Board.

Council Member Holland asked Ms. Wilson (still in attendance in public gallery) if she would be willing to accept an appointment. She relied yes.

MOTION: Council Member Holland moved to appoint Pat Wilson to the SSVFD Local Firemen's Relief Fund Board. The motion was seconded by Mayor Pro Tem Hess. The motion passed unanimously (5-0).

OTHER BUSINESS

Town Manager's report

The Town Manager addressed several matters:

- The Town has received a public records request from the Southern Environmental Law Center pertaining to the Mid-Currituck Bridge. This request has been received by two other Towns, Dare County, and Currituck County.
- The Throwdown North of Town charity surfing tournament was once again a successful event which took place in Southern Shores September 12th drawing a crowd of about 350 people.
- The bid opening for the Tall Pine Bridge replacement will take place on Wednesday, October 7th and the Town will hold a Special Meeting the following day to award contract to the lowest qualified bidder.
- GoFar's Turkey Trot 5k for Thanksgiving Day in Southern Shores registration is now open.
- On November 11th the Veteran's Day Ceremony will take place at Town Hall at 11:00 am in the Veteran's Garden by the flag pole.
- Since there are currently no staff recommended actions, Council, if it has no proposed pending actions, may want to consider cancelling the October mid-month regular meeting scheduled for 9:00 a.m. on October 20th.

ACTION: By consensus of the Council members, the second meeting in the month of October scheduled for October 20, 2015 at 9:00 a.m. has been cancelled.

Town Attorney

None

Mayor's comments:

Mayor Bennett stated he would like to remind the residents the role of the Town Manager. The Town Manager performs his job at the direction of Council, he works for Council. He manages our Town Staff. The Manager does not adopt or direct the policies of the Town, Council does. Council establishes those policies and the Manager implements those policies. Most of the Council's goals and objectives are set for each fiscal year and are driven by Council's adopted budget. The Manager prepares and proposes a draft budget to Council each fiscal year based on the goals and objectives set by Council.

The Mayor also reminded the public that the Southern Shores candidate forum will be held on Wednesday, October 14th at 7:00 p.m. at Kitty Hawk Elementary and that Election Day is on Tuesday, November 3rd. The Council meeting will be on Wednesday, November 4th.

Council Members' comments:

Mayor Pro Tem Hess stated she would like to address a comment made at the previous Council meeting pertaining to the Town's Facebook page. The Town's Facebook page has always been another medium to keep our citizens informed. Up until about a year ago the Town did leave readers' posted comments viewable on the page - until people decided to use that page to comment for other purposes. The policy the Town has for Facebook is found on the Town's Facebook page. The Town of Southern Shores does not have a full time IT employee like some of the other Town's do within Dare County. The Town does not have the resources to have someone continuously monitor Facebook comments for appropriateness. If there are questions about the Town's operations, we have a competent staff fully able to answer citizen's questions or seek out the answers if they do not have the answers themselves. The Town does not allow any comment interactions on its Facebook page and this is the policy.

Council Member Holland stated he did attend the 9/11 remembrance event at the Event Park in Nags Head and it was very nice. This was the Events Park's first ceremony and the organizers plan on doing it again next year.

Council Member Sanders stated in regards to Candidates night it will be televised on Gov-Channel on the following dates and times:

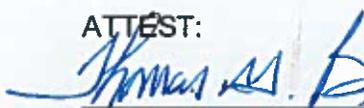
- October 19th at 7:00 p.m.
- October 23rd at 7:00 p.m.
- October 28th at 9:00 p.m.
- November 1st at 9:00 p.m.

Council Member Sanders also stated it will be available on the Gov-Channel's YouTube page.

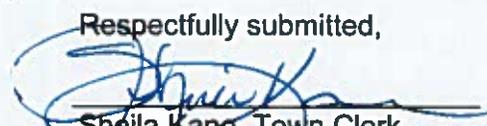
ADJOURN

MOTION: Council Member Holland moved to adjourn. The motion was seconded by Council Member Lawhon. The motion passed unanimously (5-0). The time was 6:20 p.m.

ATTEST:


Thomas G. Bennett, Mayor



Respectfully submitted,

Sheila Kane, Town Clerk



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 2015-10-01

RESOLUTION APPOINTING A DEPUTY FINANCE OFFICER

WHEREAS, the Town Council of the Town of Southern Shores has, pursuant to North Carolina General Statute (NCGS) §159-24 of *The Local Government Budget and Fiscal Control Act*, appointed a Finance Officer who currently serves the Town with the powers and duties enumerated in NCGS §159-25; and

WHEREAS, NCGS §159-25 (b) states: "*Except as otherwise provided by law, all checks or drafts on an official depository shall be signed by the finance officer or a properly designated deputy finance officer and countersigned by another official of the local government or public authority designated for this purpose by the governing board.*"; and

WHEREAS, it has been recommended that the Council properly designate and duly appoint a Deputy Finance Officer to serve the Town with the power and duty enumerated in NCGS §159-25 (b) when necessary and in the absence of the Finance Officer.

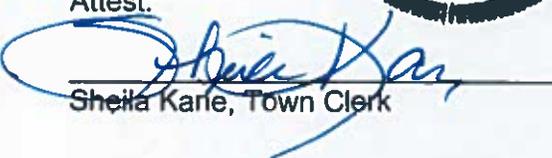
NOW, THEREFORE BE IT RESOLVED that Town Manager Peter Rascoe is hereby designated and appointed Deputy Finance Officer to serve the Town with the power and duty enumerated in NCGS §159-25 (b) when necessary and in the absence of the Finance Officer.

This the 6th day of October 2015.




Thomas G. Bennett, Mayor

Attest:


Sheila Kane, Town Clerk

TOWN OF SOUTHERN SHORES - PLANNING DEPARTMENT - MONTHLY REPORT FOR SEPTEMBER 2015									
ISSUED DATE	PERMIT #	OWNER NAME	ADDRESS	USE	TYPE OF CONSTRUCTION	EST COST	PERMIT FEE	RES/ COMM	CONTRACTOR
BUILDING PERMITS									
9/1/2015	9147	EIKE, ROBERT	246 WAX MYRTLE TRAIL	SINGLE FAMILY DWELLING	ADDITION - STORAGE EXPANSION	\$ 7,500.00	\$ 100.00	R	CHRISTOPHER A. MOYE
9/2/2015	9148	RIES, CHARLES	169 S. DOGWOOD TRAIL	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 5,360.00	\$ 100.00	R	ALL SEASONS HEATING & COOLING
9/3/2015	9150	FORREST, JAMES	159 CHICAHOUK TRAIL	SINGLE FAMILY DWELLING	ACCESSORY BLDG - SHED	\$ 3,500.00	\$ 100.00	R	OWNER CONTRACTOR
9/3/2015	9149	WATSON, DAVID	56 HICKORY TRAIL	SINGLE FAMILY DWELLING	REMODEL	\$ 28,500.00	\$ 295.00	R	J.B. EDWARDS CUSTOM HOMES
9/4/2015	9152	SCHWAB, STEPHEN	22 DOLPHIN RUN	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 5,700.00	\$ 100.00	R	R.A. HOY HEATING & A/C, INC
9/8/2015	9153	PETTIT, DAVID	15 SEVENTH AVENUE	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 5,900.00	\$ 100.00	R	R.A. HOY HEATING & A/C, INC
9/8/2015	9154	DICK, GRANT	63 GINGUITE TRAIL	SINGLE FAMILY DWELLING	OTHER - GAS	\$ 500.00	\$ 100.00	R	SHOREFIRE GAS FIREPLACES
9/8/2015	9141	NELSON, RONALD	314 SEA OATS TRAIL	SINGLE FAMILY DWELLING	ADDITION	\$ 5,000.00	\$ 209.40	R	OWNER CONTRACTOR
9/10/2015	9158	LAPOINTE, CARMAN	127 CROOKED BACK LOOP	SINGLE FAMILY DWELLING	REPAIR	\$ 25,475.00	\$ 264.75	R	B&A BUILDERS, INC
9/11/2015	9151	STANCHINA, ARTHUR	288 HILLCREST DRIVE	SINGLE FAMILY DWELLING	REPAIR	\$ 13,800.00	\$ 148.00	R	GEORGE HOFFMAN CONSTRUCTION, INC
9/15/2015	9156	MCDOLE, RANDALL	207 OCEAN BOULEVARD	SINGLE FAMILY DWELLING	NEW CONSTRUCTION - SFD	\$ 897,000.00	\$ 3,591.90	R	ALBEMARLE CONTRACTORS, INC
9/15/2015	9157	CARTWRIGHT, CHRISTY	137 DUCK WOODS DRIVE	SINGLE FAMILY DWELLING	NEW CONSTRUCTION - SFD	\$ 384,571.00	\$ 1,707.70	R	ALBEMARLE CONTRACTORS, INC
9/15/2015	9160	GUALTIERI, JOHN	76 S. DOGWOOD TRAIL	SINGLE FAMILY DWELLING	ADDITION	\$ 24,900.00	\$ 100.00	R	KEITH G. TERJESEN
9/17/2015	9155	STAFFORD, JACOB	135 E. HOLLY TRAIL	SINGLE FAMILY DWELLING	REMODEL	\$ 30,000.00	\$ 310.00	R	COSTIN CREATIONS, LLC
9/18/2015	9159	BANNIGAN, ROSE A TTEE	238 WAX MYRTLE TRAIL	SINGLE FAMILY DWELLING	REPAIR	\$ 11,500.00	\$ 115.00	R	KICZ MAINTENANCE & REMODELING
9/22/2015	9166	IWASHCHENKO, MIKE	7 THIRD AVENUE	SINGLE FAMILY DWELLING	OTHER - ELECTRICAL	\$ 1,500.00	\$ 100.00	R	DAVCO ELECTRIC INC.
9/22/2015	9167	HESS, CHARLES TRUSTEE	6 SOUNDVIEW TRAIL	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 16,173.00	\$ 100.00	R	OUTER BANKS HEATING & COOLING
9/22/2015	9162	FLAKOWICZ, JAN	109 TRINITIE TRAIL	SINGLE FAMILY DWELLING	ADDITION/REMODEL	\$ 200,000.00	\$ 791.50	R	DON F. JENNINGS
9/23/2015	9168	TAYLOR, JOHN	31 DOLPHIN RUN	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 4,900.00	\$ 100.00	R	R.A. HOY HEATING & A/C, INC
9/24/2015	9164	MERCER, DOUGLAS	151 BEECH TREE TRAIL	SINGLE FAMILY DWELLING	ADDITION	\$ 20,000.00	\$ 210.00	R	MACKO CONSTRUCTION
9/24/2015	9169	CLISSOLD, SUSAN	137 BAYBERRY TRAIL	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 4,845.00	\$ 100.00	R	NORTH BEACH SERVICES
9/25/2015	9163	HUDSPETH, PADDISON	8 GINGUITE TRAIL	SINGLE FAMILY DWELLING	NEW CONSTRUCTION - SFD	\$ 601,000.00	\$ 2,509.00	R	FULCHER HOMES, INC
9/25/2015	9170	DUNLAP, JAMES, III	161 YAUPON TRAIL	SINGLE FAMILY DWELLING	REMODEL	\$ 17,015.00	\$ 180.15	R	ALBEMARLE CONTRACTORS, INC
9/28/2015	9173	ADAMS, CHRISTOPHER	10 PALMETTO LANE	SINGLE FAMILY DWELLING	ADDITION/RETAINING WALL	\$ 216,375.00	\$ 870.40	R	AUBREY C. KITCHIN
9/30/2015	9171	MCGRATH, KEVIN	318 SEA OATS TRAIL	SINGLE FAMILY DWELLING	ACCESSORY - POOL	\$ 31,000.00	\$ 125.00	R	SOUTHERN SCAPES POOLS
9/30/2015	9175	DUCK WOODS COUNTRY CLUB, INC	50 S. DOGWOOD TRAIL	COMMERCIAL - COUNTRY CLUB	OTHER - ELECTRICAL	\$ 700.00	\$ 100.00	C	SUBURBAN ELECTRIC
9/30/2015	9172	RABAT, JOYCE	62 DUCK WOODS DRIVE	SINGLE FAMILY DWELLING	REMODEL	\$ 2,000.00	\$ 100.00	R	PROPERTY OWNER
					BUILDING PERMIT TOTAL \$ RESIDENTIAL	\$2,564,014.00	\$ 12,538.60		
					BUILDING PERMIT TOTAL \$ COMMERCIAL	\$ 700.00	\$ 100.00		
					TOTAL FEES \$ =	\$ 2,564,714.00	\$ 12,638.60		
					# RESIDENTIAL =			26	
					# COMMERCIAL =			1	

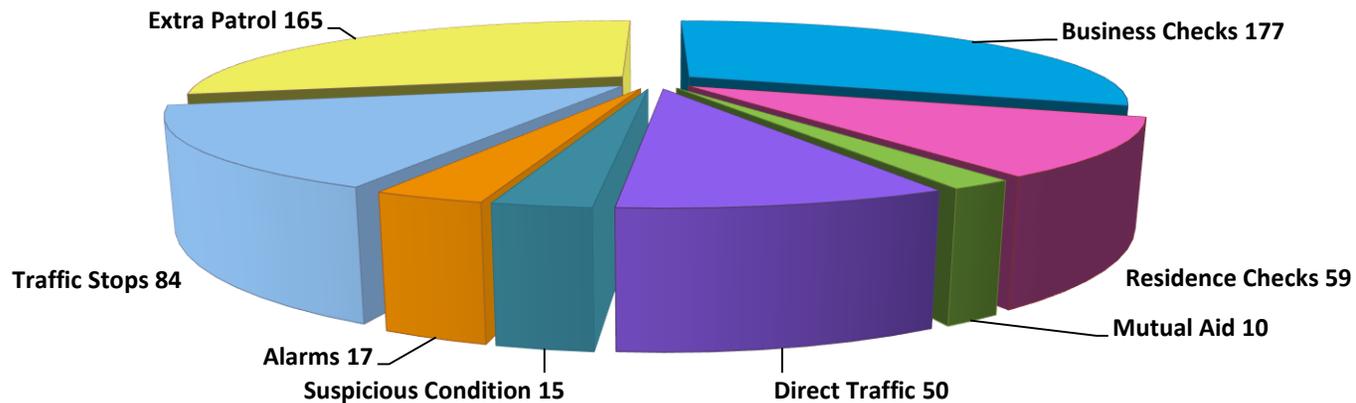
**8/20/2015	PLAN REVIEW FEES	CARTWRIGHT, CLIFFORD	137 DUCK WOODS DRIVE	LOT DISTURBANCE PERMIT ISSUED 8/20/2015 - PAYMENT RECEIVED ON 9/9/2015	GRAND TOTAL \$ OF FEES COLLECTED =		\$ 14,038.60		

September 2015

Southern Shores Police Department



Calls For Service - 867



Southern Shores VFD

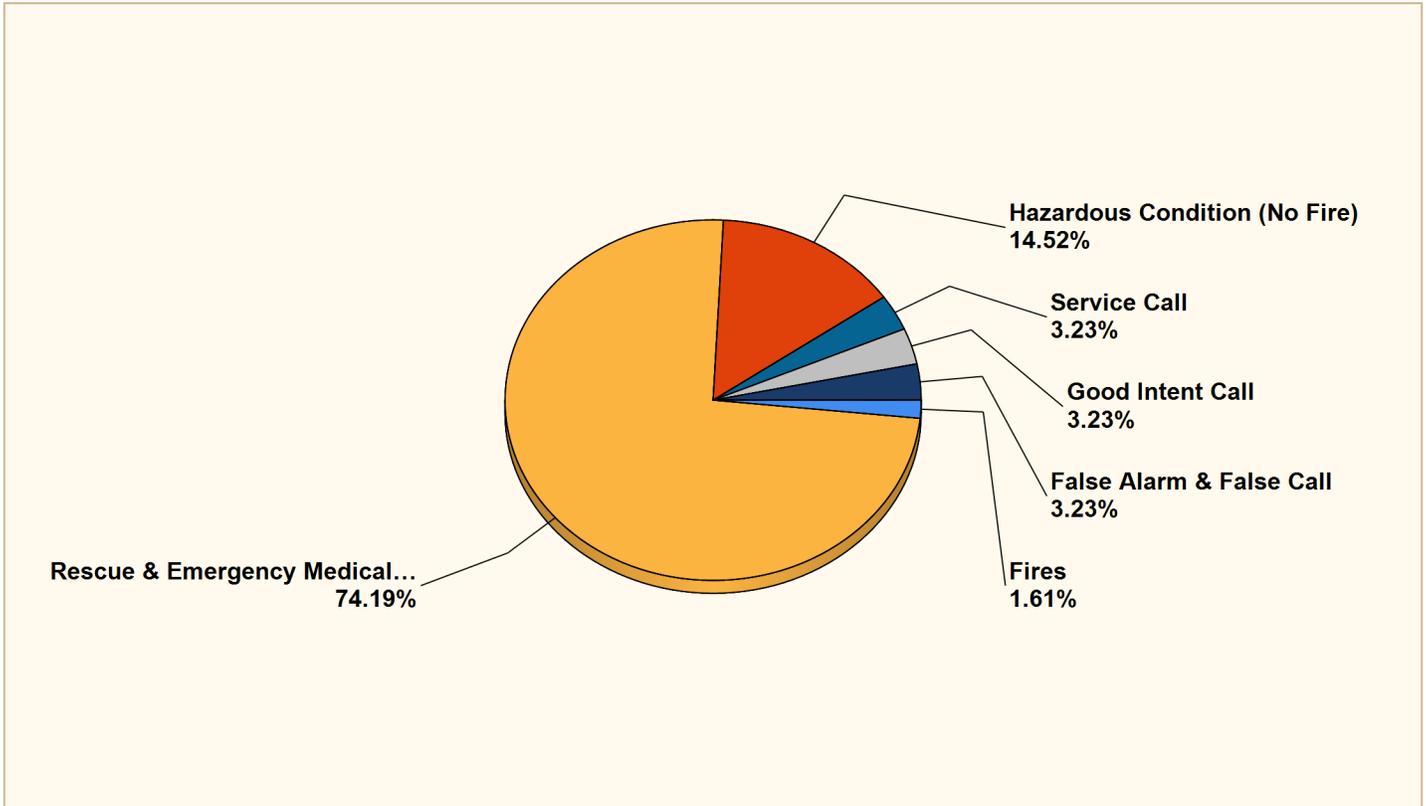
Southern Shores, NC

This report was generated on 10/6/2015 7:09:12 AM



Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 09/01/2015 | End Date: 09/30/2015



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	1	1.61%
Rescue & Emergency Medical Service	46	74.19%
Hazardous Condition (No Fire)	9	14.52%
Service Call	2	3.23%
Good Intent Call	2	3.23%
False Alarm & False Call	2	3.23%
TOTAL	62	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
112 - Fires in structure other than in a building	1	1.61%
321 - EMS call, excluding vehicle accident with injury	42	67.74%
322 - Motor vehicle accident with injuries	1	1.61%
331 - Lock-in (if lock out , use 511)	1	1.61%
352 - Extrication of victim(s) from vehicle	1	1.61%
364 - Surf rescue	1	1.61%
412 - Gas leak (natural gas or LPG)	5	8.06%
440 - Electrical wiring/equipment problem, other	2	3.23%
443 - Breakdown of light ballast	1	1.61%
463 - Vehicle accident, general cleanup	1	1.61%
551 - Assist police or other governmental agency	1	1.61%
553 - Public service	1	1.61%
651 - Smoke scare, odor of smoke	2	3.23%
733 - Smoke detector activation due to malfunction	2	3.23%
TOTAL INCIDENTS:	62	100.00%

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



To: Southern Shores Town Council
RE: Report
From: Selection Committee for the South and East Dogwood Trail Task Force
Ms. Pat Wilson, Chair
Mr. Ike McRee
The Rev. Mr. Alan Swartz
Mr. Hal Denny
Mr. Ross Mitchell
Mr. Andy Ward
Date: October 6, 2015.

We were appointed by the Town Council for the purpose of recommending separate appointment of a nine member South and East Dogwood Trails Task Force. We were further charged by Town Council with “insuring that the South and East Dogwood Trails Task Force is populated in such a manner as to avoid preconceived notions or biases toward personally desired outcomes.”

Applicants were asked for a short biography and the reason they wished to serve on the Task Force. We received thirty six applications which each person on the committee read. Applicants were to be full time residents of Southern Shores, registered to vote in Southern Shores and not have conflicting interests, e.g. being related to members of the Town Council or Southern Shores staff. The committee concluded that we need not interview all applicants and therefore devised a rating system to select the top scores in the various categories we were instructed to cover. We then interviewed thirteen ~~people~~ applicants. Two we did not deem necessary to interview because they received such high initial scores.

Upon completion of our work, we nominate the following nine people to serve on the South and East Dogwood Trails Task Force.

Ms. Shirley Ruff – retired Sergeant from the Southern Shores Volunteer Fire Department, familiar with safety issues and emergency procedures. Shirley is a well known artist with a Masters in Art Education and an art teacher for many years. She lives on Chicahauk Trail.

Mr. Jim Connors – a professional landscape architect with thirty years of experience, twenty of those years on the Outer Banks. Jim has participated in many volunteer projects in Southern Shores. He lives on Duck Woods Dr.

Ms. Mary Keith Lilly – worked for almost thirty years with cooperative extension agency in Loudoun County, dealing with citizen and personnel complaints, among other things. She is a master gardener and lives on Wood Duck Ct.

Mr. Michael Fletcher – an analytic methodological who taught critical thinking and analysis methods, problem definition and how to develop and evaluate alternative answers and solutions. Michael lives on Woodland Dr.

Ms. Maureen McGrath – former corporate lawyer from New York City. She has served on the Chicahauk ARB for many years and is the secretary of the Outer Banks Forum for the Lively Arts. She is also a master gardener. She and her husband, John Gualtieri, recently moved from Chicahauk to South Dogwood Tr.

Mr. Richard Bell – is a licensed general contractor for residential construction for over ten years in North Carolina. He is mindful that we live in one of the few maritime forests on the planet. Having lived for fifty years in Northern Virginia, he treasures the area of Southern Shores. Richard lives on South Dogwood.

Dr. Dan Dwyer – a beloved and well known OB-GYN Physician who has practiced and lived in Southern Shores for twenty years. Dr. Dwyer has been involved in Medical Leadership and community work over all the years he has lived here. He lives on North Dogwood Tr.

Mr. Tom Craney – a retired London banker and racing bicyclist, living in Southern Shores since 2000. He served on the town ARB for five years and has done other volunteer work in the community. He lives on East Dogwood Tr.

Mr. Sam Williams - presently the Chair of the Southern Shores Planning Board, before that he was on the Chicahauk ARB and the Southern Shores Civic Association ARB. He has a Masters Degree in Oceanography and worked thirty years for the EPA's office of Research and Development. Sam lives on Pudding Pan in Chicahauk.

The committee appreciates all who participated in the process and thank all those who came to be interviewed. We believe these people whom we are recommending to the Town Council are gifted and talented people open to providing an energetic and exciting complex of thoughts and ideas that will result in a solution to the Dogwood Trail dilemma. We thank you for the privilege of serving the Town of Southern Shores.