



**Town of Southern Shores
Regular Council Meeting
February 21, 2017**

The Town of Southern Shores Council met in the Pitts Center located at 5375 N. Virginia Dare Trail at 9:00 a.m. on Tuesday, February 21, 2017.

COUNCIL MEMBERS PRESENT: Mayor Bennett, Mayor pro tem Fred Newberry, Council Members Leo Holland, Chris Nason and Gary McDonald.

COUNCIL MEMBERS ABSENT: None

CALL TO ORDER / PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

Mayor Bennett called the meeting to order at 9:00 a.m., led the Pledge of Allegiance, and held a moment of silence.

AMENDMENTS / APPROVAL OF AGENDA

MOTION: Council Member McDonald moved to approve the agenda as amended. The motion was seconded by Council Member Holland. The motion passed unanimously (5-0).

CONSENT AGENDA

The Consent Agenda consisted of the following items:

- Resolution Opposing the Designation of Special Secondary Nursery Areas (2017-02-02)

MOTION: Mayor pro tem Newberry moved to have the single consent agenda item "*Resolution 2017-02-02 Opposing the Designation of Special Secondary Nursery Areas*" placed under New Business for discussion. The motion was seconded by Council Member McDonald. The motion passed unanimously (5-0).

EMPLOYEE RECOGNITION

Mayor Bennett recognized Police Chief David Kole for his 10 years of service to the Town of Southern Shores

SPECIAL PRESENTATION

Lorelei DiBernardo on behalf of the League of Women Voters gave a presentation on the Equal Rights Amendment (ERA). Draft Resolution 2017-02-03, in Support of Equal Rights Amendment, is before the Council.

MOTION: Mayor Bennett moved to approve Resolution 2017-02-03 Support of Equal Rights Amendment. The motion was seconded by Council Member McDonald. The motion passed unanimously (5-0).

GENERAL PUBLIC COMMENT

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

- Trisha Farinholt-69 Ocean Blvd-In favor of the speed limit change along NC12. Would like to know what is Council's thought on the former bombing range.
- Tommy Karole-77 East Dogwood Trl.- Draft Resolution 2017-02-02 Opposing the Designation of Special Secondary Nursery Areas should not be on the agenda because Council knows nothing about it. From Ocracoke to Corolla only 2-3% of seafood in restaurants are actually caught locally. Trawling is devastating and is bad news.
- Joe Van Gieson-228 N Dogwood Trl.- Agrees with Tommy Karole. Asked why and who placed this draft resolution on the consent agenda? It should have been placed under New Business for discussion. It was improper to put under consent agenda. Typical of Council to ignore the wishes of the people.

[Clerk's Note: A copy of the public comment signup sheet is hereby attached].

Hearing no other citizen wishing to speak, Mayor Bennett closed public comment.

NEW BUSINESS

Consideration of Resolution 2017-02-04 requesting NCDOT to reduce speed limit on NC Highway 12 during visitor season from 45 mph to 35 mph from Skyline Road to Trout Run
MOTION: After a brief discussion, Council Member McDonald moved to approve Resolution 2017-02-04 requesting NCDOT to reduce speed limit on NC Highway 12 during visitor season from 45 mph to 35 mph from Skyline Road to Trout Run. The motion was seconded by Council Member Holland. The motion passed unanimously (5-0).

Next Agenda item:

Resolution Opposing the Designation of Special Secondary Nursery Areas (draft Resolution 2017-02-02)

After discussions, Council Member McDonald stated he would like to research the agenda item more and gather more information. Council Member Holland agreed. Mayor pro tem Newberry stated he has already done his research and is against the resolution.

MOTION: Council Member McDonald moved to table draft Resolution 2017-02-02 Opposing the Designation of Special Secondary Nursery Areas. The motion was seconded by Council Member Holland. The motion passed (4-1) with Mayor Bennett, Council Member Holland, Council Member Nason and Council Member McDonald voting YES; Mayor pro tem Newberry voting NO.

The Town Manager stated for the Council meeting record that the NC Marine Fisheries Commission has already accepted the petition for rule making. For the next twelve months, the NC Marine Fisheries Commission will be engaged in the State rulemaking process on a trawling ban. He also reported, in response to previous citizen comment, several other Towns have adopted the draft resolution, and that it was sent to the Town for consideration by the Dare County Board of Commissioners. State policy resolutions received from the County that seem routine and noncontroversial when received, are typically recommended to the Mayor for consent agenda inclusion. He reminded Council that any one Council Member may object to an item being on the Council's Consent Agenda maintained for routine business, and without further amendment action of the Council, request and have the item moved to the Agenda's business sections.

GENERAL PUBLIC COMMENT

Mayor Bennett called for public comment.

Hearing no citizens wishing to speak Mayor Bennett closed public comment.

MAYOR'S COMMENTS & RESPONSES

Mayor Bennett stated he attended two beach nourishment meetings for the Towns that have already been permitted. The first meeting held in Kitty Hawk was an informational meeting which mainly focused on comments and scheduling from the contractor, Great Lakes Dock & Dredge. The second meeting held in Kill Devil Hills was a pre-construction meeting between Great Lakes Dock & Dredge and representatives from State and Federal agencies which will oversee their operations.

Mayor Bennett stated that Council Member McDonald had formally declined to serve on the Albemarle Regional Planning Organization and that leaves the Town without a representative. Mayor Bennett stated if Council agrees by consent, he would be willing to serve as committee member. Hearing no objections from Council, by Consent Mayor Bennett was appointed to as committee representative to the Albemarle Regional Planning Organization (ARPO).

COUNCIL MEMBER COMMENTS & RESPONSES

Mayor pro tem Newberry stated he attended the Gov-Ed Committee meeting and final LPDI requests for the year are due no later than March 31st.

Council Member Holland stated a Town Hall series will be held that evening at the Nags Head Municipal Complex. Also, the American Red Cross will be hosting a blood drive at the Holy Redeemer Church from 12-6pm the next day, February 22nd.

Council Member McDonald stated since the Town is in the process of updating the Town Code the Council should direct Town Staff to start the process of also updating the CAMA Land Use Plan.

MOTION: Following discussion, Council Member McDonald moved to direct Town staff to start the process of updating the CAMA Land Use Plan in the 2017-2018 budget year. The motion was seconded by Council Member Holland. The motion passed unanimously (5-0).

The Town Attorney stated a land use plan update is a lengthy and technical process. Once Council approves the updated plan, it must then be approved at a Coastal Resources Commission meeting.

Council Member McDonald stated his motion was to start the process and he did not put a timeline on it.

The Town Manager stated the commencement action for updating the Land Use Plan would be to now forward it to the Planning Board, and to budgetize a projected update cost for the FY2017-18 budget.

CLOSED SESSION

Council Member McDonald moved to go into closed session pursuant to NCGS §143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body and pursuant to NCGS §143-318.11(a)(6) for purpose of approving prior closed sessions' minutes. The motion was seconded by Council Member Nason. 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 McDonald. The motion passed unanimously (5-0). The time was 10:42 am.

ATTEST:


Thomas G. Bennett, Mayor

Respectfully submitted,


Sheifa Kane, Town Clerk

