



Town of Southern Shores  
Regular Council Meeting  
April 7, 2020

The Town of Southern Shores Town Council met in the Pitts Center located at 5377 N. Virginia Dare Trail at 3:30 p.m. on Wednesday, April 7, 2020.

**COUNCIL MEMBERS PRESENT:** Mayor Bennett, and Council Members Jim Conners, and Leo Holland

**COUNCIL MEMBERS PARTICIPATING REMOTELY:** Mayor pro tem Elizabeth Morey and Councilman Neal

**COUNCIL MEMBERS ABSENT:** None

**OTHERS PRESENT:** Town Attorney Ben Gallop, Interim Town Manager Wes Haskett, Finance Officer/ HR Director Bonnie Swain and Town Clerk Sheila Kane

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

Mayor Bennett called the meeting to order at 3:30 p.m., led the Pledge of Allegiance, and held a moment of silence.

**AMENDMENTS / APPROVAL OF AGENDA**

**MOTION:** Mayor Bennett moved to amend the agenda by removing items #4 A-F (carryover budget workshop items). The motion was seconded by Councilman Holland. The motion passed unanimously (5-0).

**CONSENT AGENDA**

The consent agenda consisted of the following items:

- o Council Meeting Minutes- March 4, 2020, and March 20, 2020
- o Child Abuse Prevention Month, April 2020 Proclamation #2020-04-01
- o Surplus Resolution -Resolution #2020-04-02
- o Resolution Approving a Title VI Policy for the Town of Southern Shores Resolution #2020-04-03

**MOTION:** Mayor Bennett moved to approve the consent agenda as presented. The motion was seconded by Councilman Conners. The motion passed unanimously (5-0).

## STAFF REPORTS

The following Department Heads presented department reports for the month:

- Interim Town Manager Wes Haskett provided a brief update on Town operations:
  - Town's Response to COVID-19 -Town offices have been and remain closed to the public. Services are still being provided via email, virtual meetings, phone, fax, our online permitting system, and our outdoor drop box. Solid waste and recycling are being collected on schedule but the large item pick-up that was scheduled for April 3rd has been postponed to a later date. We continue to update our website and Facebook page with COVID-19 related information. In addition, we are sharing urgent information and the County's emergency bulletins in the Town's electronic newsletter. Information being provided by the School of Government and continued communication with the other jurisdictions in Dare County have been very helpful as we are all in this situation together. All Town employees are reporting to work as normal and practicing social distancing guidelines and cleaning recommendations while working. We are all currently healthy, feeling well, and busy responding to the impacts of this pandemic while continuing to provide the Town's usual services.
  - Budget Planning-Work on the proposed budget continues and all of the Departments' requested expenditures have been added. Due to the anticipated loss of revenue as a result of the COVID-19 pandemic, we're working on options that would help offset that loss. We'll present those options to you and seek guidance on projects to include or not include in the proposed budget at Council's April 21st Budget Work Session.
  - Capital Street Projects-Work on the E. Dogwood Trl. street improvement project continues. The project completion date is May 1st. The bid opening for the Dewberry Ln. street improvement project will be held this Thursday at 10:00 a.m.
  - S. Dogwood Trl. Walking Path -Construction on the S. Dogwood Trl. walking path continues and the project is about 70% complete.
  - Town Buildings Code Deficiencies-Local architect Mike Florez will soon begin working on providing us plans and an estimate for updating the Town-owned buildings. We hope to have an estimate soon so that we can prepare and release an RFQ for the work entailed.
  - Beach Nourishment -Three coastal engineering firms responded to the RFQ that the Town of Duck released for future beach nourishment and related shoreline management efforts. The goal is to obtain a consultant to assist the Towns of Duck, Kitty Hawk, Kill Devil Hills, and possibly Southern Shores in a coordinated effort. Virtual interviews with each of the three firms will take place this Thursday and each Town will score each firm and subsequently meet to discuss selection.
  - With respect to funding, last year the legislature (Session Law 2019-224) allocated \$11,500,000 to NCDEQ's Division of Water Resources Coastal Storm

Damage Mitigation Fund to be used to provide grants in an amount not to exceed \$2,500,000 for each unit of local government during the 2019-2021 fiscal biennium. The deadline for submittal is April 30th and we could apply for one or more projects, which could be the maintenance work in the Pelican Watch area and/or one of the four options recommended in the Town's Beach Management Plan. We will seek your guidance at the April 21st Budget Work Session as to which, if any, project you prefer.

- Bay Disposal Recycling Contract-We received notice from NCDEQ yesterday that they have authorized all of the local governments in Dare County to continue hauling collected recyclables to the Wheelabrator facility in Portsmouth with no given timeframe. We also received notice last week from NCDEQ that a MRF (Materials Recovery Facility) in Portsmouth owned by Recycling Disposal Solutions (RDS) out of Roanoke, Virginia is available. They have been trying to secure a location in Elizabeth City but so far have been unsuccessful. We now have the option of entering into a contract with RDS that would currently cost around \$95 per ton to have our recyclables processed at their facility in Portsmouth. That cost does not include collection and hauling of our recyclables.

#### **GENERAL PUBLIC COMMENT**

Mayor Bennett called for public comment and the following citizen spoke:

1. Fred Newberry (email comment)-recommends developing a zero-increase budget for the fiscal year 2020-2021. Only essential services should be budgeted, and the Council should postpone acting on any expenditures for large projects such as beach nourishment, street construction, or other similar projects.
2. Robert Garver (email comment)- barring of non-resident Property Owners from access to their property is wrong and unfair
3. Peggy South (email comment)- barring of non-resident Property Owners from Dare County
4. Ann Sjoerdsma (email comment)-received a copy of Mr. Newberry's email to Council and endorse his thinking and heartily agree that Southern Shores should have a no-growth budget for fiscal year 2020-21, or, better yet, a reduced budget for the next fiscal year.
5. Paul Borzellino-thanked Mayor and Control Group for the tough decisions it has had to make during this pandemic.
6. Ernie Dash-26 Periwinkle -out of state property owner, respects Control Group decision but if they could receive 24 hr permits to check on their properties would be beneficial.
7. Bill Schriener-182 Ocean Blvd-does not like how out of state property owners are being treated. Should be allowed access to their own properties.

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

#### **NEW BUSINESS**

PERSONNEL POLICY CHANGE- EMERGENCY SICK LEAVE POLICY

Finance Officer/HR Director Bonnie Swain presented Council with an emergency leave policy associated with COVID-19 that will go into effect on April 1, 2020 and will expire on 12/31/2020. UNC School of Government and the Town Employment Law Attorney have both said that this policy can be approved by the Interim Town Manager and can be adopted by the Town Council retroactively.

**MOTION:** Mayor Bennett moved to approve the personnel policy change- emergency sick leave policy. The motion was seconded by Councilman Conners. The motion passed unanimously (5-0).

#### **NEXT AGENDA ITEM**

#### **AMENDMENT TO COUNCIL RULES OF PROCEDURE-SECTION 8. ELECTRONIC PARTICIPATION IN TOWN COUNCIL MEETINGS**

Town Attorney Gallop stated this document covered electronic participation during any regular meeting and electronic participation during a State of Emergency declaration. A quorum would need to be present during any normal times, but there need not be a quorum present during a State of Emergency. Public participation has been addressed in this updated version.

**MOTION:** Councilman Conners moved to approve the amendment to Council Rules of Procedure-Section 8. Electronic participation in Town Council meetings. The motion was seconded by Councilman Holland. The motion passed unanimously (5-0).

#### **GENERAL PUBLIC COMMENT**

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

1. Ann Sjoerdsma-69 Hickory Trail- out of state property owners have now filed a lawsuit against being denied access to their Dare County properties during this pandemic. Agrees with the out of state property owners that gave comment earlier in the meeting
2. Paul Borzellino-Business items #4 A-F were removed from the agenda but would like to address beach nourishment. He stated it makes sense to coordinate a timeline and efforts for beach nourishment with Kill Devil hills and Duck.

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

#### **MAYOR COMMENTS & COUNCIL COMMENTS**

Mayor Bennett stated Council and the Finance Officer are very aware of the financial impacts this pandemic may bring.

Mayor pro tem Morey stated she understands the strong feelings from both sides of the property owners, locals and out of state property owners. The Control Group has had to make some tough decisions.

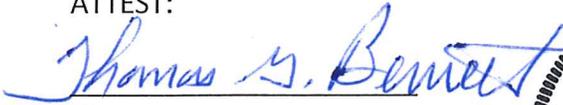
Councilman Holland stated the Control Group is doing the best that they can, and he supports their decisions.

Councilman Conners stated the census participation rate has been extremely low at 20% and he encouraged residents to please fill out their census.

**ADJOURN**

**MOTION:** Hearing no other business, Councilman Holland moved to adjourn the meeting. The motion was seconded Councilman Conners. The motion passed unanimously (5-0).

ATTEST:



Thomas G. Bennett, Mayor



Respectfully submitted,

  
Sheila Kane, Town Clerk