



Town of Southern Shores

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Town of Southern Shores
Council Meeting
October 28, 2008
8:00 AM.-Pitts Center

The Southern Shores Town Council met on October 28, 2008 at the Pitts Center.

Council Members were present: Mayor Don Smith, Brian McDonald, Jodi Hess, Jim Pfizenmayer and Kevin Stroud. Also present were: Charles Read, Town Manager, Carrie Gordin, Town Clerk and Ben Gallop, Town Attorney.

Mayor Smith called the meeting to order at 8:00 a.m., led the Pledge of Allegiance and held a moment of silence for the family of Lillian Oswald long time resident, and for our troops serving around the world.

APPROVAL OF AGENDA

Mayor Smith moved to approve the agenda as presented. Council Member McDonald seconded. The motion passed with Mayor Smith and Council Members McDonald, Hess, Pfizenmayer and Stroud voting aye; no council member voting no or absent.

PUBLIC COMMENT-None

APPROVAL of MINUTES - September 23, 2008

Council Member Hess moved to approve the September 23, 2008 minutes as presented. Council Member McDonald seconded. The motion passed with Mayor Smith and Council Members McDonald, Hess, Pfizenmayer and Stroud voting aye; no council member voting no or absent.

CONSENT AGENDA - None

REPORTS

Merrie Smith, Executive Assistant, asked Council to place the Kitty Hawk Elementary School amended site plan on the November 5, 2008 agenda as presented in the Planning Board Report. Council agreed to place it on the agenda.

OLD BUSINESS-None

NEW BUSINESS

Capital Improvement Plan Amendment-Engineering fees (CIP)

The Town Manager stated Joe Anlauf, Town Engineer, found in the CIP under the FY2010-11 recommendations a portion of Poteskeet Tail listed with Trinitie Trail and Old Passage. Mr. Anlauf

requests Council consider that this section be included in the engineering costs as part of the FY 2009-10 recommendations that Council approved at the October 10, 2008 CIP meeting which would include all of Poteskeet.

Council Member Hess stated she supports this but she would like to know what the additional costs would be. The cost may be theoretically included in the \$150,000 already discussed. It would then be an additional \$23,000. The Town Manager stated he doesn't think so but he will check but it certainly will not exceed that figure.

Mayor Smith moved to approve including that portion of Poteskeet Trail described in the FY 2010-11 section of the CIP as recommended by Joe Anlauf as part of the engineering fees he is developing for the FY 2008-09 CIP. Council Member Pfizenmayer seconded. The motion passed with Mayor Smith and Council Members McDonald, Hess, Pfizenmayer and Stroud voting aye; no council member voting no or absent.

Fire Service Advisory Board Position Paper (FSAB)

Ray Sharpe, a member of the FSAB, addressed Council stating he has been a resident of the town for over seven years and he was selected as the fire department's citizen representative on the FSAB. He stated the Board consists of six members including two fire department members, George Kowalski and Ambrose Hauser; two council members, Kevin Stroud and Jim Pfizenmayer and two citizens, Russell Glock and himself. The FSAB provided Council with a copy of their Position Paper, a draft 5-year contract and a Strategic Plan. He stated during deliberation within several meetings the Board met with a neighboring Town Manager and Fire Chief as well with our town Manager and Fire Chief. They reviewed the Town's current Long Range Plan looking at the predictions for the future needs and costs of fire service to the Town. He stated the fire service to the Town is professional and a good value. He stated last year's budget for fire service was eight percent of the Town's budget which is much less than the other towns in Dare County.

Council Member Hess asked Mr. Sharpe to review some of the findings and recommendations found in the document.

Mr. Sharpe reviewed the eleven findings and recommendations found in the Position Paper.

Council Member Pfizenmayer stated the recommendations are not a hundred percent supported by all the members of the Board; however, it is a good product. Council will review and consider the documents and put together a contract.

Council Member Stroud stated he agrees with Council Member Pfizenmayer comments and that Council needs to step up and draft a contract.

Council Member McDonald stated he has several questions and concerns. He stated he thought the FSAB was to find a way that the Town and the Fire Department could work better together. He stated he does not agree that the fire department is the same type of service as the chipping service. He thinks the fire department is an integral part of the Town like the police department. He stated historically the fire department and the town has gotten along fine. He stated he doesn't see how the Town can afford all that the town needs in doing the CIP, other issues and the fire department requests of ten million dollars over the next five to ten years. He doesn't know where the funds would come from. He stated everyone needs to work together, town manager, staff, CIP committee and the fire department to see how things can be funded. He stated the fire department will continue to give good service by continuing to have good equipment and a place to keep it. He addressed several of the findings and stated he would rather see the fire department be funded to their needs rather than an arbitrary number that has nothing to do with needs. He stated upon review of these documents it is beneficial to know what is expected and integral to the

CIP but we need to be realistic. He stated he has had conflicting information regarding if having paid full time firemen determines what type of housing is needed.

He thanked the Board for the report and stated the Town Manager and the Town Attorney has a good start on drafting a contract.

Mr. Sharpe stated there has been some discussion regarding consolidation of fire departments with Duck. He stated the property at Duck Woods Drive is not suitable for a future fire department.

Council Member Pfizenmayer stated it is his understanding there is no room for expansion at the Duck Fire Department site since it is located on federal property.

Fire Chief Harvey stated that proposal would not work due to the location that would not count for insurance, it is too far away.

Mayor Smith recommends instructing the manager and the attorney to draft a contract. Council agreed.

Council Member Hess moved to accept the FSAB report and thanked the Board. Council Member McDonald seconded.

The motion passed with Mayor Smith and Council Members McDonald, Hess, Pfizenmayer and Stroud voting aye; no council member voting no or absent.

The Town Attorney asked what direction Council is giving to the manager and him in drafting a contract.

Council Member Hess stated the Town Manager should negotiate with the fire department. She stated Council has addressed the points to be included in the contract.

Mayor Smith stated the contract should be drafted by the Town and presented to Council for review.

Council Member McDonald stated it is important to have good communication and if we treat the Fire Department like an outsider they will act like an outsider, they need to be treated like part of the town.

The Town Attorney stated he will prepare a draft contract subject to Council and the Fire Department's review for the November 25 Council meeting.

Council Member McDonald asked when and how a long range financial plan can be drafted. Bonnie Swain, finance director, stated she could look into this but long-term financing is an option.

Mayor Smith stated he and other council members attended a Dare County Economic Summit yesterday and times are bad. He doesn't see where the money is going to come from for a new building for the fire department and expanding services. He stated the town cannot raise taxes they need to be lowered.

Council Member McDonald stated there won't be a recession forever and there is nothing wrong with talking about long range planning.

Council Member Hess stated we have started talking about planning, working together and prioritizing expenses. We should be looking at integrating the fire department's financial needs into the CIP. We should put together a long range plan.

Council Member Stroud stated in looking at the FSAB report it isn't all about money. We need to look at other issues like communication between the town and the fire department and start negotiating with the fire department and then address the money issues.

Council Member McDonald stated he agrees with Council Member Stroud and addressed in the recommended position paper from the fire department to be involved in the development of the fire department budget and the execution of the fire department's strategic initiatives as they apply to the Town.

[Clerk's Note: A copy of the Fire Service Advisory Board Position Paper is hereby attached as Exhibit A].

OTHER ITEMS

Town Manager-None

Town Attorney

The Town Attorney stated the Town received a letter from the Division of Water Quality stating they are no longer denying our canal dredging permit. He stated there still is needed mediation with CAMA. He recommends holding a meeting with only the agencies that have problems with the application instead of trying to meet with all the agencies. He stated there is a scheduled hearing on January 5, 2009 but there is more processes to be addressed.

Council Member Stroud stated the Town needs to be pursuing spoil sites to have by the spring. The Town Attorney stated he is talking with the SSCA and representatives of the Cove site for spoil sites.

Council Member Hess stated time lines are a big factor with the need to send out bid packages and securing spoil sites as well as other issues.

Council Member Stroud stated the Town Manager needs to provide a time line for moving ahead with the dredging process over the next few months. He stated if dredging starts November 1, 2009 we need to know what issues need to be addressed before then.

Mayor-None

Council

Council Member Stroud asked everyone to look at the candidates records and go vote.

Council Member Pfizenmayer stated the County is dealing with the same kind of issues as the towns. He encouraged everyone to go to the County website and read the information from the Economic Summit.

PUBLIC COMMENT

Lori Williams, 109 Pudding Pan Lane, stated new information has come out from the Department of Transportation regarding the Mid-Currituck Bridge and the widening of NC 12. She asked if Council will be taking any position on the proposals. She asked if Council would be preparing another resolution.

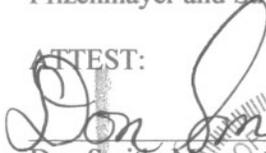
Mayor Smith stated Bob Palombo will provide a report at the November Council meeting on this.

Ray Sharpe, stated that the Duck Woods Country Club had offered the use of certain property for spoil sites in 2004-05. He stated the Club is holding a membership meeting on November 15 and he would bring up to them the possible use of the property again. He stated this is a different Board and they need to be advised on the benefits of doing this. He stated by using this property as a spoil site it would allow the use of the canals in moving the spoils instead of using the roads, which would be cost effective.

COUNCIL COMMENT-None

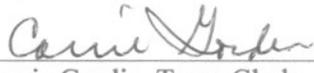
Hearing no other business Mayor Smith moved to adjourn the meeting at 9:23 a.m. Council Member McDonald seconded. The motion passed with Mayor Smith, Council Members Hess, McDonald, Pfizenmayer and Stroud voting aye; no council member voting no and council member absent.

ATTEST:


Don Smith, Mayor



Respectfully submitted:


Carrie Gordin, Town Clerk

6. FINDINGS AND RECOMMENDATIONS.

- a. It is the opinion of this Board that making the Fire Chief a Town employee would cause undue disturbance in the operation of the Fire Department.
 - b. Establishment of a Fire District, and transfer of responsibility to Dare County should be revisited. Counties are responsible for fire safety in the State of North Carolina and Towns have the option of assuming the responsibility.
 - c. SSVFD has a five year list of strategic initiatives which should be used by the TOSS to develop a similar document.
 - d. TOSS and SSVFD should begin cooperative discussions with the Southern Shores Civic Association (SSCA) and Chatham Property Owners Association (CPOA) to provide land for a new fire station. Both current properties were donated to the SSVFD, Inc.
 - e. Investigate the Federal Fire Risk Reduction Plan (FFRRP) which will fund 95% of the chipping program. A representative of the North Carolina Forestry Service attended a Town Council Meeting several years ago and discussed the problem of fire loads in unkempt forests and the FFRRP. Perhaps it is time to revisit this issue and allocate chipping funds to other projects.
 - f. Consider indexing fire service costs to property values for the establishment of a multi-year contract.
 - g. Jointly cooperate in the exploration of expanded services of the Fire Department.
 - h. SSVFD commence studies for a new fire station keeping the TOSS apprised of the progress.
 - i. Include Fire Department Information in the Southern Shores Broadcast News.
 - j. Eliminate the friction between the TOSS and the SSVFD.
 - k. While at some time in the future changes in demographics and volunteerism may require reconsideration, at this time the TOSS has expressed that it has no desire to establish a municipal fire department. If this is an accurate assessment, eliminating this from further discussion would contribute to a more harmonious relationship and further foster a team spirit for our Town and our Fire Department.
7. DRAFT CONTRACT. A draft contract prepared by the SSVFD and reviewed by this Board is submitted as an attachment, without comment by the Board.
8. STRATEGIC INITIATIVES. At the request of the Board, the SSVFD submitted a five year plan for projected new costs for strategic initiatives. A copy is attached.