



# 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

Corrected

Council Meeting

July 6, 2010

7:00 p.m.-Pitts Center

The Southern Shores Town Council met on July 6, 2010 at the Pitts Center.

The following Council Members were present: Mayor Hal Denny, Mayor pro tem Jodi Hess, Council Members Kevin Stroud, Jim Pfizenmayer and George Kowalski.

Also present were: Town Manager Peter Rascoe, Town Attorney Ben Gallop and Town Clerk Carrie Gordin.

Mayor Denny called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. He asked that a moment of silence be held for our Armed Forces serving around the world.

## APPROVAL OF AGENDA

Council Member Hess moved to approve the agenda as presented. Council Member Pfizenmayer seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

## SPECIAL PRESENTATIONS

### Employee Years of Service Presentation-Police Officer Darrell Brickhouse-5 years

Mayor Denny presented Officer Brickhouse with a Certificate of Appreciation and a five-year pin. Mayor Denny stated the Town is proud to have him and looks forward to his continued service with the Town.

### Certificate of Appreciation-Nancy Wendt, Planning Board Chair

Mayor Denny announced that Nancy Wendt has resigned from the Planning Board and stated a Certificate of Appreciation will be forwarded to her.

## GENERAL PUBLIC COMMENT - None

APPROVAL OF MINUTES - May 4, 2010 Special Meeting/Recessed May 5; May 5, 2010 Regular Meeting; May 10/12, 2010 Special Meeting (Budget Workshop); May 12, 2010 Special Meeting; May 18 Regular Workshop Meeting; June 1, 2010 Regular Meeting; June 9, 2010 Special Meeting (Budget Workshop) and June 15, 2010 Regular Workshop Meeting

Mayor Denny moved to approve the May 4/5, 2010 special meeting minutes as presented. Council Member Hess seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

Council Member Hess moved to approve the May 5, 2010 regular meeting minutes as presented. Council Member Kowalski seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

Council Member Hess moved to approve May 10, 2010 (budget workshop) as amended. Mayor Denny seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

Council Member Hess moved to approve the May 10/12, 2010 special meeting minutes as amended. Council Member Kowalski seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

Council Member Hess moved to approve the May 12, recessed budget meeting minutes as presented. Mayor Denny seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

Minutes of the May 18, 2010 and June 1, 2010 meetings were not presented. These minutes will be placed on the July 20, 2010 agenda for approval.

Council Member Hess moved to approve the June 9, 2010 Special Meeting (Budget Workshop) minutes as amended. Council Member Kowalski seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

Mayor Denny moved to approve the June 15, 2010 Regular Workshop Meeting minutes as amended. Council Member Hess seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

#### **CONSENT AGENDA- FY2010-2011 Budget Amendment #1**

Mayor Denny moved to approve FY2010-2011 Budget Amendment #1 as presented. Council Member Kowalski seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

[Clerk's Note: A copy of FY 2010-2011 Budget Amendment #1 is hereby attached as Exhibit A].

#### **STAFF REPORTS**

##### Town Planner

Wes Haskett reported the Planning Board is working on several on-going projects:

- Land Use Plan
- Stormwater Implementation Plan

Mr. Haskett also reported his office is working on the following:

- Height Calculation Zoning Amendment
- Wind Energy Facilities Draft Ordinance
- Verizon Co-location Request for additional antennas on the Dare County water tower
- AT&T Stealth Tower request for wireless communication

- Beach and Waterway Usage Ordinance was approved and printed in brochure format(5,000 copies) which 4,600 were distributed to realty companies
- Reviewed sixteen sets of building plans to see they met zoning requirements

#### Police Department

Chief David Kole presented the 2009 Annual Report to Council.

#### Southern Shores Volunteer Fire Department

Chief Bob Harvey presented monthly report.

#### Surf Rescue

Mirek Dabrowski, Director, provided a report on the number of beach-goers in Southern Shores for the month of June with weeks one and five being partial weeks. His report showed a total number of beach-goers as 25,469, the most he can ever remember. The report included the number of calls for rescues, medical, EMS, missing person, advisories, boat calls and sound calls. He reported the beach-goers are being educated about the new rules on not leaving tents, umbrellas, etc. on the beach by the life guards and the Community Resource Officer.

### **REPORTS FROM BOARDS, COMMITTEES and ASSOCIATIONS**

Town Planning Board-Copies of Recaps for June 21, 2010 (2) and June 7, 2010 meetings were previously presented to the Council Members.

Sam Williams stated that the Planning Board needs to hold another election of Chair and Vice-Chair due to Nancy Wendt's resignation. This will be done at their July 19 meeting. He stated once the elections are held, the appointments will need to be approved by Council.

[Clerk's Note: Copies of these recaps are hereby attached as Exhibit B, C and D respectively].

#### Southern Shores Civic Association (SSCA)

Karen Kranda, President, reported there were 114 cars parked in a 75 parking space area at the SSCA's Hillcrest parking lot over the July 4th weekend. Parking and the disposal of trash are problems. She stated that when large items like tents are removed from the beach they should not be placed in the SSCA's trash cans. She stated any help the Town can give on these issues would be helpful. The SSCA is receiving feedback from members on the AT&T cell tower project. There are repair issues at the SSCA's N. Marina and the SSCA's bulk-heading project there is on-going.

Council Member Pfizenmayer asked about the display of flag at the SSCA's triangle property. He was told the flag was flying over the July 4<sup>th</sup> weekend.

#### Chicahawk Property Owners Association (CPOA)

Jim Kranda requested Council consider changing the name of the Town's parking lot (Chicahawk) in that two parking lots called Chicahawk may be confusing to the tourist. He stated there needs to be a solution to the parking and parking passes issue.

## **PROJECT REPORTS**

### **Canal Dredging Project**

Project Manager Tom Bennett reported that a pre-application meeting was held with John CeCe of CAMA in order for the Town to discuss its planned permit modification and it was a positive meeting. The permit modification application was subsequently filed with CAMA on July 1, 2010. Spoil site agreements have been negotiated for properties at 275, 279 and 283 Hillcrest Drive. Mr. Bennett stated that any objections submitted to CAMA have to show merit.

## **OLD BUSINESS**

### **Recommended amendments to Retired Employee Health/Dental Insurance Benefits Policy and Resolution 2010-07-01**

The Town Manager stated this item was brought to Council before and is now being presented with changes as noted in yellow.

Council Member Hess moved to approve Resolution 2010-07-01 (with the policy as amended). Council Member Kowalski seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

[Clerk's Note: A copy of the Town's Resolution 2010-07-01 and Retired Employee Health/Dental Insurance Benefits Policy is hereby attached as Exhibit E].

### **Recommended amendments to Town Purchasing and Bidding Policy**

The Town Manager stated the Town Attorney has reviewed the policy. The highlighted sections are the proposed changes. During conversation four changes were made to the policy. (1) Page 1, paragraph 3 line 2 to delete the word 'obtain' and insert the word 'exercise' to read "and exercise sound and legal purchasing and contracting practices". (2) Page 2, paragraph 3, line 11 to delete 'will reward all bids' and replace with "must authorize the award of all bids over \$10,000.00". (3) Page 2, paragraph 4, delete last line "all construction or repair projects over \$90,000". (4) Page 3, item H to include this sentence: "These written obligations require Finance Officer certification".

Council Member Hess moved to approve the Town Purchasing and Bidding Policy as amended. Mayor Denny seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

[Clerk's Note: A copy of the Town's Purchasing and Bidding Policy is hereby attached as Exhibit F].

## **NEW BUSINESS**

### **Planning Board Appointments**

Mayor Denny stated Nancy Wendt, Chairman submitted her resignation and a vacancy as been created. It is Town Council's duty to name Planning Board members. Bill Gleason and Larry Lawhon are alternates on the Planning Board with Bill Gleason being the senior member.

Mayor Denny nominated Bill Gleason to fill the vacancy as a full member beginning July 1, 2010. Council Member Hess seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

Mayor Denny stated that previously the Town Clerk had advertised for anyone interested in being on the Planning Board and one resume was received from Elizabeth Morey. Mayor Denny nominated Elizabeth Morey as a Alternate for a 3-year term beginning July 1, 2010. Council Member Hess seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

#### Southern Shores Volunteer Fire Department Contract Payment for FY 2010-2011

The Town Manager stated that according to the executed Fire Department contract regarding method of payment under Clause # 8, the Fire Department is to be paid its annual budgeted operations appropriation in two equal payments in July and January. The Town Manager stated however that the Fire Department has now requested Council to consider paying the entire annual appropriation for FY 2010-2011 in one payment on or before July 15.

Mayor Denny moved to approve the Fire Department's request. Council Member Hess seconded.

Council Member Stroud asked why this was being requested.

Mayor Denny stated there have been extensive negotiations with the Fire Department on funding for next 2010-2011 fiscal year. During the course of those discussions, it was found their financial management problems, cash flow for debt obligations, has been difficult to handle. Mayor Denny stated it was suggested that the Fire Department be paid up front that this would help them handle the cash flow problems.

The motion passed with Mayor Denny and Council Members Hess and Kowalski voting aye. Council Members Stroud and Pfizenmayer voting no.

#### OTHER ITEMS

##### Town Manager

The Town Manager reported on the following:

- Met with Town Engineer and Finance Officer to discuss the Capital Improvement Plan.
- Jason Sawyer has been named interim Supervisor for the Public Works Department.
- Met with Canal Project Manager and Town Attorney to discuss the current dredging project issues and discussed moving ahead with Phase II.
- Met with Fire Chief and Police Chief to discuss the Town's Emergency Management Plan and rules on access to the Emergency Operations Center at the Fire Department. Will recommend administration changes of the plan to Council at the next meeting.
- Attended SSCA Meeting and will be attending the CPOA and SS Boat Club meetings.
- Discuss the possibility of changing the name of the Town's parking lot with the Police Chief and the Public Works Supervisor.

##### Town Attorney-None

Mayor

Mayor Denny urged everyone to be kind to our tourists. They are a valuable asset.

Council

Council Member Hess stated she will be absent from the July 20 Council meeting. She stated Council Member Kowalski will attend the Shoreline Management meeting in her absence.

Council Member Pfizenmayer requested a discussion of the Fire Department be placed on the agenda for the July 20 Council meeting. He stated that he wants to get started and that a discussion doesn't need to be delayed any longer.

**PUBLIC COMMENT**

Tom Bennett commented the trash issue, especially at SSCA's Hillcrest parking lot, needs to be addressed as well as the parking issues.

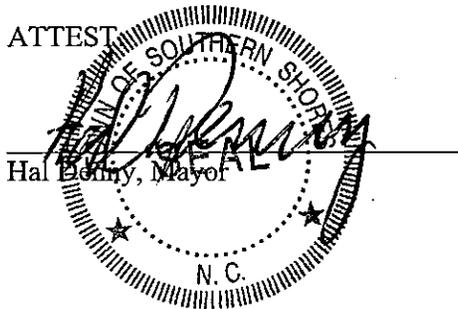
Mayor Denny stated the Town Manager will look into this.

Robert Hawk, 97 Duck Woods Drive, stated there is a Dare County/Kitty Hawk recycling station in Kitty Hawk that can be used by everyone. He stated Town staff should be aware of this and they should let the people know.

Council Member Pfizenmayer stated the trash issue is only a problem three months out of the year. He stated the more cans you put out the more trash you will get. He stated tourist will not use that site they will go to the nearest place.

Hearing no other business Mayor Denny moved to adjourn the meeting at 8:45 p.m. Council Member Hess seconded. The motion passed with Mayor Denny and Council Members Hess, Stroud, Pfizenmayer and Kowalski voting aye.

ATTEST



Respectfully submitted:

  
Carrie Gordin, Town Clerk

**Town of Southern Shores  
Budget Amendment Number # 1**

<b>Admin. Increases</b>			<b>Admin. Decreases</b>		
<u>Account Number</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
	<b><u>Revenues</u></b>				
40-39909	Undesignated FB	\$18,600.00			
	<b><u>Expenditures</u></b>				
42-50000	Council Compensation	\$18,600.00			
		<u>\$0</u>			<u>\$0</u>

Explanation: Council Compensation that was supposed to be in budget  
Recommended By:

\_\_\_\_\_  
J. Peter Rascoe, III, Town Manager

Approved By:

\_\_\_\_\_  
Hal Denny, Mayor

\_\_\_\_\_  
Date

**To:** Southern Shores Town Council (Hal Denny, Jodi Hess, George Kowalski, Jim Pfizenmayer, Kevin Stroud)  
Town Attorney (Ben Gallop)

**Copies:** Town Manager (Peter Rascoe)  
Town Staff (Pat Forrester, Carrie Gordin, Alvin Rountree, Merrie Smith, Bonnie Swain)  
Planning Board (Mike Florez, Bill Gleason, Larry Lawhon, Bob Palombo, Jay Russell, Nancy Wendt, Sam Williams and ETJ Rep, Ed Overton)

**From:** Wes Haskett, Town Planner

**Date:** June 30, 2010

**Re:** Recap, Planning Board Meeting June 21, 2010

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**PLANNING BOARD RECOMMENDATIONS FOR THE TOWN COUNCIL:**

Approval of Planning Board elected officers.

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**MEETING RECAP**

- I. **CALL TO ORDER:** Chairperson Nancy Wendt called the meeting to order at 7:00pm. Planning Board Members Mike Florez, Bob Palombo, Sam Williams, and alternate members Bill Gleason and Larry Lawhon were present. Vice-Chairperson Jay Russell was absent with excuse and ETJ Representative Ed Overton was absent. Alternate member Bill Gleason substituted for Jay Russell. Also in attendance were Executive Assistant Merrie Smith and Town Planner Wes Haskett.
- II. **APPROVAL OF MINUTES:**  
Bob Palombo motioned to approve the minutes from the March 15, 2010 Planning Board meeting. Bill Gleason seconded the motion. The motion passed unanimously.
- III. **PUBLIC COMMENT: None**
- IV. **OTHER BUSINESS – NEW:**  
Election of Chair and Vice-Chair for July, 2010 ~ June, 2011

Chairperson Nancy Wendt called for nominations for Planning Board Chairperson for the period of July 2010 – June 2011. Sam Williams nominated Nancy Wendt for

Chairperson and Mike Florez seconded the nomination. The Planning Board unanimously voted to re-elect Nancy Wendt as Planning Board Chairperson.

Chairperson Nancy Wendt noted that Jay Russell had confirmed that he would be unable to serve another term as Vice-Chairperson. She then called for nominations for Planning Board Vice-Chairperson. Nancy nominated Sam Williams for Planning Board Vice-Chairperson. Bob Palombo seconded the nomination. The Planning Board unanimously voted to elect Sam Williams as Vice-Chairperson. Per the Town Code (Chapter 24 Article II Section 24-24) the election of these Planning Board officers are subject to the approval of the Town Council.

**V. ANNOUNCEMENTS:**

None

**VI. REGULAR MEETINGS:**

Regularly scheduled meetings for the next month:

1. Planning Advisory Group July 7, 2010 Pitts Center 7pm
2. Planning Board July 19, 2010 Pitts Center 7pm – Cancelled
3. Planning Advisory Group July 19, 2010 Pitts Center 7pm ?

**VII. ADJOURNMENT:**

Bob Palombo moved to adjourn. Mike Florez seconded the motion to adjourn. The Planning Board meeting adjourned at 7:05 pm.

Exhibit C

**FINAL**

**To: Southern Shores Town Council (Hal Denny, Jodi Hess, George Kowalski, Jim Pfizenmayer, Kevin Stroud)**

**Copies: Town Manager (Peter Rascoe)**

**Town Attorney (Ben Gallop)**

**Town Staff (Pat Forrester, Carrie Gordin, Alvin Rountree, Merrie Smith, Bonnie Swain)**

**Planning Board (Mike Florez, Bill Gleason, Larry Lawhon, Bob Palombo, Jay Russell, Nancy Wendt, Sam Williams and ETJ Rep, Ed Overton)**

**From: Wes Haskett, Town Planner**

**Date: June 9, 2010**

**Re: Recap, PAG Working Session June 7, 2010**

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**PB / PAG RECOMMENDED ACTIONS FOR THE TOWN COUNCIL - None**

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## **PAG MEETING RECAP June 7, 2010**

The Planning Advisory Group working session convened at 7:00 pm. Planning Board Members Sam Williams, Nancy Wendt, Mike Florez, Bob Palombo, alternate member Larry Lawhon, Code Enforcement Administrator Alvin Rountree, Town Planner Wes Haskett, Executive Assistant Merrie Smith, Permit Officer Pat Forrester, and Town Engineer Joe Anlauf were present.

Planned agenda items for the meeting included:

1. Stormwater Management Plan
2. Height Calculation ZTA
3. General Project Status

Nancy Wendt asked for any additions or changes to the agenda. There were none.

### **STORMWATER MANAGEMENT PLAN (Wes Haskett and Joe Anlauf)**

Wes Haskett and Joe Anlauf reported that they reviewed the Emerald Isle Stormwater Ordinance and concluded that it is a reasonable starting point for a Southern Shores ordinance provided the specific requirements and thresholds are adapted to our local environment.

Joe observed that Southern Shores has multiple environments. One set of requirements can not adequately address the different stormwater needs in different parts of Town. Instead, Joe proposes that requirements be developed for each of five stormwater districts. The districts Joe proposes are based on the basins and sub-basins established in the 2006 Quible Drainage Study. PAG members agreed with the approach of multiple stormwater districts to customize requirements for the different stormwater needs in different parts of Town.

Joe and Wes will take a first cut at stormwater requirements and recommended best practices for each district based on its unique hydrology, soil, topography, and vegetation. Their draft will be consistent with the long range policy and action items established in the stormwater section of the current draft of the CAMA LUP Update. See excerpt below:

#### **Long Range Stormwater Management Policy and Action Items**

**Policy 7** Support stormwater management programs that seek to regulate both the quantity and quality of stormwater runoff to reduce flooding and improve coastal water quality.

**Action Item 7-a** Implement a Stormwater management program for all properties and roadways, based on the Stormwater Policy Advisory Committee Report Management Plan (April 2007),

**Action Item 7-b** Encourage the use of Low Impact Development (LID), vegetative buffers to filter stormwater, impervious surface limits, and innovative stormwater management alternatives to reduce runoff and to improve water quality

**Action Item 7-c** Implement the following *performance standards* to ensure that all stormwater management facilities and infrastructure within Southern Shores whether public or private are designed, constructed and operated in a manner that *to the fullest extent possible*:

1. Eliminates flooding without intensifying other runoff related problems
2. Preserves and enhances the natural drainage systems within the town as defined in the Quible Drainage Study (March 2006)
3. Contributes to preserving and enhancing overall water quality
4. Does not require power to function.
5. Requires minimal regular maintenance to function properly.

#### **HEIGHT CALCULATION ZTA (Nancy Wendt and Wes Haskett)**

Nancy Wendt and Wes Haskett reported that they are still collecting and analyzing data for a revised text amendment. This data includes the general location of the remaining vacant lots in Southern Shores and the number of building permits that have been denied based on the current height calculation. The next step is to present a summary of the issues and an updated ZTA to the citizens and property owners of Southern Shores prior to a Planning Board vote on what if any action to recommend to the Town Council.

#### **WIND GENERATION PLAN (Mike Florez)**

Mike Florez reported that the Wind Committee was currently working on drafting the final report for the Wind Generation Plan. The Wind Committee will conduct further research into recommended facility heights and discuss their findings at their next meeting.

#### **TRANSPORTATION INFRASTRUCTURE PLAN**

Bob Palombo reported that he plans to give a presentation to the Town Council in September which will address the Planning Board's recommendation to adopt a Transportation Infrastructure Resolution.

#### **LAND USE PLAN (Sam Williams)**

Sam Williams reported that since his May 18<sup>th</sup> presentation to the Town Council he has received feedback on the latest draft of the LUP from one of the Town Council members. A reminder note requesting comments on the LUP will be sent to the Town Council after it has completed its work on the Town budget. Sam and Wes Haskett will address all comments as they are received.

Charlan Owens has provided a schedule of upcoming CRC meeting dates and deadlines. Wes and Sam will identify LUP submission deadlines and associated CRC meetings and provide this information to the Council.

#### **CITIZEN COMMUNICATION PLAN (Larry Lawhon)**

Larry Lawhon reported that scheduling conflicts have prevented the committee from meeting. He hopes to resume work on the project in about a week.

### **UPCOMING MEETINGS & PROPOSED AGENDA ITEMS**

1. Planning Board Application Review meeting June 21, 2010.
  - Approval of March 15, 2010 Minutes.
  - Election of Officers.
2. PAG Working Session June 21, 2010
  - Height Calculation ZTA
  - Stormwater Management Plan
  - General Project Status

### **ADJOURNMENT**

The PAG meeting adjourned at 9:15 pm.

Exhibit D

**FINAL**

**To: Southern Shores Town Council (Hal Denny, Jodi Hess, George Kowalski, Jim Pfizenmayer, Kevin Stroud)**

**Copies: Town Manager (Peter Rascoe)**

**Town Attorney (Ben Gallop)**

**Town Staff (Pat Forrester, Carrie Gordin, Alvin Rountree, Merrie Smith, Bonnie Swain)**

**Planning Board (Mike Florez, Bill Gleason, Larry Lawhon, Bob Palombo, Jay Russell, Nancy Wendt, Sam Williams and ETJ Rep, Ed Overton)**

**From: Wes Haskett, Town Planner**

**Date: June 30, 2010**

**Re: Recap, PAG Working Session June 21, 2010**

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**PAG RECOMMENDED ACTIONS FOR THE TOWN COUNCIL - None**

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### **PAG MEETING RECAP June 21, 2010**

The Planning Advisory Group working session convened at 7:07 pm. Planning Board Members Mike Florez, Bob Palombo, Nancy Wendt, Sam Williams, alternate member Bill Gleason, alternate member Larry Lawhon, Town Planner Wes Haskett, and Executive Assistant Merrie Smith were present.

Planned agenda items for the meeting included:

4. General Project Status

Nancy Wendt asked for any additions or changes to the agenda. There were none.

### **LAND USE PLAN (Sam Williams)**

Sam Williams reported that a revised copy of the Land Use Plan was submitted to the Town Council on April 26, 2010 for its review. The draft LUP update will be revised following receipt of all Council members' comments. After Planning Board approval, the revised LUP update will be submitted to the Town Council for approval before it is submitted to the State for its next review. At this time, comments have been received from Council member Kowalski, Town Manager Peter Rascoe, and former Town Consultant Webb Fuller.

The Town Council has also been notified of the deadlines for upcoming Coastal Resources Commission (CRC) meetings. The Council has been encouraged to submit its comments as soon as possible in order to seek CRC approval of the Town's LUP at the November 18, 2010 or February 24, 2011 CRC meetings. It is important that the Land Use Plan is approved and certified before the CRC establishes new guidelines for Land Use Plans. If the Town's current LUP draft is not approved prior to new guidelines being adopted, then the Town may have to completely rewrite the current draft or possibly fall under Dare County's Land Use Plan. If Council comments are not received in a timely manner, Sam Williams will set a deadline for the Town Council to submit their comments.

### **CITIZEN COMMUNICATION PLAN (Larry Lawhon)**

Larry Lawhon reported that the first Citizen Communication Plan Committee meeting will be held on June 23, 2010 in the Pitts Center at 4:00 pm.

### **TRANSPORTATION INFRASTRUCTURE PLAN**

Bob Palombo requested time on the Town Council's workshop agenda for September 2010 to present the Planning Board's recommendations regarding a Transportation Infrastructure Resolution.

### **HEIGHT CALCULATION ZTA (Nancy Wendt and Wes Haskett)**

Nancy Wendt reported that she is compiling the height calculation issues and options raised by members of the development community and the Code Enforcement staff. Nancy will circulate a draft shortly. Next steps after that include:

1. Revise the Height Calculation ZTA to reflect both Code Enforcement's and PAG's latest thinking
2. Prepare a companion ZTA on lot disturbance
3. Circulate all three pieces to the PAG and the Planning Board
4. Present all three pieces to the citizens and property owners of Southern Shores at a community workshop in the September timeframe.
5. Revise the drafts to incorporate community feedback and present the final versions to the Planning Board for their review and vote on what, if any, action to recommend to the Town Council.

## **STORMWATER MANAGEMENT PLAN (Wes Haskett and Joe Anlauf)**

Wes Haskett reported that he and Joe Anlauf will take a first cut at a stormwater ordinance which contains stormwater requirements and recommended best practices for each of the five stormwater districts that Joe proposed on June 7. In order to facilitate comparison across districts they will prepare a chart that shows which requirement and/or best practice applies to each district. The target completion date for this draft is August, 2010.

## **WIND GENERATION PLAN (Mike Florez)**

Mike Florez reported that the Wind Committee was currently working on drafting the final report for the Wind Generation Plan. The Wind Committee will conduct further research into recommended wind turbine heights and discuss their findings at their next meeting.

## **UPCOMING MEETINGS & PROPOSED AGENDA ITEMS**

3. Planning Board Application Review meeting July 19, 2010.
4. PAG Working Session July 7, 2010
  - Height Calculation ZTA
  - General Project Status

## **ADJOURNMENT**

The PAG meeting adjourned at 7:40 pm.

### Exhibit E

Resolution 2010-07-01

## **RESOLUTION REGARDING RETIREE INSURANCE COVERAGE**

**WHEREAS**, the North Carolina League of Municipalities allows retirees to retain medical insurance coverage if authorized by the units governing board and;

**WHEREAS**, the Town of Southern Shores is committed to honoring and rewarding the employees who have given dedicated services to the Town;

**WHEREAS** the Town of Southern Shores desires to amend its *Retiree Health and Dental Insurance Benefits Policy* for retired employees to reflect consistency with Medicare coverage eligibility.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Town of Southern Shores, North Carolina that the Town's *Retiree Health and Dental Insurance Benefits Policy* for retired employees is hereby amended as shown on the attachment hereto.

ADOPTED this the 6<sup>th</sup> day of July, 2010.

\_\_\_\_\_  
Hal Denny, Mayor

ATTEST:

\_\_\_\_\_  
Carrie Gordin, Town Clerk

Adopted  
November 7, 2007

**TOWN OF SOUTHERN SHORES  
RETIREE HEALTH AND DENTAL  
INSURANCE BENEFITS  
POLICY**

**A. HEALTH INSURANCE FOR RETIREES HIRED ON OR AFTER NOVEMBER 1, 2007**

For employees hired on or after November 1, 2007, the term "qualified retiree" is defined as an employee who:

- (1) Retires from the Town with **25** completed years of service with the Town; **and**
- (2) Retires with **unreduced benefits** from the NC Local Government Employee's Retirement System. See definition of unreduced benefits in Section F of this policy.

A qualified retiree will have their individual health and dental insurance coverage paid for by the Town if the retiree elects to retain health and dental insurance for themselves through the Town. In the event that the Town's health insurance plan does not provide retiree health coverage, the Town shall reimburse the qualified retiree for monthly health premiums paid by the qualified retiree for individual employee only coverage. This shall be done upon receipt of proof of payment. The amount the Town will pay for coverage or will reimburse a qualified retiree for coverage shall not exceed the then current health benefit paid by the Town for active employees for individual employee only coverage. The Town will pay the premium (as stated above), for health and dental coverage **only** until the qualified retiree becomes eligible for Medicare coverage.

Upon a qualified retiree becoming eligible for Medicare coverage or reaching the age of 65 whichever comes first, the Town will no longer pay premiums for health or dental coverage of any kind.

**B. HEALTH INSURANCE BENEFITS FOR RETIREES HIRED BEFORE NOVEMBER 1, 2007**

For employees hired before November 1, 2007, the term "qualified retiree" is defined as an employee who:

- (1) Retires from the Town with **10** completed years of service with the Town; **and**
- (2) Retires with **unreduced benefits** from the NC Local Government Employee's Retirement System. See definition of unreduced benefits in Section F of this policy.

Under no circumstances will the Town pay more than the amount the Town pays for individual employee only coverage for employees actively participating in the Town's health/dental program. Upon a qualified retiree becoming eligible for Medicare coverage or reaching the age of 65 whichever comes first, the Town will no longer pay premiums for health or dental coverage of any kind.

Dependent coverage may also be purchased, but must be paid entirely by the qualified retiree.

In the event of the death of the retired employee, covered dependents may continue coverage for 36 months under COBRA.

**C. ELECTION OF RETIREE HEALTH INSURANCE COVERAGE**

Qualified retirees must decide within thirty (30) days after their retirement if they wish to continue Town health/dental insurance coverage, if it is available through the Town's plan. Before insurance can be reinstated, the qualified retiree must make payment arrangements for any premium due during the 30 day election period. If a decision has been made not to continue coverage, coverage will not be reinstated at any future date.

**D. PAYMENT OF PREMIUM**

Payment of premiums for coverage on dependents and the portion of the qualified retiree's premium not covered by the Town must be made by the last business day of the month prior to coverage. For example, payments of premiums for coverage during the month of July must be made on or before June 30. (If June 30 is a Saturday, the payment must be made by June 29<sup>th</sup>). A 2% administrative fee may be charged in addition to the monthly premium. Payments can be made monthly or quarterly and can either be mailed or brought to the Town's Finance Department so long as the payment is actually received before the last business day of the month. Monthly statements will be sent out indicating any balances due. Failure to pay the required premium to the Town's Finance Department within thirty (30) days of the due date will result in cancellation and loss of coverage. Once coverage has been cancelled for any reason, it cannot be reinstated.

**E. AMENDMENTS**

This policy is subject to change from time to time as the coverage requirements of the NC Local Government Employee's Retirement System or other benefit plans sponsored by the Town change. All benefits are contingent on the financial condition of the Town and the provision for such funding in each annual budget. The insurance benefits are subject to change with or without notice and in no way should this section be construed as a contract or guarantee of provision of these benefits beyond the current fiscal year. This policy supersedes all other policies relating to health/dental benefits.

**F. DEFINITION OF UNREDUCED BENEFITS**

The NC Local Government Employee's Retirement System classifies unreduced benefits to be one of the following:

- Law Enforcement Employees who are age 55 and have completed 5 years of creditable service as an officer **OR** 30 years of creditable service at any age.
- All General Employee's who are age 65 and completed 5 years of creditable service **OR** age 60 with 25 years of creditable service **OR** 30 years of creditable service at any age.

Revised 7/6/10

## **TOWN OF SOUTHERN SHORES PURCHASING AND BID REQUIREMENTS**

Updated 4/20/10

This purchasing and bid requirements policy is intended to serve as a guide for all departments in obtaining supplies, materials, equipment, apparatus, and services. The Town of Southern Shores' purchasing and bidding program is based on the principal of competitive bidding. A valid reason must be provided and documented when competitive bidding is not sought and obtained. The practice of favoritism, whether to the seller or the user department, is not permissible.

The Town's purchasing and bidding ~~operations~~ requirements are governed by North Carolina General Statutes and, therefore, must seek competitive offers from qualified sources of supply unless the items can be obtained through existing contracts established by NC State Purchasing and Contracts Division. Whenever possible, the Town of Southern Shores participates in the NC State Contracts. The Town's local purchasing and bidding requirements may cite provisions which are more strict in policy thresholds than the requirements of the applicable North Carolina General Statutes.

The Finance Officer relies on the Department Heads to fully identify their needs, obtain competitive pricing, and obtain sound and legal purchasing and contracting practices. Department Heads are responsible for communicating their needs to the Finance Officer on a timely basis in order to obtain the correct items at the best possible price.

Any and all purchases and contracts that are made on behalf of the Town of Southern Shores must be for the use of the Town. Such purchases can only be made if an appropriation has been set up in the approved annual budget.

A purchase order is needed for services, materials, supplies and equipment purchased that exceed \$250.00. The amount for shipping and handling along with sales tax should be included on the purchase order. The Finance Officer may not validate any purchase order unless sufficient unencumbered funds are available to pay the obligation at the time of purchase. A properly signed purchase order must **precede** the purchase. No invoice will be honored if the purchase order has not been issued and signed by the appropriate Department Head and Finance Officer. The purchase orders will be pre-numbered for control purposes and should include descriptions of the items being purchased. Unauthorized purchases are classified as a personal expense, and therefore, will be paid by the employee. In the event that the Finance Officer is not available, the purchase order can be signed by both the Department Head and the Town Manager.

The following steps must be taken:

1. All Department Heads should read and understand this policy;
2. All employees involved in the purchasing process should become familiar with the procedures outlined in this policy;
3. This policy should be kept where it is easily accessible for reference;
4. All comments or clarifications of contents contained in this policy should be directed to the Town Manager or the Finance Officer.

### **GENERAL RULES AND PROCEDURES FOR PURCHASING AND BIDDING**

**Note: all obligations evidenced by a contract or agreement, regardless of amount, must be certified as pre-audited by the Finance Officer.**

### **Purchases of \$250.00 to \$10,000.00**

All purchases between \$250.00 and \$10,000.00 (individually or in total) must be made with the use of a purchase order. The department wishing to make the purchase will prepare a purchase order and present it to the Finance Officer for approval. Town Council has given authority to the Town Manager to approve all contracts/purchases up to a maximum of \$10,000.00.

### **Purchases or Contracts of \$10,000.01 to \$89,999.99 (Informal Bidding Process)**

For all purchases, lease-purchases, and contracts above \$10,000.01 and below the state mandated thresholds for formal bidding, informal bids must be obtained. Only written informal proposals will be accepted. The purpose of public bidding is to obtain the best value for tax dollars, to provide fairness in contracting and prevent favoritism. Contracts will be awarded to the lowest responsible bidder, taking into consideration quality, performance and time. A Bid Form will be used for this process. Three (3) written proposals will be sought during the bidding process. In cases where available or appropriate vendors are limited, every effort will be made to obtain bids from at least two (2) vendors. In cases where the item or service is available from a single source, this information must be noted on the Bid Form. Once all quotes are provided to the Town Manager, he/she will provide the information to the Town Council. The Town Council will reward all bids over \$10,000.00. The Finance Officer will issue a purchase order to the chosen vendor and the Department Head will proceed with the purchase.

### **Purchases of \$90,000.00 + (Formal Bidding Process)**

Expenditure of funds totaling or exceeding \$90,000.00, either for the purchase of apparatus, supplies, materials and equipment, or for construction or repair work, are required to be handled by the Formal Bid Process. A performance bond AND payment bond are required for all construction or repair projects over \$90,000.00. Note: Performance and payment bonds are required for contracts costing more than \$50,000 that are part of a project costing more than \$300,000. all construction or repair projects over \$90,000.00.

The advertisement for bidders required by this section shall appear at a time where at least seven (7) full days shall lapse between the date on which the notice appears and the date of the opening of bids. The advertisement shall: (i) state the time and place where plans and specifications of proposed work or a complete description of the apparatus, supplies, materials, or equipment may be had; (ii) state the time and place for opening of the proposals; and (iii) reserve to the board or governing body the right to reject any or all proposals. (G.S. 143-129).

### **Purchases not requiring a Purchase Order**

The following purchases do not require a purchase order:

- A. Advertising;
- B. Dues;
- C. Utilities;
- D. Insurance;
- E. Postage;
- F. Professional services for accounting, legal, engineering, etc. that are covered by a separate approved contract;
- G. Purchases less than \$250.00.
- H. Purchases obligated by written contract or agreement (require Finance Officer certification).

## **Emergency Purchases**

An emergency is defined as a sudden, urgent, usually unexpected occurrence or occasion requiring immediate action. When an emergency does arise, and can be rectified only by immediate purchase or rental of equipment, supplies, materials or services, the following procedures must be followed:

- A. Secure a purchase order from the Finance Officer or the Town Manager. If the emergency occurs when offices are closed, the department should proceed to acquire only the materials of services necessary to meet the emergency;
- B. On the next working day, the Department Head must submit a requisition to the Finance Officer with the following information:
  1. Nature of the Emergency;
  2. Itemized list of purchases made;
  3. Cost per item;
  4. Vendor's name and address;
  5. Account Number
  6. Authorizing signature of the Department Head
  7. Purchase Order Number – if one was given.
- C. The Finance Officer will prepare a confirming purchase order and send the requesting department a copy of the purchase order. The employee receiving the requested items should verify that the purchase order information is correct. The employee should also make sure that the vendor knows who to invoice and the correct address for billing. All invoices should be made out to the appropriate Town Department. Failure to make sure this information is passed on to the vendor could result in the misplacement of the invoice, causing late payment on the invoice and loss of any possible discount. No emergency purchase orders will be given unless it is an emergency as described above. North Carolina General Statutes govern this procedure. Written approval for disallowed emergency purchases will have to be obtained from the Town Manager, with overall approval resting with the Town Council.

## **Telephone Purchase Order Procedures**

In certain emergency or special situations, the Finance Officer will issue a purchase order number over the telephone to the requesting department. In such cases, the requesting department will be required to submit a supporting requisition to the Finance Officer the next business day. The requisition is to include the vendor, complete item description, quantity, price, and the purchase order number that was issued.

## **Credit Cards**

The credit cards are kept under the control of the Finance Officer. Any employee or Council Member who needs the credit card must sign it out with the Finance Officer. On completion of travel and/or purchase the employee or Council Member must return all charge slips (a receipt of what was actually ordered at a restaurant must accompany the credit card receipt) and receipts to the Finance Officer and sign the card back in. Purchases made with the Town credit card are subject to the same purchasing procedures as other purchases, however, when the receipt is returned with the credit card, a purchase order is not necessary. The Department Head must approve purchases. Unauthorized purchases are a violation of this policy. If proper procedures are not followed, the employee may be personally liable for the payment.

**Updated 1/28/08**

**Revised 4/6/10**

Purchasing Policy (June 23 2010 draft).doc