



**Town of Southern Shores
Council Meeting
November 6, 2013**

The Town of Southern Shores Council met in the Pitts Center located at 5375 N. Virginia Dare Trail at 7:00 p.m. on Wednesday, November 6, 2013.

COUNCIL PRESENT: Mayor Hal Denny, Mayor pro tem Jodi Hess, Council Members George Kowalski, David Sanders and Larry Lawhon.

COUNCIL ABSENT: None

OTHERS PRESENT: Town Manager Peter Rascoe, Town Attorney Phillip Hornthal and Town Clerk Sheila Kane.

CALL TO ORDER / PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

Mayor Denny called the meeting to order at 7:00 p.m., led the Pledge of Allegiance, and held a Moment of Silence.

APPROVAL OF AGENDA

MOTION: Mayor pro tem Jodi Hess moved to approve the agenda as presented. The motion was seconded by Council Member Lawhon. The motion passed unanimously.

INTRODUCTION OF PUBLIC WORKS DIRECTOR, RACHEL PATRICK

The Town Manager introduced newest staff member Rachel Patrick as the Public Works Director.

CONSENT AGENDA

The Consent Agenda consisted of the following item:

- Approval of Minutes- October 1, 2013

MOTION: Council Member Lawhon moved to approve the consent agenda. The motion was seconded by Council Member Sanders. The motion passed unanimously.

STAFF REPORTS

Town Planner: Town Planner, Wes Haskett, presented his monthly report containing the following:

- Permitting and Inspections for October, 2013

[Clerk's Note: A copy of the Town Planner's report is hereby attached as Exhibit A].

Police Department:

Chief Kole presented his monthly report.

Southern Shores Volunteer Fire Department:

No report.

REPORTS FROM BOARDS, COMMITTEES, AND ASSOCIATIONS

Town Planning Board

Planning Board Chairperson Sam Williams reported on the following:

Town Planning Board reviewed the first conditional use permit for a wireless telecommunications site. After hearing the staff report, public comments, and discussion a 4-1 vote recommended approval of CUP-13-01 with the thirteen (13) conditions approved by the planning board.

Southern Shores Civic Association

No report.

Chicahawk Property Owner's Association

Leo Holland gave an informational report on behalf of the CPOA

PRESENTATIONS

Financial Quarterly Report

Finance Officer Bonnie Swain presented the quarterly financial report.

[Clerk's Note: A copy of the report is hereby attached as Exhibit B.]

Town Audit- FY 2012-2013

Auditor Teresa Osborne presented the FY2012-2013 audit. She stated that she offered an unqualified opinion which is the strongest opinion offered by an auditor, and that the Town was in excellent financial condition. She thanked staff for their cooperation.

[Clerk's Note: A copy of FY 2012-2013 audit is available at Town Hall and on the website]

GENERAL PUBLIC COMMENT

None

PUBLIC HEARING

CUP-13-01 Conditional Use Permit to Construct a New Wireless Telecommunications Site

Town Attorney Phillip Hornthal introduced to the public the matter to be considered by reference to the agenda item and to any other specific identifying information. He stated this is a general quasi-judicial public hearing and quasi-judicial procedures will be followed. He stated the attorney Lisa Murphy representing New Cingular Wireless PCS, LLC d/b/a AT&T, informed him that she had contacted several council members prior to the meeting. He explained that this could be considered ex-parte communication and asked the council members contacted to disclose comments made to her for the record. Mayor Denny, Mayor Pro Tem Hess, and Council Member Lawhon all stated they were contacted by her but had made no substantive or material comments to her.

Mr. Hornthal stated there is a motion before the court by John Gaw, a NC attorney practicing here in Dare County. He has moved to admit Lisa M. Murphy who is licensed to practice law in at least the state of Virginia and perhaps other states to be allowed to practice law here for the purposes of this quasi-judicial hearing. NC state bar prefers that this hearing be handled just like a judicial matter so this motion is appropriate. He stated this motion and the required statements from the general statute and recommends council moves to approve this motion.

MOTION: Mayor Denny moved to approve the order admitting Lisa M. Murphy, ESC. The motion was seconded by Council Member Kowalski. The motion passed unanimously (5-0)

[Clerk's Note: A copy of the order is hereby attached as Exhibit C.]

The Town Clerk swore in those wishing to speak during evidence presentation, including the public hearing.

Town Planner, Wes Haskett gave a brief presentation of the town's position. He stated the applicant seeks a Conditional Use Permit to construct a new Wireless Telecommunications Site (130 ft. tall stealth flag pole and accessory equipment) at 148 A Ocean Blvd. in accordance with Section 36-175, Wireless Telecommunications Sites and Towers. A Wireless Telecommunication Site is a permitted use in the RS-1, Single-Family Residential District provided that a Conditional Use Permit is granted by the Town Council following a recommendation made by the Town Planning Board.

The applicant New Cingular Wireless PCS, LLC d/b/a AT&T attorney Lisa Murphy presented a power point presentation.

Town Attorney Phillip Hornthal called on public comment and the following citizens offered comment:

Richard Traverse, Southern Shores resident and property owner
Steve Uperti, Southern Shores resident and property owner
Bill Cogger, Southern Shores resident and property owner
Sarah Tyler, Southern Shores resident and property owner
Myra Bone, representing James H. Carraway
Larry Gallek, Southern Shores resident and property owner (representing SSCA)
Susan Dineen, Southern Shores resident and property owner
Pat Ringwald representing Shelley Carlton & Ray Griffin
Charles Knight, Southern Shores resident and property owner
Gary McDonald, Southern Shores resident and property owner
Bill Schwartz, AT&T
Chip Floyd, AT&T

Hearing all the public comments, Mayor Denny closed the evidentiary portion of the hearing.

MOTION: Council Member Kowalski moved to approve conditional use permit CUP-13-01. The motion was seconded by Council Member Lawhon. The motion passed unanimously (5-0).

Town Attorney Phillip Hornthal stated Council needs to make the following findings as a part of the approved conditional use permit:

a. The applicant has met the requirements of the applicable provisions of the Town Chapter pertaining to Zoning, Subdivision Chapter, and all other applicable Ordinances.

MOTION: Council Member Lawhon **Second:** Council Member Sanders **Vote:** Unanimous (5-0)

b. That the use as proposed will conform with the Town's Land Use Plan, and will be compatible with the area in which it is to be located, if developed in accordance with the conditions specified in the Chapter and additionally required by the Town Council as authorized by the Chapter.

MOTION: Council Member Kowalski **Second:** Council Member Lawhon **Vote:** Unanimous (5-0)

c. That the use will not materially endanger the public health and safety if located where proposed and developed according to the plan submitted.

MOTION: Council Member Kowalski **Second:** Council Member Lawhon **Vote:** Unanimous (5-0)

d. That the use as proposed will not overburden the Town Volunteer Fire Department fire-fighting capabilities and the County water supply capacity to the Town, as said facilities and capabilities will exist on the completion date of the conditional use for which the application is made.

MOTION: Council Member Lawhon **Second:** Council Member Kowalski **Vote:** Unanimous (5-0)

Town Attorney Phillip Hornthal also recommended Council incorporate by reference the staff report into the conditional use permit.

MOTION: Council Member Lawhon moved that Council incorporate the staff report as a part of the approved conditional use permit. The motion was seconded by Mayor Pro tem Hess. The motion passed unanimously (5-0).

Town Attorney Phillip Hornthal also recommended Council include by approval all the recommended conditions in the staff report separately, as follows:

CUP-13-01 Conditions

1. The Conditional Use Permit shall expire if the improvements permitted are not completely constructed within 24 months of the date of the approval of a Building Permit.

MOTION: Council Member Lawhon **Second:** Council Member Kowalski **Vote:** Unanimous (5-0)

2. The tower shall provide space for at least three providers plus space for emergency communication antennas used by the Town Police Department and Southern Shores Volunteer Fire Department when needed.

MOTION: Council Member Sanders **Second:** Council Member Kowalski **Vote:** Unanimous (5-0)

3. Town Council reduces the setback requirement to one-third of the height of the tower.

MOTION: Council Member Lawhon **Second:** Council Member Kowalski **Vote:** Unanimous (5-0)

4. Electrical and telephone lines serving the Wireless Telecommunications Site shall be installed underground from the point of existing service.

MOTION: Mayor Pro Tem Hess **Second:** Council Member Kowalski **Vote:** Unanimous (5-0)

5. Sound emission devices, such as alarm bells, buzzers, and the like, are not to be used.

MOTION: Mayor Denny **Second:** Council Member Lawhon **Vote:** Unanimous (5-0)

6. Maintain landscaping requirements in accordance with Section 36-175, (c), (2), (i), (2).

MOTION: Mayor Pro Tem Hess **Second:** Council Member Lawhon **Vote:** Unanimous (5-0)

7. With the exception of flag pole lighting, all lighting at the Wireless Telecommunications Site shall be shielded and shall comply with the provisions for outdoor lighting contained in Section 36-166.

MOTION: Mayor Denny **Second:** Council Member Kowalski **Vote:** Unanimous (5-0)

8. Any proposed signage to be installed at the Wireless Telecommunications Site shall be in accordance with Section 36-175, (c), (2), (k). Any future signage on the CMU wall must be in accordance with the Town's sign ordinance.

MOTION: Council Member Sanders **Second:** Council Member Lawhon **Vote:** Unanimous (5-0)

9. The Wireless Telecommunications Site shall be developed in accordance with the Town's Flood Damage Prevention Ordinance.

MOTION: Council Member Lawhon **Second:** Mayor Pro tem Hess **Vote:** Unanimous (5-0)

10. The Wireless Telecommunications Site shall be developed in accordance with the Town's Lot Disturbance Ordinance.

MOTION: Council Member Lawhon **Second:** Council Member Sanders **Vote:** Unanimous (5-0)

11. An annual renewal permit must be obtained within 365 days of the issuance of the certificate of occupancy related to the Building Permit. Annual renewal permits shall then be required within 365 days from the previously issued annual renewal permit.

MOTION: Council Member Lawhon **Second:** Council Member Sanders **Vote:** Unanimous (5-0)

12. If the Wireless Telecommunications Site is not operated for 180 continuous days in a 12-month period, it shall be considered abandoned and the facility owner shall be responsible for the removal of all structures and equipment on the site within ninety (90) days of receipt of such notification by the Town.

MOTION: Council Member Sanders **Second:** Council Member Lawhon **Vote:** Unanimous (5-0)

13. The applicant must strictly abide by all other requirements for the Town Code and must also comply with all other local, State, and Federal requirements.

MOTION: Mayor Pro Tem Hess **Second:** Council Member Lawhon **Vote:** Unanimous (5-0)

14. The Conditional Use Permit shall expire if a Building Permit is not issued within 12 months of the Town Council's approval of the Conditional Use Permit (November 6, 2014).

MOTION: Mayor Denny **Second:** Mayor Pro Tem Hess **Vote:** Unanimous (5-0)

OLD BUSINESS

None

NEW BUSINESS

Proposed Amendment (Budget Amendments 1-3) to Capital Reserve Fund ordinance adopted June 18, 2013-Ordinance 2013-06-01

Budget Amendment #1-Juniper/Trinitie Bridge (cost over original estimate)

MOTION: Council Member Lawhon moved to approve Budget Amendment #1. The motion was seconded by Mayor Pro Tem Hess. The motion passed unanimously.

Budget Amendment #2-Juniper/Trinitie Bridge (payment from capital reserve fund)

MOTION: Council Member Kowalski moved to approve Budget Amendment #2. The motion was seconded by Council Member Lawhon. The motion passed unanimously.

Budget Amendment #3-Police Department Garage/Training Room

MOTION: Council Member Kowalski moved to approve Budget Amendment #3. The motion was seconded by Council Member Lawhon. The motion passed unanimously.

Budget Amendment #4-Police Grants

MOTION: Mayor Denny moved to approve Budget Amendment #4. The motion was seconded by Council Member Sanders. The motion passed unanimously.

Budget Amendment #5-Beach Stabilization Project

MOTION: Mayor Pro Tem Hess moved to approve Budget Amendment #5. The motion was seconded by Council Member Sanders. The motion passed unanimously.

[Clerk's Note: A copy of Budget Amendments #1-5 is hereby attached as Exhibit D.]

Navigation Channel into Currituck Sound

ACTION: Following discussion about the privately maintained channel in Ginguite Creek and Currituck Sound, it was the consensus of all Council members that the Manager set up a meeting with all the appropriate parties to see who might be willing to possibly contribute to maintenance of the channel..

OTHER ITEMS

Town Manager's report

The Town Manager addressed several issues:

- The Town and two homeowners associations will be the next feature segment on Dare County Destination Dare.

- The dredging contractor is currently on the east side of the Tall Pine Bridge and will be moving to the long north-south "Snowy Egret" canal the week following. They are about eight (8) days ahead of schedule at this time.
- The surveying for the last two street repairs has been completed and now the existence of possible drainage easements are being researched.
- Staff is working with the contractor who performed improvements on Deerpath Lane and Gravey Pond Lane on warranty issues.
- The existence of possible drainage easements along Duck Woods Drive are being researched for the street rebuild work. These would be favorable in developing a storm water plan.
- Town Hall will be closed in observance of Veteran's Day. The Town is co-sponsoring with the Knights of Columbus the annual Veteran's Day Ceremony that will occur at the flag pole pavilion at the eleventh hour on the eleventh day of November. Retired Coast Guard Captain and Southern Shores resident Mark Rose will be the speaker.

Town Attorney:

None

Mayor's comments:

Mayor Denny congratulated Leo Holland and Tom Bennett on their elections and he is looking forward to the first meeting in December.

Council Members' comments:

None

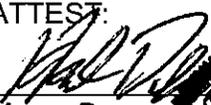
CLOSED SESSION

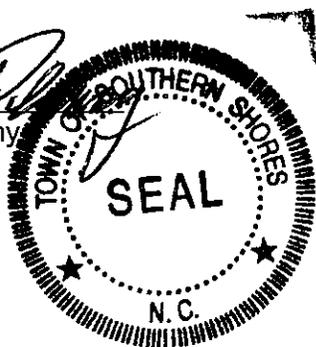
MOTION: Mayor Denny moved to enter into closed session pursuant to NCGS 143-318.11 (a)(3) to consult with the attorney retained by the Town in a manner preserving the attorney-client privilege and to review/approve closed session minutes pursuant to NCGS 143-318.11(a)(1). The motion was seconded by Mayor pro tem Hess. The motion passed unanimously.

ADJOURN

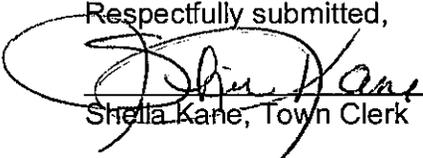
MOTION: Upon returning to open session Mayor Denny moved to adjourn. The motion was seconded by Council Member Sanders. The motion passed unanimously. The time was 10:45 p.m.

ATTEST:


Mayor Denny



Respectfully submitted,


Sheila Kane, Town Clerk

11-6-13 TC Report

1. Permitting and Inspections for October, 2013

-11 Zoning Permits were issued.

-27 building permits were issued: 2 new single-family dwellings, 5 additions/alterations, and 18 others.

-57 building inspections were conducted (43 job sites).

-13 single-family dwellings are currently under construction.

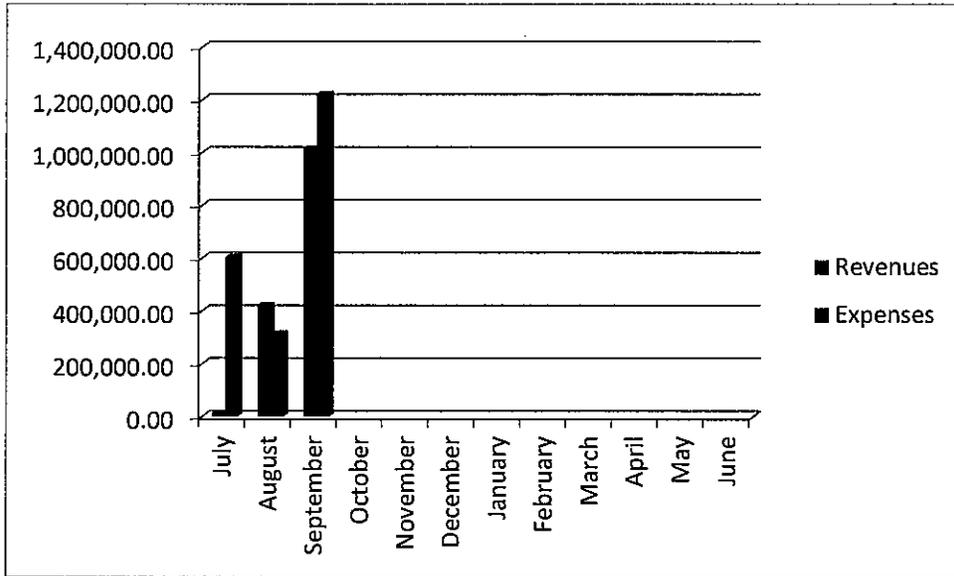
-Total amount of fees collected in October was \$16,033.00

2. Comprehensive Bicycle and Pedestrian Plan

-NCDOT is reviewing the draft contract with Alta/Greenways. Once approved, we will finalize the Steering Committee and hold our first Steering Committee meeting later this month or early December.

GENERAL FUND

	<u>Revenues</u>	<u>Expenses</u>
FY 13-14		
July	13,268.73	603,992.91
August	422,464.75	315,406.08
September	1,016,193.24	1,223,375.50
October		
November		
December		
January		
February		
March		
April		
May		
June		
Total YTD	1,451,926.72	2,142,774.49



	Revenues		
	<u>Current Period</u>	<u>Prior Period</u>	<u>Difference</u>
<u>July</u>			
Ad Valorem	-	-	-
Occupancy Tax	-	-	-
Sales Tax	-	-	-
Land Transfer Tax	-	-	-
Building Permits & Fees	6,555.00	5,262.60	1,292.40
Other Revenues	6,713.73	3,897.59	2,816.14
Total	13,268.73	9,160.19	4,108.54
<u>August</u>			
Ad Valorem	91,973.03	169,232.78	(77,259.75)
Occupancy Tax	309,506.82	249,513.90	59,992.92
Sales Tax	-	-	-
Building Permits & Fees	4,999.90	3,477.40	1,522.50
Other Revenues	15,985.00	11,926.15	4,058.85
Total	422,464.75	434,150.23	(11,685.48)
<u>September</u>			
Ad Valorem	510,473.65	442,646.61	67,827.04
Occupancy Tax	279,151.15	197,421.68	81,729.47
Sales Tax	129,102.18	95,504.33	33,597.85
Utilities & Franchise Tax	63,212.18	61,075.10	2,137.08
Building Permits & Fees	10,177.30	12,214.00	(2,036.70)
Other Revenues	24,076.78	79,512.86	(55,436.08)
Total	1,016,193.24	888,374.58	127,818.66
Grand Total YTD	1,451,926.72	1,331,685.00	120,241.72

EXPENDITURES	Current Period	Prior Period	Difference
July			
Administration	130,022.38	101,354.08	28,668.30
Police	118,068.67	109,522.44	8,546.23
Sanitation	10,896.70	12,855.13	(1,958.43)
Fire Services	262,752.50	262,752.50	-
Ocean Rescue	25,833.33	25,416.67	416.66
Streets	2,877.99	75,813.00	(72,935.01)
Public Works	36,782.66	26,001.52	10,781.14
Code Enforcement	16,758.68	14,085.84	2,672.84
Total	603,992.91	627,801.18	(23,808.27)
August			-
Administration	56,834.95	76,641.73	(19,806.78)
Police	125,135.99	90,161.43	34,974.56
Sanitation	35,094.96	35,575.25	(480.29)
Ocean Rescue	25,833.33	25,416.67	416.66
Streets	18,354.35	52,158.81	(33,804.46)
Public Works	40,568.52	35,698.06	4,870.46
Code Enforcement	13,583.98	14,716.52	(1,132.54)
Total	315,406.08	330,368.47	(14,962.39)
September			-
Administration	79,640.28	65,495.55	14,144.73
Police	195,669.95	166,847.32	28,822.63
Sanitation	61,423.94	37,340.38	24,083.56
Ocean Rescue	26,687.33	25,416.67	1,270.66
Streets	6,945.45	139,427.72	(132,482.27)
Public Works	-18,287.26	43,352.30	(61,639.56)
Code Enforcement	15,085.81	15,736.61	(650.80)
Total	367,165.50	493,616.55	(126,451.05)
Total YTD	1,286,564.49	1,451,786.20	(165,221.71)
Trans. To CRF	856,210.00	183,395.00	672,815.00
Grand Total YTD	2,142,774.49	1,635,181.20	507,593.29

NORTH CAROLINA
DARE COUNTY

TOWN COUNCIL

New Cingular Wireless PCS, LLC,)	
)	
Applicant)	CONDITIONAL USE PERMIT
)	WIRELESS
)	TELECOMMUNICATIONS SITE
)	
)	CUP-13-01
)	
)	

ORDER ADMITTING
LISA M. MURPHY, ESQ PRO HAC VICE

THIS MATTER COMING before the undersigned Town Council on Applicant's Motion for Admission of Out of State Attorney for Limited Practice as counsel for Applicant. It appearing that John G. Gaw, Jr. and Lisa Marie Murphy represent Applicant, and have personally appeared before this body.

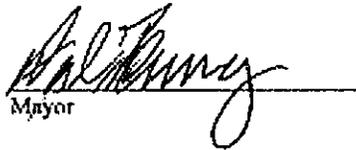
And it also appearing to the Town Council that Lisa Marie Murphy, attorney at law with the law firm of LeClairRyan, has applied to this Town Council for admission to the limited practice of law before it in the above-captioned application, and it further appearing to the Town Council that the law firm of LeClairRyan has associated John G. Gaw, Jr., of the law firm of Rose Harrison & Gilreath, P.C., of Kill Devil Hills, North Carolina, to assist it in pursuing the above-referenced conditional use permit for a wireless telecommunications site on behalf of New Cingular Wireless PCS, LLC (the AT&T) in all respects before the Town Council of the Town of Southern Shores, North

Carolina, the Applicant, having acknowledged its assent to the association of the two law firms in the representation of its interests in these matters;

It is therefore, ORDERED, ADJUDGED AND DECREED that, pursuant to N.C.G.S. Section 84-4.1, Lisa Marie Murphy of the law firm of LeClairRyan is hereby admitted to the limited practice of law in North Carolina before the Town Council of the Town of Southern Shores, North Carolina, in all respects concerning the above-captioned application, so long as LeClairRyan has associated with John G. Gaw, Jr. of the law firm of Rose Harrison & Gilraeth, P.C., of Kill Devil Hills, North Carolina, as set forth in the previously filed Motion For Admission of Out-of-State Attorney For Limited Practice; that John G. Gaw, Jr. shall within thirty (30) days of the entry of this Order, file with the North Carolina State Bar the Pro Hac Vice Admission Registration Statement required by 27 N.C.A.C. 1H Section .0100; and that the Clerk of the Town of Southern Shores shall remit the fees associated herewith to proper parties as required by N.C.G.S. Section 84-4.1(7).

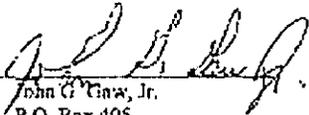
Entered this 10 day of October, 2013.

BY THE TOWN COUNCIL:


Mayor

WE ASK FOR THIS:

ROSE HARRISON & GILREATH, P.C.

By: 
John G. Graw, Jr.
P.O. Box 405
Kil Devil Hills, North Carolina 27948
Counsel for Applicant

LECLAIRRYAN, A Professional Corporation

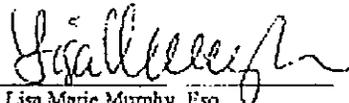
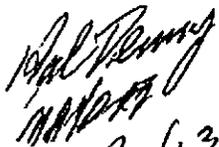
By: 
Lisa Marie Murphy, Esq.
999 Waterside Drive, Suite 2100
Norfolk, Virginia 23510
Counsel for Applicant

Exhibit D

Amendment to capital reserve ordinance adopted June 18, 2013

	<u>Existing</u>	<u>Amended</u>
Revenues:		
Transfer from general fund	856,210	856,210
Existing capital reserve fund balance appropriated	-	175,596
	<u>856,210</u>	<u>1,031,806</u>
Expenditures:		
Transfer to general fund for streets	630,000	630,000
Transfer to general fund for NCDOT debt payment (Juniper Bridge)	-	361,806
Transfer to general fund for police station improvements	-	40,000
Reserved for future projects	<u>226,210</u>	<u>-</u>
	<u>856,210</u>	<u>1,031,806</u>


Budy P. Allen
11-6-13

11/7/13

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

Streets, Bridges and Canals (57) Increases			Streets, Bridges and Canals (57) Decreases		
Account Number	Description	Amount	Account Number	Description	Amount
40-39925	Revenues Loan Proceeds	\$106,806			
57-50942	Expenditures Juniper Bridge	\$106,806			
		\$0			\$0

Explanation: This is simply a paper entry to satisfy requirements of Local Government Budget & Fiscal Control Act to account for debt proceeds and cost over original estimate.

Recommended By:

J. Peter Rascoe, III, Town Manager

Approved By:

Hal Denny, Mayor

Date

11-6-13

**Town of Southern Shores
Budget Amendment Number # 2**

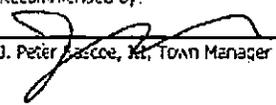
**Streets, Bridges and Canals (57)
Increases**

**Streets, Bridges and Canals (57)
Decreases**

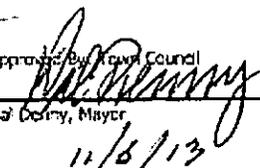
Account Number	Description	Amount	Account Number	Description	Amount
40-39999	General Fund Revenues Tr. In from CRF	\$361,806			
57-50957	General Fund Expenditures Debt payment to NCDOI	\$361,806			
	TOTAL			TOTAL	\$ _____

Explanation: To pay for Juniper Bridge from Capital Reserve Fund

Recommended By:


J. Peter Cascoe, Jr., Town Manager

Approved By: Town Council


Hal Denny, Mayor

Date

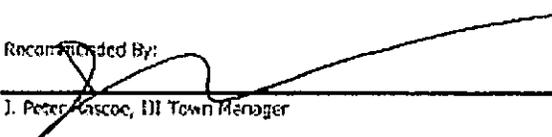
11/6/13

**Town of Southern Shores
Budget Amendment Number #3**

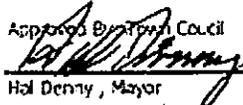
Capital Project (01) Increases			Capital Project (01) Decreases		
Account Number	Description	Amount	Account Number	Description	Amount
40-39999	<u>Capital Project Fund (55)</u> Tr. In from CRF	\$40,000			
01-50172	<u>Capital Project Fund (55)</u> Capital Outlay- Buildings	\$40,000			
TOTAL			TOTAL		\$ -

Explanation: to cover excess cost for Police Garage. This amount includes the \$17,000 from the sale of boats

Recommended By:


J. Peter Cascoe, III Town Manager

Approved By Town Council


Hal Denny, Mayor

Date

11/6/13

**Town of Southern Shores
Budget Amendment Number # 4**

Police Increases			Police Decreases		
Account Number	Description	Amount	Account Number	Description	Amount
	Revenues				
40-39919	GCC Grant	\$5,790			
40-39909	Undes. Fund Balance	1,931			
40-39918	GHSP Grant	\$7,449			
40-39909	Undes. Fund Balance	2,484			
	Expenditures				
51-50151	Equipment Purchase	\$17,654			

Explanation: Grants that were awarded to the Town for the purchase of security cameras for the Town Hall complex and a grant for a radar trailer. The Town will be reimbursed 75% of total costs as shown above.

Recommended By: _____
J. Peter Rascoe, III, Town Manager

Approved By: _____
Hal Denny, Mayor

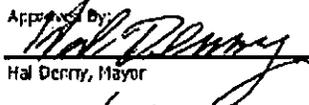
11/6/13
Date

**Town of Southern Shores
Budget Amendment Number # 5**

Public Works Increases			Public Works Decreases		
Account Number	Description	Amount	Account Number	Description	Amount
40-39924	Revenues Beach Nourishment Grant	\$65,218.00			
59-50938	Expenditures Grass Planting	\$65,218.00			
	TOTAL			TOTAL	\$ -

Explanation: To plant and fertilize grass and plant sea oats

Recommended By: 
 J. Peter Rascoe, III, Town Manager

Approved By: 
 Hal Denny, Mayor
 Date: 11/6/13



Town of Southern Shores
Closed Session
November 6, 2013

Those in attendance: Mayor Denny, Mayor Pro Tem Hess, Council Members Kowalski, Sanders and Lawhon.

Also present: Town Manager Peter Rascoe, Town Attorney Phillip Hornthal and Town Clerk Sheila Kane.

Mr. Hornthal gave a brief update on the matter of Sampson Contracting v. Town of Southern Shores and explained that the court will order mediation first. Mr. Hornthal stated he did not anticipate any further information for another three to four months.

No action taken.

Sheila Kane, Town Clerk presented Council with Closed Session minutes from the following dates:

- July 16, 2013

MOTION: Mayor Pro Tem Hess moved to approve the closed session minutes from July 16, 2013. The motion was seconded by Council Member Lawhon. The motion passed unanimously.

- July 16, 2013 Session #2

MOTION: Mayor Pro Tem Hess moved to approve the closed session minutes from July 16, 2013 Session #2. The motion was seconded by Council Member Sanders. The motion passed unanimously.

MOTION: Mayor Denny moved to go out of closed session. Council Member Sanders seconded. The motion passed unanimously.

ATTEST:

Respectfully submitted:

Sheila Kane, Town Clerk