



**Town of Southern Shores
Council Meeting
July 1, 2014**

The Town of Southern Shores Council met in the Pitts Center located at 5375 N. Virginia Dare Trail at 5:30 p.m. on Tuesday, July 1, 2014.

COUNCIL PRESENT: Mayor Pro Tem Jodi Hess, Council Members David Sanders, Larry Lawhon and Leo Holland.

COUNCIL ABSENT: Mayor Tom Bennett

OTHERS PRESENT: Town Manager Peter Rascoe, Town Attorney Ben Gallop and Town Clerk Sheila Kane.

CALL TO ORDER / PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

Mayor Pro Tem Hess called the meeting to order at 5:30 p.m., led the Pledge of Allegiance, and held a Moment of Silence.

AMENDMENTS / APPROVAL OF AGENDA

MOTION: Council Member Lawhon moved to approve the agenda as presented. The motion was seconded by Council Member Sanders. The motion passed unanimously (5-0).

CONSENT AGENDA

The Consent Agenda consisted of the following items:

- Resolution 2014-07-01-Surplus Property
- Resolution 2014-07-02- Transfer of a firearm in accordance with NCGS §20-187.2
- Amendment (date extension) to Manager's Contract
- Approval of Minutes- June 17, 2014

MOTION: Council Member Lawhon moved to approve the consent agenda. The motion was seconded by Council Member Sanders. The motion passed unanimously (5-0).

[Clerk's Note: A copy of the consent agenda items are hereby attached as Exhibit A]

REPORT: OVERVIEW OF FY 2014-2015 CAPITAL -STREET PROJECTS

Public Works Director Rachel Patrick gave a brief report of the six major capital-street improvement projects for FY 2014-2015. The following are the capital projects approved by Council:

- Fairway Drive
- 280-293 N Dogwood Trail
- Pintail Ct.
- Scuppernong Lane
- North, South, East Dogwood Trail Intersection
- Yaupon Trail

The Public Works Director stated that once design plans were ready letters will be sent out to the property owners on the particular streets informing them the plans are available for viewing at Town Hall.

STAFF REPORTS

Ocean Rescue- Summer 2014 Lifeguard Introductions

Ocean Rescue Director, Mirek Dabrowski introduced several of this year's lifeguards to Council.

Town Planner: The Town Planner, Wes Haskett presented the planning department's monthly report containing the following:

- Permitting and Inspections for June, 2014

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

Southern Shores Volunteer Fire Department: Fire Chief, Ed Limbacher presented the Fire Department's monthly report for June 2014

REPORTS FROM TOWN BOARDS

No reports

GENERAL PUBLIC COMMENT

None

OLD BUSINESS

None

NEW BUSINESS

None

OTHER ITEMS

Town Manager's report

The Town Manager addressed several matters:

- Staff has initiated storm preparations in the event Hurricane Arthur does come. The Town's limb/branch removal contractor has been placed on notice to be available through the weekend for initial street clearing if needed.
- The capital street projects that were approved by Council will require some tree removal. Once preliminary design drawings are available for each project Council will be able to review and recommend final changes. Once the design is completed in-house it will go be made available to the public.
- Successful enforcement of the Town code on the beaches this summer has taken place with the help of the lifeguards and the Community Resource Officer.

Town Attorney:

None

Mayor's comments:

None

Council Members' comments:

None

CLOSED SESSION

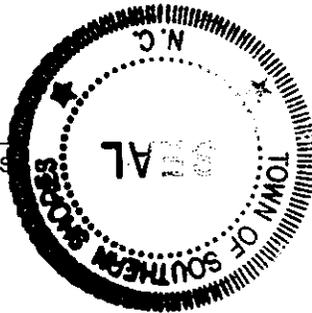
MOTION: Mayor Pro Tem Hess moved to go into closed session to be briefed, and consulted by, the Town Attorney regarding a recent civil claim filed against the Town in Small Claims Court, Louis Scarborough v. Town of Southern Shores. [NCGS 143-318.11(a)(3)]. The motion was seconded by Council Member Holland. The motion passed unanimously (5-0).

ADJOURN

MOTION: Upon returning to open session and taking no action Council Member Lawhon moved to adjourn. The motion was seconded by Council Member Holland. The motion passed unanimously. The time was 6:07 p.m.

ATTEST:


Mayor Pro Tem Hess



Respectfully submitted,


Shyla Kane, Town Clerk



Town of Southern Shores

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

Phone 252-261-2394 / Fax 252-255-0876

www.southernshores-nc.gov

RESOLUTION 2014-07-01

A RESOLUTION DECLARING CERTAIN PROPERTY OF THE TOWN TO BE SURPLUS AND AUTHORIZING THE DISPOSITION OF SAID PROPERTY

WHEREAS, the Town Council of the Town of Southern Shores, North Carolina, has determined that the Town owns certain personal property that is no longer needed or usable by the Town; and

WHEREAS, the property is described below:

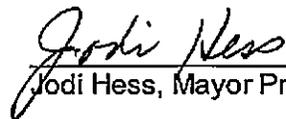
Surplus Property Information

DEPT.	MAKE	MODEL	YEAR	V.I.N./DESCRIPTION
POLICE	DODGE	VAN	2003	1D4GP25R23B317531
POLICE	DODGE	DURANGO	2004	1D4HB48DX4F194778
POLICE	DODGE	CHARGER	2008	2B3KA43H88H206089
POLICE	MPH INDUSTRIES	RADAR TRAILER	1999	C195
PUBLIC WORKS	FORD	F250	2003	1FTNF21L93ED58844
PUBLIC WORKS	KUBOTA TRACTOR	LA852		L4610-70934

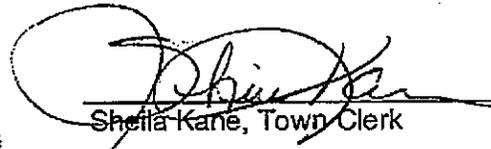
NOW, THEREFORE, BE IT RESOLVED by the Southern Shores Town Council that the Town Manager or his designee are hereby authorized to dispose of the aforementioned property by any means allowable to include offering for sale at public auction, donation to a nonprofit organization, internet on-line offering, private negotiation and sale, upset bid process, or destruction.

AND BE IT FURTHER RESOLVED that property described in this resolution is surplus as of JULY 1, 2014.

ATTEST:


Jodi Hess, Mayor Pro Tem




Sheila Kane, Town Clerk



Town of Southern Shores

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Resolution 2014-7-02

Resolution Honoring Police Lieutenant Paul W. Terry for 28+ Years of Service & Awarding Him His Retired Badge and Service Sidearm

WHEREAS, Paul W. Terry joined the Town of Southern Shores Police Department as a Corporal on December 14, 2001 and held the ranks of Sergeant and Lieutenant; and

WHEREAS, Lieutenant Terry's service and dedication to the Southern Shores Police Department and accomplishments in the field of law enforcement are hereby recognized and commended; and he will be honored at a future gathering; and

WHEREAS, G.S. 20-187.2 provides that retiring members of municipal law enforcement agencies may receive, at the time of their retirement, the badge or a retired badge similar to the badge worn or carried by them during their service with the municipality; and

WHEREAS, G.S. 20-187.2 further provides that the governing body of the municipal law enforcement agency may, in its discretion, award to a retiring member the service sidearm of such retiring member at a price determined by the governing body, upon securing a permit as required by NCGS 14-402 et seq; and

WHEREAS, Paul W. Terry has served for over twenty-eight total years in law enforcement and twelve of those years as a member of the Southern Shores Police Department and is retiring from the Southern Shores Police Department on August 1, 2014; and

WHEREAS, the Town Council members of the Town of Southern Shores hereby determines One and No/100 Dollars (\$1.00) to be the value of the service sidearm carried by Paul W. Terry, a Glock 45 caliber, Model 21, serial number LSF663.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Shores, North Carolina as follows:

1. The Town Manager is hereby authorized in accordance with the provisions of G.S. 20-187.2 to transfer to Paul W. Terry a retired badge similar the badge worn by him during his service with the Southern Shores Police Department; and
2. The Town Manager is hereby authorized in accordance with the Provisions of G.S. 20-187.2 to transfer to Paul W. Terry his service sidearm for and in consideration of the sum of One and No/100 Dollars received from Paul W. Terry and upon his securing a permit as required by NCGS 14-402.

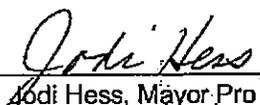
BE IT FURTHER RESOLVED, that the Town Council of the Town of Southern Shores do hereby extend their best wishes to Lieutenant Paul W. Terry and his family for a long, happy and healthy retirement.

This Resolution adopted this 1st day of July 2014.

ATTEST:


Sheila Kane, Town Clerk

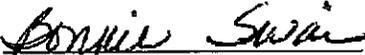



Jodi Hess, Mayor Pro Tem

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NORTH CAROLINA
DARE COUNTY

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.


Finance Director

AMENDMENT TO EMPLOYMENT AGREEMENT BY AND BETWEEN
TOWN OF SOUTHERN SHORES AND J. PETER RASCOE, III

THIS AMENDMENT TO EMPLOYMENT AGREEMENT, made and entered into this 1 day of July, 2014, by and between the Town of Southern Shores, North Carolina, a body corporate and politic existing pursuant to the laws of the State of North Carolina, (the "Employer"), and J. Peter Rascoe, III, (the "Employee"), both of whom understand as follows:

WITNESSETH:

WHEREAS, on May 12, 2010 the Employer and Employee entered into a written contract for employment (the "Employment Agreement") whereby Employer would hire Employee in the position of Town Manager for the Town of Southern Shores;

WHEREAS, in open session by majority vote of its Town Council, Employer has previously amended the Employment Agreement.

WHEREAS, Employer and Employee each desires to continue the relationship created by the Employment Agreement and its prior amendments under the same terms and conditions with the additional amendment(s) described below.

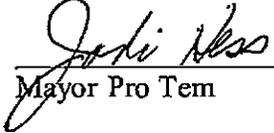
NOW, THEREFORE, in consideration of the mutual covenants herein contained and other good consideration, the parties agree as follows:

A. Effective July 1, 2014 Section 2.B. of the Employment Agreement as previously amended by agreement of the parties on June 18, 2013 shall be replaced with the following:

The term of this Agreement shall be for an initial period beginning on the initial employment date set forth herein and concluding June 30, 2013. The term of this Agreement shall be extended from July 1, 2013 through June 30, 2023. After which said term may be successively extended for a period of one additional year at a time (thereby renewing the term of the Agreement), by the Employer's Town Council adopting a resolution prior to the concluding date of the original term of this Agreement or prior to each subsequent extension period.

B. All other terms and conditions of the Employment Agreement and its prior amendments shall remain in full force and effect.

IN WITNESS WHEREOF, the Employer has caused this Amendment to Employment Agreement to be signed and executed in its behalf by the Mayor for the Town of Southern Shores and duly attested by its Town Clerk, and the Employee has signed and executed this Agreement, both in duplicate, the day and year first written above.



Mayor Pro Tem



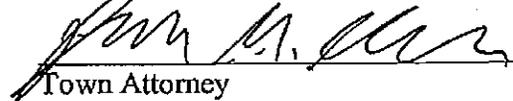
J. Peter Rascoe, III

ATTEST:



Town Clerk

APPROVED AS TO FORM:



Town Attorney



7-1-14 TC Report

1. Permitting for June, 2014

-13 Zoning Permits were issued.

-29 building permits were issued: 3 new single-family dwellings, 1 addition, 1 remodel, and 24 others (10 single-family dwellings are currently under construction)

-Total amount of fees collected in June was \$17,693.60.

2. Code Enforcement

-1 Warning Citation mailed: setback and fence height violations

3. Comprehensive Bicycle and Pedestrian Plan

-Final Steering Committee meeting and second Public Workshop will be held on August 4th.

4. Albemarle Regional Hazard Mitigation Plan

-Funded by grant, will replace Dare County HMP.



Closed Session
July 1, 2014

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

Also present: Town Manager Peter Rascoe, Town Attorney Ben Gallop and Town Clerk Sheila Kane.

Mayor pro Tem Hess called the meeting to order at 5:52 pm

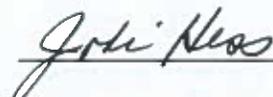
Town Attorney Ben Gallop briefed, and consulted Council regarding a recent civil claim filed against the Town in Small Claims Court, Louis Scarborough v. Town of Southern Shores. [NCGS 143-318.11(a)(3)]. Mr. Gallop stated the League of Municipalities will defend the Town in Small Claims Court on July 16, 2014.

MOTION: Following a brief discussion Council Member Lawhon moved to go into open session. The motion was seconded by Council Member Holland. The motion passed unanimously.

The time was 6:06 p.m.

ATTEST:

Respectfully submitted:


Mayor Pro Tem Hess




Sheila Kane, Town Clerk