



**Town of Southern Shores
Council Meeting-Strategic Planning Retreat
February 17, 2015**

The Town of Southern Shores Council met at the Southern Shores Volunteer Fire Department located at 15 S. Dogwood Trail for a Strategic Planning Retreat at 9:00 a.m. on Tuesday, February 17, 2015

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

COUNCIL ABSENT: None

OTHERS PRESENT: Facilitator Madeleine Henley with Walking Stick Associates, Town Manager Peter Rascoe and Town Clerk Sheila Kane.

CALL TO ORDER / PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

Mayor Bennett called the meeting to order at 9:00 a.m., led the Pledge of Allegiance, and held a Moment of Silence.

GENERAL PUBLIC COMMENT

Mayor Bennett called for public comment, and the following citizens offered comment:

Fred Newberry, Southern Shores Resident
Debbie Newberry, Southern Shores Resident
Al Ewerling, Southern Shores Resident
Joe Van Gieson, Southern Shores Resident
Ursula Bateman, Southern Shores Resident
Craig Albert, Southern Shores Resident
Tommy Karole, Southern Shores Resident

Hearing no others the Mayor closed Public Comment.

AGENDA

Madeleine Henley of Walking Stick Associates presented rules and objectives for the retreat. She then presented the submitted topics from Council in an agenda format. Based on previous communications with individual Council members regarding suggested retreat topics, a proposed agenda for the retreat consisted of the following topics:

- Discussion of make-up and organization of work committees of the Town Council.
- Discussion of improving communication of public information to the public.

- Confirmation of need for overall Town Code Rewrite/Update (includes land use, i.e. signage, etc.)
- Discussion of developing an actual maintenance plan for future canal dredging.
- Discussion of possible regulation of large item vegetation removal from land parcels.

An actual retreat agenda consisting of these topics was then agreed upon by a consensus of all Council Members.

Organization of Work Committees

Council discussed the need to amend the Rules of Procedure to include a process for Council Committee assignments and procedures. Upon review the following amendment was created:

Section 14. Appointments

Insert as second paragraph:

The Mayor may establish and appoint members for such temporary and standing town committees as are needed to help carry on the work of the town government. The Mayor shall appoint council members so that there is an equitable cross section of Council members represented on the committees. The annual appointment to these committees will be presented to the Council at their first meeting in December.

Standing committees:

- *The Planning Committee consists of the Mayor, and Mayor Pro Tem with staff support from the Town Manager and Town Planner.*
- *The Capital Improvement Planning Committee consists of two (2) Council members and a minimum of one (1) citizen representative with staff support from the Town Manager, Police Chief, Public Works Director and the Town Engineer.*
- *The Finance Committee includes two (2) Council members with staff support from the Town Manager and Finance Officer.*
- *The Public Safety Committee includes two (2) Council members, a minimum of one (1) citizen representative, the Town Manager, the Police Chief, the Fire Chief and the supervisor of the Lifeguard Service.*

By a consensus of all Council members, the proposed amendment will be an agenda item at the March 3, 2015 Council meeting.

Communication of Public Information to the Public

Discussions were held on what forms of communications to citizens the Town currently utilizes and if any additional ideas could be offered. The Town currently participates in Facebook, a website, bi-weekly broadcast news, YouTube for council meeting videos, email, mailings, and two bulletin boards.

Agenda indexing of council videos, like Dare County, was discussed. The

Town Clerk stated it is a software program, that we have previously looked into it, and we could obtain a current quote from the company if this is something Council wishes to pursue.

Council Member Lawhon stated he would like to see a link on the front of the website for the Southern Shores Civic Association (SSCA) and the Chicahawk Property Owners Association (CPOA).

Town Code Rewrite/Update

As a staff recommendation to the Council, Town Planner Wes Haskett stated the Town Code needs modernization. Several areas of the code are no longer applicable and need to be updated. A consultant would need to be hired as this is a large project. Staff feels the code update should occur before any CAMA Land use Plan updates.

ACTION: By consensus of each Council member, the Town Manager and Staff were directed to get a cost estimate and include it in the draft budget for FY15-16. The Town Manager stated once a budget appropriation was made, this would be done through an informal bid as it is a service contract. Council stated they would want to review the RFP prior to release.

Canal Dredge Maintenance

Canal bank stabilization is the main issue with maintaining the canals. As discussed in prior meetings there are several forms of stabilization and it becomes a legal matter of requiring an adjacent property owner to provide such stabilization. Last year Council adopted a policy to place \$20,000 per year aside to fund future dredging on both the interior canals and the incoming channel.

ACTION: By consensus of each Council member, the Town Manager was directed to place funding for a canal survey in the budget for FY17-18 (two years out).

Council Member Lawhon stated the canals in Southern Shores used to have water quality checks in the past and it would be beneficial to both our residents and visitors to provide this service. The Town Manager stated he will have Public Works take a water sample and will get cost estimates for future water quality checks.

Regulation of Large Item Vegetation Removal from Land Parcels.

Council discussed the idea of a vegetation ordinance, which had been an agenda topic several years ago. The Town currently has no such ordinance regulating a property owner's ability to remove large vegetation from the owner's private property. The Town's Land Use Plan does encourage tree preservation and the Town does require lot disturbance permits which regulate actual lot grade disturbance and storm water flow.

The Town Planner provided Council with tax parcel information of developed properties and vacant land. There are 2,539 developed properties and 528 vacant lots currently left in Town. This results in about 1/5 of the Town as being undeveloped as of February of this year of 2015.

Council Member Sanders stated the Town should have a public information campaign about what vegetation should be in Town.

Council Member Lawhon stated the previous vegetation ordinance study initiative was too complex but perhaps something could be discussed as a middle ground.

Council Member Holland stated any ordinance would have to be easy for Town staff to administer and enforce, and a property owner would need flexibility to make their own decisions for their property.

Mayor Pro Tem Hess stated back in 2006 the vegetation committee was disbanded. During that period of consideration, citizens were concerned with being told what they could and couldn't do on their own private property. Any ordinance would have to be enforceable, and are lots that are already developed/sold "grandfathered" with regards to future regulation?

The Mayor stated any ordinance would have to be reasonable and enforceable.

The Town Manager stated that any citizen could individually apply for a text amendment to the zoning code to have the council consider a proposed ordinance which amends the current code to regulate vegetation removal.

No action was taken.

MAYOR COMMENTS

Mayor Bennett stated in response to a public comment question the Town does not get grant money to pay for the road improvement projects. The Town does receive Powell Bill money from the State once a year to go towards road maintenance.

CLOSED SESSION: By request of the Town Manager the Mayor Pro Tem moved to go into closed session pursuant to NCGS[143-318.11(a)(6)] to discuss a personnel matter. The motion was seconded by Council Member Holland. The motion passed unanimously (5-0).

ACTION: After resuming the meeting in open session, a discussion as held about recent citizen allegations on public social media that the Town compensates the Town Engineer in an irregular manner for his design of infrastructure improvement projects. By concurrence of all Council Members, the Town Manager is authorized to send out a letter/press release (copy attached) as a communication on behalf of and from every Town staff member, every Town Council member, and every contract service provider to the Town refuting those allegations and outlining the Town's true and actual procedure correct payments to the Town Engineer in accordance with the existing service contract.

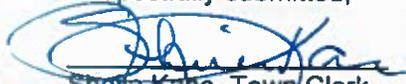
ADJOURN

MOTION: Mayor Bennett moved to adjourn. The motion was seconded by Council Member Holland. The motion passed unanimously. The time was 1:02 p.m.

ATTEST:


Thomas G Bennett, Mayor

Respectfully submitted,


Sheria Kane, Town Clerk





Citizens and Taxpayers of Southern Shores,

Over the last several months and most recently, some citizens have voiced disagreement with the manner and method of the Town's long-standing policies and management of infrastructure improvements, which is certainly their right and privilege. However in doing so, several of these citizens continue to use circulating emails and social media to personally attack and ridicule individual Town Council members, staff members and professional service providers as a tactic to convince other citizens these public officials and professionals are either malfeasant or are simply not performing their legal responsibilities. Typically, Town officials do not respond to untruthful, derogatory, and threatening social media posts, blogs, or emails. However, one of the untruths has once again surfaced electronically and warrants an outright rebuttal for your sake and assurance. The Town compensates its civil engineer for services performed exclusively in accordance with a written contract between the Town and the engineering firm. This contract has always been viewable by any citizen on the Town's website. As a part of the civil engineer's responsibilities, he develops cost estimates for needed infrastructure projects. Each of those projected costs always includes an estimate of engineering costs attributed to the respective project - in order to consider the total of all project costs. Despite the Town including this cost estimate in a percentage format on planning documents, the engineer is only paid for his work in accordance with the set hourly rate stated in the written contract with the Town. He is only paid once for a service, and is not compensated using any percentage of total project costs. The Town has not paid, and does not pay, the engineer multiple times for the same service, nor does the Town pay the engineer for services separate from the contract. Although this administrative process, and others, have been explained several times in open meetings of the Town Council and in citizen-staff information meetings, some citizens continue to use email and social media as means to transmit untruths to other citizens.

Your Town government is committed to providing you with quality municipal services - and to do so with the lowest property tax rate. All Town Departments - Planning and Inspections, Public Works, Police, and Fire, along with all our out-sourced professionals and service providers are dedicated to sustaining and preserving Southern Shores as the premier residential community on the Outer Banks. A large part of the responsibility of an incorporated municipality is to invest your tax dollars wisely in maintaining public infrastructure in a permanent and long-term manner, such that tax dollars do not have to be constantly and repetitively spent on short-lived repairs. In Southern Shores, this responsibility is huge, with a fifty-year old infrastructure that was originally built by private developers without modern construction and safety standards. Your Town maintains nearly forty miles of streets, four vehicular bridges, seven miles of navigable canals, and five miles of public trust ocean beach. Your Town elected officials and staff work hard to meet this challenge for you, while at the same time preserving the residential ambiance and beauty of our Town in order that it always remains an attractive place to live. As an incorporated municipality operating within the bounds of North Carolina law, Southern Shores elected officials and Town staff are committed and determined to provide you with open, transparent, and true facts concerning your Town's operations and the use of your tax dollars.

February 17, 2015

Town of Southern Shores

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