



**Town of Southern Shores
Council Meeting
April 7, 2015**

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, April 7, 2015.

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

COUNCIL ABSENT: Council Member Sanders

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

CALL TO ORDER / PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

Mayor Bennett 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 Holland moved to approve the agenda as presented. The motion was seconded by Mayor Pro Tem Hess. The motion passed unanimously (4-0).

GENERAL PUBLIC COMMENT

Mayor Bennett called on public comment and the following citizens offered comment:

Anne Sjoerdsma, Southern Shores property owner
Hal Denny, Southern Shores property owner
Joe Van Gieson, Southern Shores property owner

[Clerk's Note: A copy of the Public Comment sign-up sheet is hereby attached as Exhibit A].

CONSENT AGENDA

The Consent Agenda consisted of the following items:

- Approval of Minutes- February 17, 2015 and March 3, 2015
- Child Abuse Prevention Month Proclamation 2015-04-01
- Surplus Property-Resolution 2015-04-02
- 2015 Town of Southern Shores Emergency Management Plan

MOTION: Council Member Holland moved to approve the consent agenda. The motion was seconded by Mayor Pro Tem Hess. The motion passed unanimously (4-0).

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

STAFF REPORTS

Town Planner:

The Town Manager presented the Planning Department's monthly report containing the following:

- Permitting and Inspections for March, 2015

Southern Shores Police Department

Chief Kole presented the Police Department's monthly report for March.

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

[Clerk's Note: A copy of staff reports are hereby attached as Exhibit C].

REPORTS FROM TOWN BOARDS

None

OLD BUSINESS

None

NEW BUSINESS

Outer Banks Visitors Bureau-Briefing by Lee Nettles, OBVB Executive Director

Lee Nettles, Outer Banks Visitors Bureau (OBVB) Executive Director and Tim Cafferty, Chairman of the Board of Directors of the OBVB, presented a stewardship report. Mr. Cafferty discussed how taxes from accommodations and prepared food are distributed and the impact for Southern Shores which was approximately \$985,073 for FY13/14.

[Clerk's Note: A copy of the PowerPoint Presentation is hereby attached as Exhibit D]

Review of Proposed US Highway 64 Improvements

Mayor Bennett gave a briefing as to the proposed improvements of Highway 64 from Columbia to Manteo as reported at a NCDOT meeting he attended. The planning of the improvements to the road is complete, but the State has no funding currently available. It would be a three (3) part project if it was to move forward, with the bridge being completed first.

Promotion of Summer Saver Route to NC Outer Banks

The Town Manager gave a briefing on promotion efforts of the alternate route -summer saver route to the Outer Banks' southern beaches. This initiative came from a February 11th meeting of some elected leaders from Currituck County, Dare County, the Town of Duck, the Town of Kitty Hawk, and the Town of Southern Shores. Attendees included Police Department officials and Town Managers. The purpose of the meeting was to discuss follow-up of some of the initiatives that the NC Department of Transportation had laid out at the December 14th public forum it sponsored in Jarvisburg on December 14, 2014.

The Town Manager stated other initiatives were also discussed at the February 11th follow-up meeting, including signage on US Highway 158 as well as a cooperative agency effort to prevent stalled traffic at the US158 and NC12 intersection stoplight. There is an agreement for a cooperating agency officer to be in the intersection every Saturday of the summer season. The goal is to get traffic out of the way as quickly as possible during the light cycle. If a vehicle has pulled under the light, the officer will have the duty to remove the vehicle and send it on its way in the easiest and quickest direction.

Another item discussed at the February 11th meeting of local government leaders was the promotion of the Summer Saver route which is an alternate route to the southern beaches of the Outer Banks. This route is being promoted by the real estate agencies, the local governments, and the Outer Banks Visitor's Bureau (which is also promoting other

alternate routes as well.). For visitors of OBX towns south of Kill Devil Hills, an alternate route can save several hours. NCDOT estimates that 25% of the Wright Brothers Memorial Bridge traffic is travelling to such southern beaches.

OTHER ITEMS

Mayor:

Mayor Bennett stated he had spoken again with Jerry Jennings, NCDOT and did not receive positive support for the no left turn signage. They spoke about the alternate routes to the Outer Banks and NCDOT was committed to signage on the west side of the Wright Memorial Bridge, no blocking of the intersections and travel time signs. Mayor Bennett also stated that the Kitty Hawk Police Chief has already made a summer schedule for officers at the intersection of US158 and NC12.

Town Attorney:

Town Attorney Ben Gallop reported that the lawsuit between Sampson Contracting, Inc. and the Town has been settled. He read a briefing statement on the matter.

The terms of the settlement were reached at mediation. In exchange for a complete release and dismissal of all claims against the numerous defendants, the defendants agreed to pay Sampson Contracting, Inc. the amount of \$248,000.00. The Town contributed \$123,500.00 to the total settlement amount. All of the parties bear their own attorney's fees, costs and expenses.

[Clerk's Note: A copy of the settlement statement is hereby attached as Exhibit E]

Mayor Pro Tem comments:

None

Council Members' comments:

Council Member Holland stated he attended the NC Local Government meeting in Pine Knoll Shores. The three main topics discussed were local dredging, offshore drilling and sales tax distribution.

CLOSED SESSION

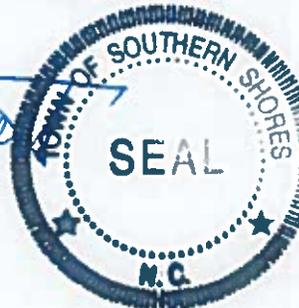
MOTION: Council Member Lawhon moved to go into closed session pursuant to NCGS 143-318.11(a) section (1): "to consider proposed draft closed session minutes which are privileged or confidential pursuant to N.C.G.S. 143-318.10(e)" The motion was seconded by Council Member Holland. The motion passed unanimously (4-0).

ADJOURN

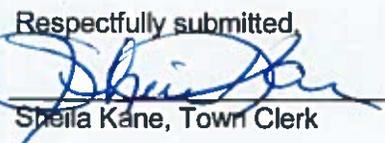
MOTION: Upon returning to open session and taking no action Council Member Lawhon moved to adjourn. The motion was seconded by Mayor Pro Tem Hess. The motion passed unanimously (4-0). The time was 6:40 p.m.

ATTEST:


Thomas G. Bennett, Mayor



Respectfully submitted,


Sheila 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

Proclamation 2015-04-01

Child Abuse Prevention Month, April 2015 Proclamation

Whereas, children are vital to our state's future success, prosperity and quality of life as well as being our most vulnerable assets;

Whereas, all children deserve to have safe, stable, nurturing, and healthy homes and communities that foster their well-being;

Whereas, child abuse and neglect is a community responsibility affecting both the current and future quality of life of a community;

Whereas, parents need support and resources to cope with stress and nurture their children to grow to their full potential;

Whereas, effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community;

Therefore, we, the Town of Southern Shores, do hereby proclaim

April as Child Abuse Prevention Month and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Thomas G. Bennett, Mayor
Town of Southern Shores



April 7, 2015
Date



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 2015-04-02

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	ASTRON	RM-35A		TOSS #00049 DC OUTPUT
POLICE	KENWOOD	TK-890H		TRANSCEIVER 60400100
POLICE	KENWOOD	TK-790H		TRANSCEIVER 60400156
POLICE	KENWOOD			(2) RADIO HEAD
POLICE	KENWOOD			(2) RADIO SPEAKERS
POLICE	KENWOOD			TRANSMITTER

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 April 7, 2015.

ATTEST:


Thomas G. Bennett, Mayor




Sheila Karle, Town Clerk



Town of Southern Shores

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

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

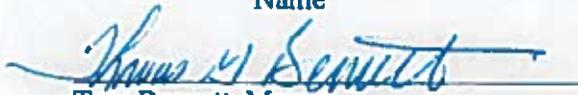
info@southernshores-nc.gov

www.southernshores-nc.gov

STATEMENT OF AGREEMENT

The undersigned agree to the concept of responsibilities outlined in the Southern Shores Emergency Management Plan, updated June 2015.

The Southern Shores Emergency Management Plan will be reviewed annually, before the beginning of the hurricane season, and will be evaluated annually, at the end of each season, and updated as necessary.

Name	Date
 Tom Bennett, Mayor	<u>01/04/15</u>
 Jodi Hess, Mayor Pro Tem	<u>4/6/15</u>
 David Sanders, Council Member	<u>4/19/15</u>
 Larry Lawhon, Council Member	<u>Apr 4 2015</u>
 Leo Holland, Council Member	<u>1 April 2015</u>
 Peter Rascoe, Town Manager	<u>3-25-15</u>
 David Kole, Police Chief	<u>3/25/15</u>
 Ed Limbacher, Fire Chief	<u>4-7-2015</u>
 Wes Haskett, Code Enforcement Officer	<u>3-23-15</u>
 Rachel Patrick, Public Works Director	<u>3/23/15</u>

4-7-15 TC Report

1. Permitting for March, 2015

-8 Zoning Permits were issued.

-39 building permits were issued: 6 repairs, 1 remodel/addition, 1 addition, 4 remodels, 2 accessory structures, and 25 others (bulkhead, mechanical, electrical, or plumbing)

-15 single-family dwellings are currently under construction

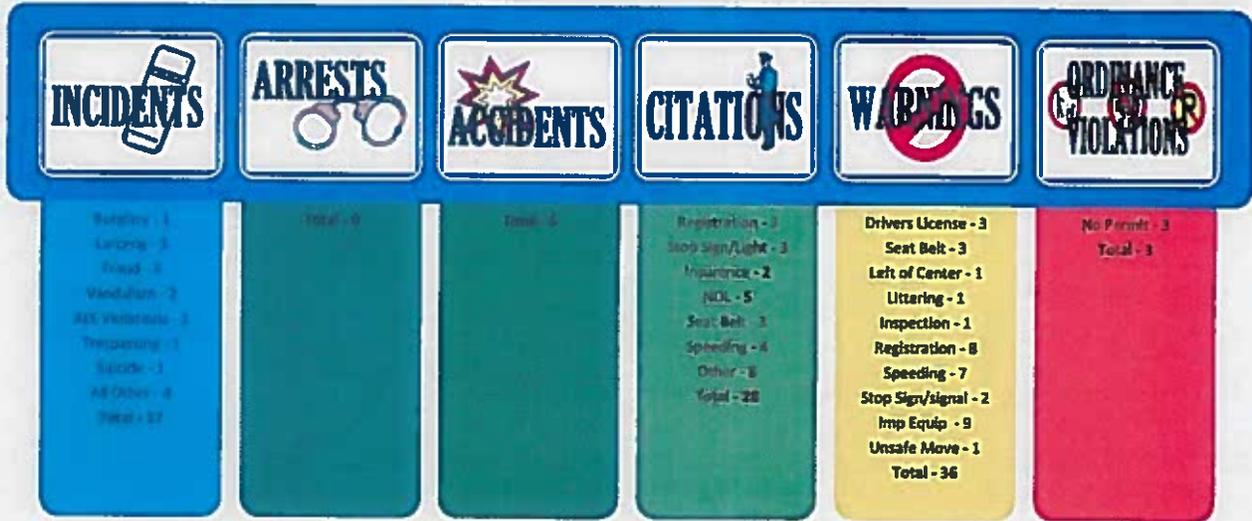
-Total amount of fees collected in March was \$7,751.08.

2. April 20th Planning Board Meeting

-Zoning Text Amendment (ZTA) application to establish an Ordinance to minimize tree clear cutting. The application and proposed ordinance are posted on the Town's website and the required public notices will be published prior to the meeting date.

March 2015

Southern Shores Police Department



Calls For Service - 857



Southern Shores VFD

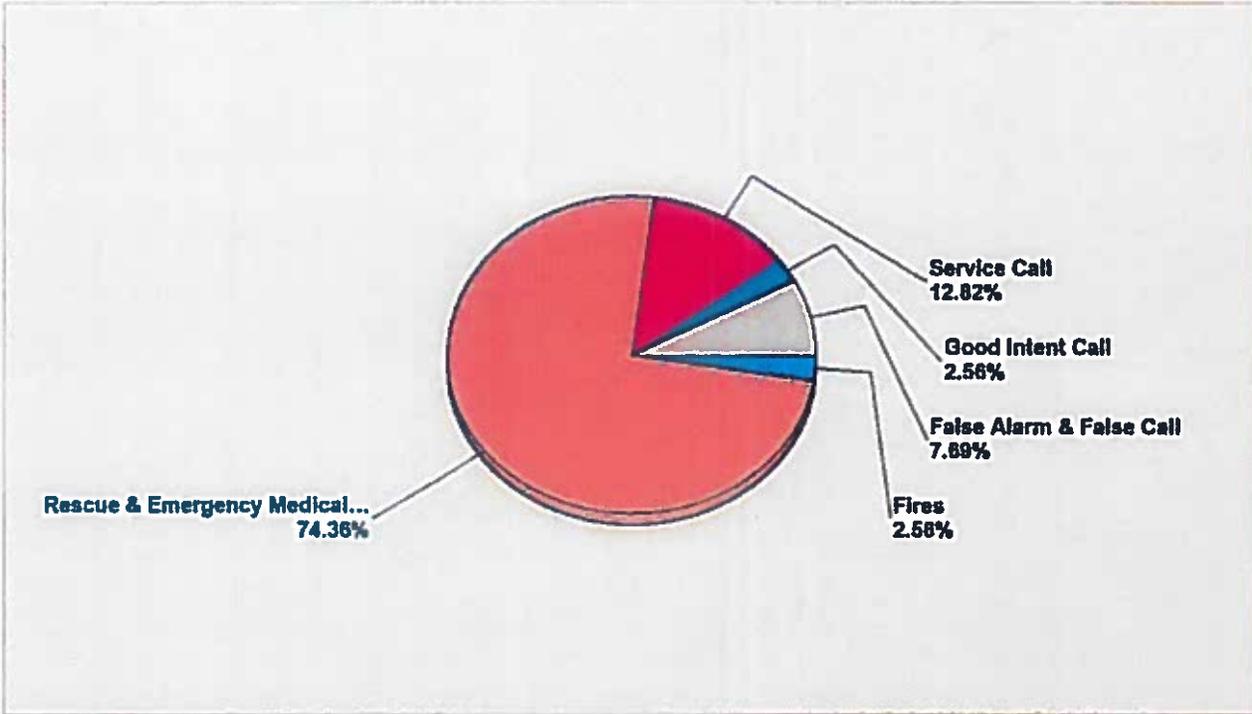
Southern Shores, NC

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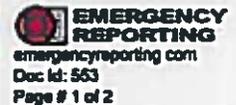
Breakdown by Major Incident Types for Date Range

Start Date: 03/01/2015 | End Date: 03/31/2015



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	1	2.56%
Rescue & Emergency Medical Service	29	74.36%
Service Call	5	12.82%
Good Intent Call	1	2.56%
False Alarm & False Call	3	7.69%
TOTAL	39	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.



Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
111 - Building fire	1	2.56%
300 - Rescue, EMS incident, other	2	5.13%
311 - Medical assist, assist EMS crew	1	2.56%
321 - EMS call, excluding vehicle accident with injury	23	58.97%
322 - Motor vehicle accident with injuries	2	5.13%
324 - Motor vehicle accident with no injuries.	1	2.56%
553 - Public service	5	12.82%
651 - Smoke scare, odor of smoke	1	2.56%
744 - Detector activation, no fire - unintentional	1	2.56%
745 - Alarm system activation, no fire - unintentional	2	5.13%
TOTAL INCIDENTS:	39	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.





Tourism Overview

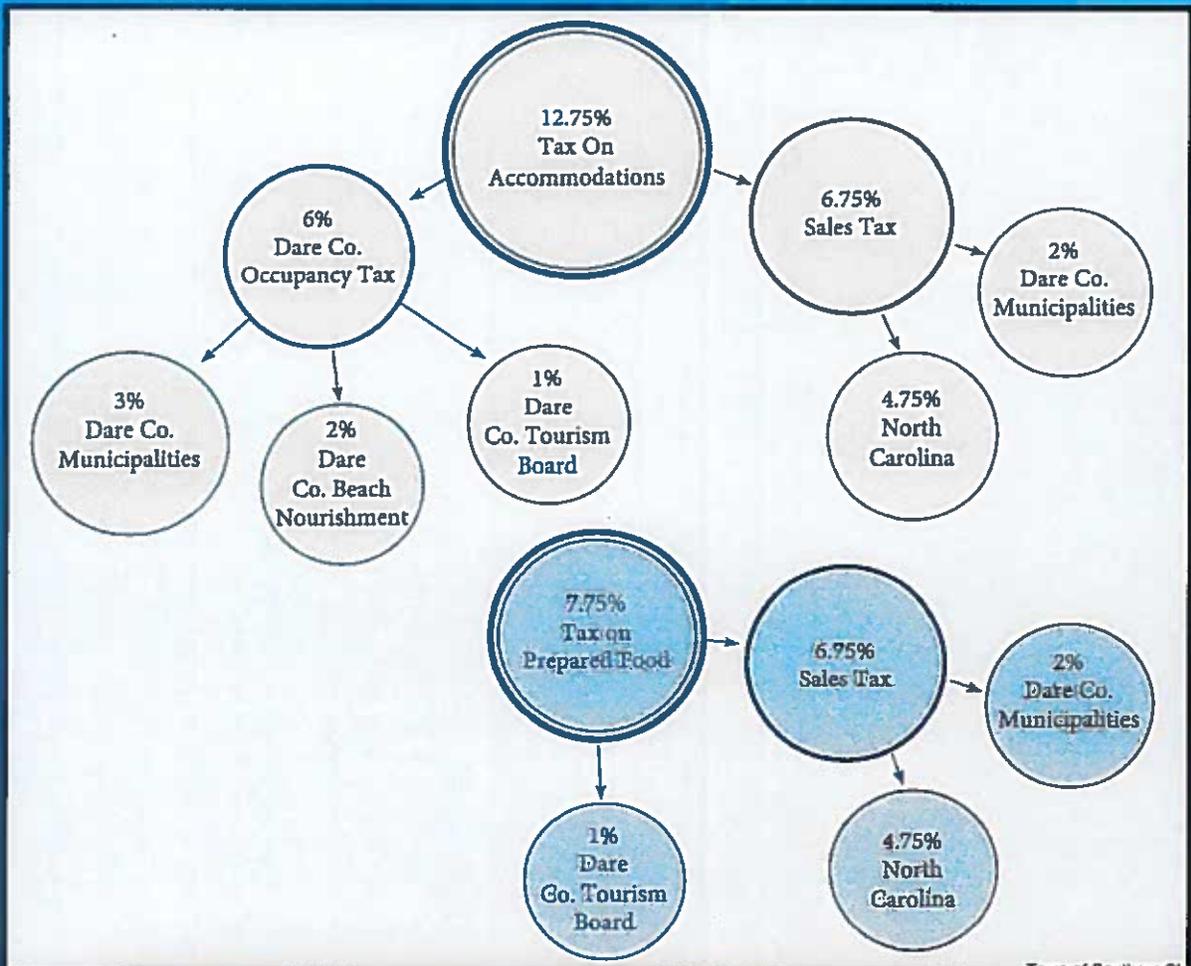
Southern Shores Town Council

April 7, 2015

Your Dare County Tourism Board

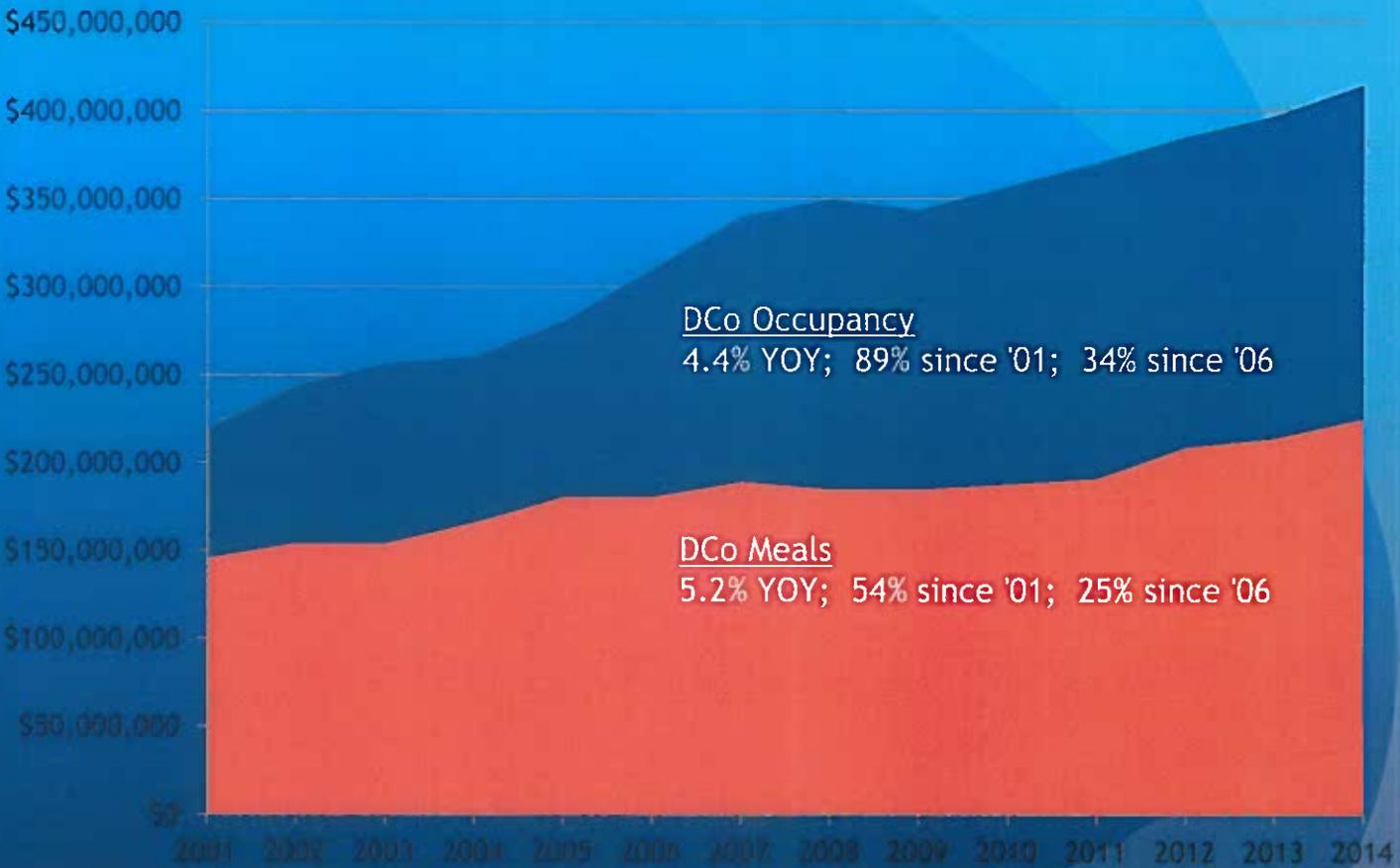
- Tim Cafferty, Chair (Outer Banks Association of REALTORS)
- Susie Walters, Vice-Chair (Nags Head)
- Nancy Caviness, Secretary (Duck)
- Dorie Fuller, Treasurer (Chamber of Commerce)
- Ervin Bateman, Assistant Treasurer (Kitty Hawk)
- Sheila Davies, Personnel Chair (Kill Devil Hills)
- Tonia Cohen (Hotel/Motel Association)
- Ernie Foster (Member at Large)
- Leo Holland (Southern Shores)
- Natalie Kavanagh (Hatteras at Large)
- Donny King (Outer Banks Restaurant Association)
- Wally Overman (Dare County Commissioners)
- Martha Wickre (Manteo)

How the Taxes are Distributed



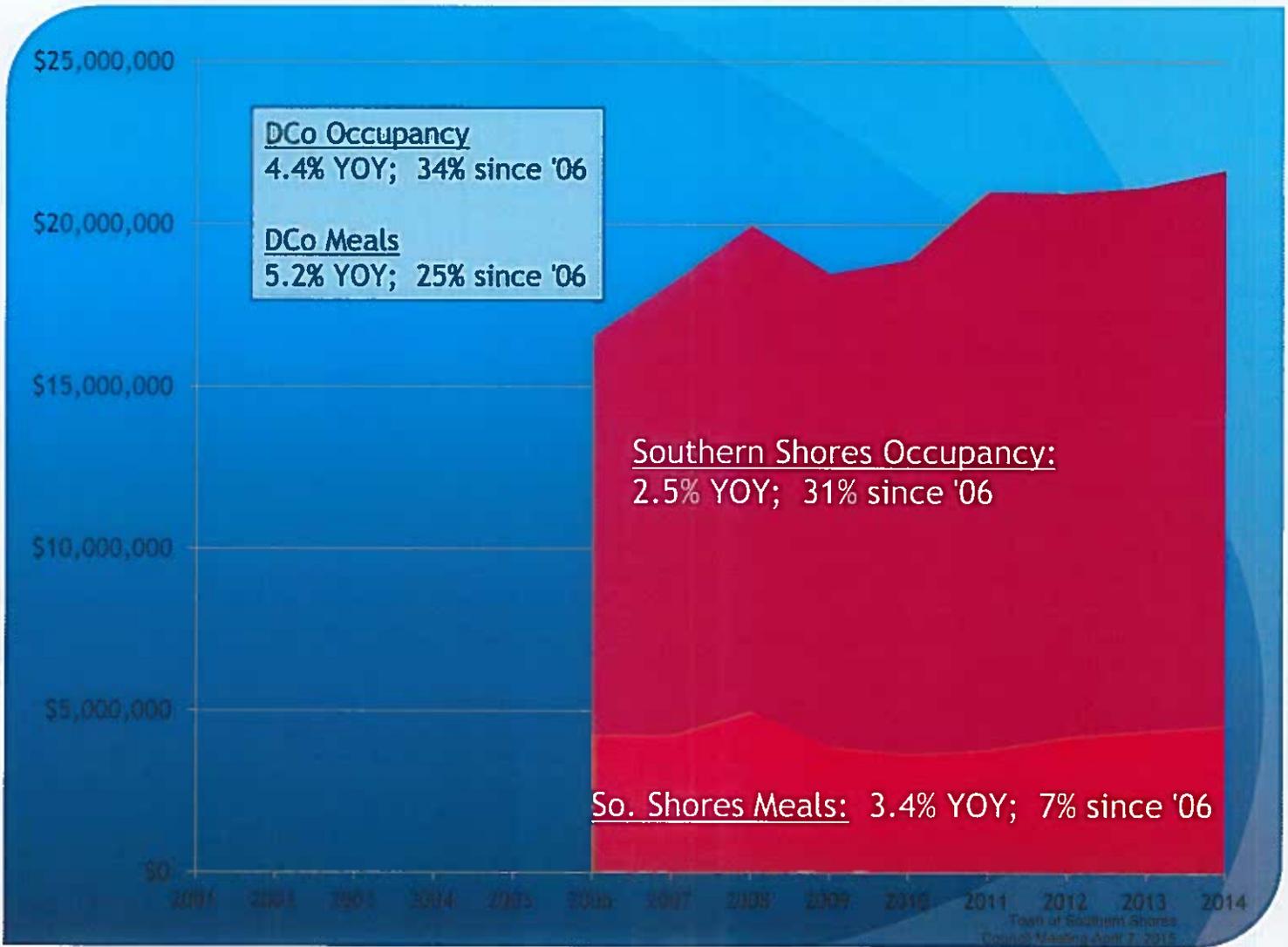
This Is Your <u>Town</u>	This Is Your Town's Occupancy Tax <u>Money - 13/14</u>	Town's 1 <u>cent value</u>	This Is Your Town's Property Tax Increase Without <u>Tourism Revenue</u>
Southern Shores	\$985,073	\$126,265 =	7.8¢

Occupancy & Meals



DCo Occupancy
4.4% YOY; 89% since '01; 34% since '06

DCo Meals
5.2% YOY; 54% since '01; 25% since '06



DCo Occupancy
4.4% YOY; 34% since '06

DCo Meals
5.2% YOY; 25% since '06

Southern Shores Occupancy:
2.5% YOY; 31% since '06

So. Shores Meals: 3.4% YOY; 7% since '06

Print

Soul



elements. The city
lights of 411 buildings to spoil the view. Just open spaces and endless possibilities. Get in touch with us

The Outer Banks

877-629-4386 | OuterbanksSoul.com | [#OuterbanksSoul](https://twitter.com/OuterbanksSoul)

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Outer Banks, NC August 7, 2014
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Spring TV



Traffic Initiative

The screenshot shows the website for The Outer Banks of North Carolina. At the top, there is a navigation bar with links for "30' OUTER BANKS MAP", "PHOTOS & VIDEOS", "PROMOTIONS", "FAVORITES", and a "SEARCH" box. Below this is a secondary navigation bar with links for "Discover", "Travel Info & Ideas", "Lodging", "Restaurants", "Things To Do", "Weddings & Gatherings", and "Events". The main content area features a large image of a child in a colorful swimsuit running on a beach. To the right of the image is a sidebar titled "THE OUTER BANKS" with a map of the region and a list of locations: "NORTHERN BEACHES" (Duck, Southern Shores, Kitty Hawk, Kill Devil Hills, Nags Head), "ROANOKE ISLAND" (Manteo, Wanchese), "DARE MAINLAND", and "HATTERAS ISLAND" (Rodanthe, Waves, Salvo, Avon, Huxton, Frisco, Hatteras). Below the image, the article title "GET TO THE OBX FASTER!" is followed by the sub-headline "Avoid Summer Saturday Traffic With These Helpful Tips." The article text discusses the difficulty of reaching the Outer Banks on Saturdays during the summer due to heavy traffic from weekenders. To the right of the article is a "TOP LINES" section with links for "FIND LODGING", "WHEN TO VISIT", and "OBX MAP". At the bottom of the page, there is a red banner with the text "HOW LONG UNTIL YOUR NEXT TRIP?" and "ORDER YOUR FREE TRAVEL GUIDE".

Travel Info & Ideas > Getting Here & Around > Get to the OBX FASTER

GET TO THE OBX FASTER!



Avoid Summer Saturday Traffic With These Helpful Tips.

On Saturdays during the summer, getting to the Outer Banks from the north can be challenging. The reason is the majority of our visitors stay in weekly rental homes and choose to begin (and end) their vacations on Saturdays. That means a lot of visitors, and workers, coming and going on Saturdays between 9am and 6pm.

Here are some suggestions to avoid the traffic and get to the Outer Banks faster!

TOP LINES

- FIND LODGING
- WHEN TO VISIT
- OBX MAP

THE OUTER BANKS

NORTHERN BEACHES

- Duck
- Southern Shores
- Kitty Hawk
- Kill Devil Hills
- Nags Head

ROANOK ISLAND

- Manteo
- Wanchese

DARE MAINLAND

HATTERAS ISLAND

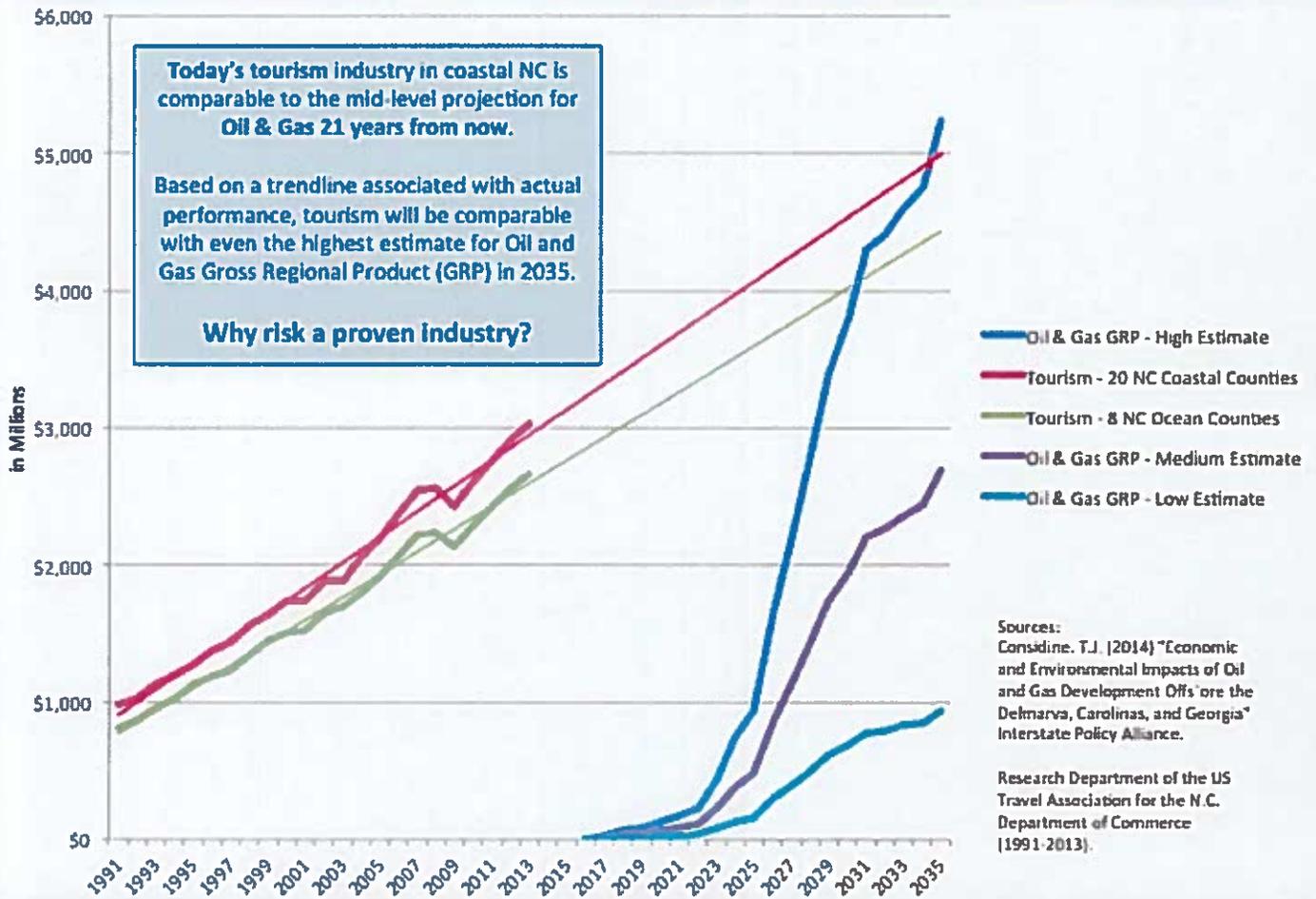
- Rodanthe
- Waves
- Salvo
- Avon
- Huxton
- Frisco
- Hatteras

HOW LONG UNTIL YOUR NEXT TRIP? Log in to your favorites to set your date

ORDER YOUR FREE TRAVEL GUIDE

Sign up for the latest news and offers

show



Outer Banks Event Site - Phase 1



Red shaded areas represent future phases of development. Although not shaded, the sound-side boardwalks are not part of Phase 1.



Thank you

nettles@outerbanks.org

473-2138

SAMPSON LITIGATION SETTLEMENT STATEMENT

I. Settlement Statement

- A. I ^{would} ~~was~~ report that the lawsuit between Sampson Contracting, Inc. and the Town has been settled and that the settlement has recently been concluded with dismissals of all defendants being entered in the Dare County Clerk of Superior Court's Office.
- B. Despite the likelihood of a trial ending in favor of the Town, the ever present risk of incurring liability at trial and the expected costs of going to trial weighed in favor of reaching a settlement and bringing the matter to a close. Additionally, the potential for the Town to recover any such liability against other defendants was limited and, again, would certainly incur additional substantial litigation costs.
- C. The terms of the settlement were reached at mediation. In exchange for a complete release and dismissal of all claims against the numerous defendants, the defendants agreed to pay Sampson Contracting, Inc. the amount of \$248,000.00. The Town contributed \$123,500.00 to the total settlement amount. All of the parties will bear their own attorneys' fees, costs and expenses.
- D. In the past, there have been questions regarding whether the Town was paying Mayor Bennett's attorneys' fees, expenses or other liabilities. Early on in the process, prior to Mayor Bennett's election, it was determined that his independent contractor status precluded the Town paying anything on his behalf, and the Town has not paid anything on his behalf to defend this litigation.



Closed Session
April 7, 2015

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

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

Absent: Council Member Sanders

Mayor Bennett called the meeting to order stating there is one agenda item.

A.) The Town Clerk presented Council with closed session minutes for approval.

March 3, 2015

MOTION: Mayor Bennett moved to approve the March 3, 2015 closed session minutes as presented. The motion was seconded by Mayor Pro Tem Hess. The motion passed unanimously.

February 17, 2015

MOTION: Council Member Holland moved to approve the February 17, 2015 closed session minutes as presented. The motion was seconded by Council Member Lawhon. The motion passed unanimously.

August 5, 2014

MOTION: Council Member Lawhon moved to approve the August 5, 2014 closed session minutes as presented. The motion was seconded by Council Member Holland. The motion passed unanimously.

MOTION: Council Member Holland moved to adjourn the closed session. The motion was seconded by Mayor Pro Tem Hess. The motion passed unanimously.

Sheila Kane
Town Clerk