



**Town of Southern Shores
Council Meeting
April 21, 2015**

The Town of Southern Shores Council met in the Pitts Center located at 5375 N. Virginia Dare Trail at 9:00 a.m. on Tuesday, April 21, 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: Town Manager Peter Rascoe and Town Clerk Sheila Kane. Other Town staff present were Finance Officer Bonnie Swain, Police Chief David Kole, Public Works Director Rachel Patrick, and Code Enforcement and Planning Director Wes Haskett.

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.

AMENDMENTS / APPROVAL OF AGENDA

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

GENERAL PUBLIC COMMENT

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

Fred Newberry, Southern Shores property owner
Anne Sjoerdsma, Southern Shores property owner
Debbie Newberry, Southern Shores property owner
Tommy Karole, 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].

NEW EMPLOYEE RECOGNITION

Public Works Director Rachel Patrick introduced new maintenance technician Billy Grubbs to Council. She stated Billy comes to us from a position with Dare County and has many years of experience.

CONSENT AGENDA

The Consent Agenda consisted of the following item:

- Resolution 2015-04-03 Oppose SB 369 Sales Tax Distribution

MOTION: Council Member Holland moved to approve the consent agenda. The motion was seconded by Mayor Pro Tem Hess. The motion passed unanimously (5-0).

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

COMMITTEE REPORTS

Capital Improvement Planning Committee Report and Street Improvement Prioritization Recommendation for FY2015-2016-Recommendation that Mayor set a Public Hearing for July 7 Council Meeting.

Council Member Lawhon reviewed the minutes from the Capital Improvement Planning Committee meeting held April 9th and the revised capital street improvement prioritization list for FY2015-2016 as recommended by the committee. He stated that the improvement needed on Yaupon Trail is significant enough that it should probably be done in stages. It will require more extensive planning work and is a high priority on the committee's list.

Council Member Lawhon also stated that the street rebuild within house addresses 280-293 N. Dogwood Trail was removed from the prioritization list to give an opportunity to examine the possibility to do a comprehensive study and research of all South, North and East Dogwood Trails regarding asphalt and safety matters.

Mayor Pro Tem Hess questioned putting the comprehensive plan as a capital improvement plan (CIP) item. She stated it would be more appropriate for a study to be funded for staff to implement, and then present its findings to the CIP committee for consideration of a capital need.

MOTION: Mayor Pro Tem Hess moved to remove the reference to a study for the South, North and East Dogwood Trail project, and just list South, North and East Dogwood as a reminder on the priority list. The motion was seconded by Council Member Holland. The motion passed unanimously (5-0).

MOTION: Mayor Pro Tem Hess moved to set a public hearing for July 7, 2015 to discuss and act on the capital improvement planning committee priority list and direct the Town Manager with which items to proceed. The motion was seconded by Council Member Sanders. The motion passed unanimously (5-0).

[Clerk's Note: A copy of the Capital Street Improvement *prioritization for FY 2015-2016 as recommended by the CIP Committee April 9, 2015 and revised by the Town Council April 21, 2015 is hereby attached as Exhibit C].

OLD BUSINESS

None

NEW BUSINESS

Consideration of Contract Approval of Lowest Qualified Bidder for FY14-15 Improvement Project-Pintail Ct

The Town Manager presented informal bids from contractors to rebuild Pintail Ct. from the finished cul-de-sac to the actual end of it at the turnout to the street. The informal bids were actually solicited in March of this year with one contractor coming in way above expectations and the second contractor half of the first bidder. Both contractors were given the opportunity to value engineer their original informal bids. Only one choose to do that and this was Barnhill Contracting Company the original lowest bidder in the amount of \$33,980.00.

MOTION: Council Member Holland moved to award Barnhill Contracting Company the contract for the Pintail Ct. Street rebuild in the amount of \$33,980.00. The motion was seconded by Council Member Sanders. The motion passed unanimously (5-0).

[Clerk's Note: A copy of the bid amounts is hereby attached as Exhibit D].

Discussion of a Draft FY2015-2016 General Operating Budget

The Town Manager presented a draft of his upcoming to-be proposed budget. He stated it calls for no tax increase (22.0 cents per \$100 of taxable property value) and no transfer from the undesignated fund balance. A penny on the tax rate is equivalent to \$127,725.

The Town Manager reviewed the summary of revenues as well as projected expenditures for each departmental budget of the general fund, cemetery fund and the capital reserve fund. Accompanying him were each of the Town's Department Heads (Police Chief, Public Works Director, and Code Enforcement and Planning Director) who supported their Departmental budget requests with specific line-item explanations and answers to Council questions.

Following discussion on the budget draft, the Town Manager stated he plans to file the proposed FY 2015-2016 Budget and Budget Message at the Tuesday, May 5th, 5:30 p.m. Council meeting. Council would then consider setting a public hearing on the proposed budget at a later Council meeting.

The Town Manager stated some of the following highlights before going over the revenue and expenditures summary:

- The draft budget is a balanced budget (all the revenues that are shown are accounted for in the expenditure side of the budget).
- No tax increases or transfer from undesignated fund balance.
- Upon Council's actions for this year all debt for the Town has been paid.
- Over the past five (5) years with no tax increases, the Town has been able to financially finish the remainder of the canal dredging, replace one of the four municipal bridges, continue with the improvement of the privately developed substandard public streets of the Town as has been done over the last decade, and begin the engineering process work for replacement of yet another one of the four Town owned bridges.
- This year again in the budget is an appropriation of funds for the capital street improvement projects in the amount of 4.04 cents of the property tax rate - which is a revenue neutral rate equal to 3 cents which was used for the last octennial cycle of revaluation.

The Town Manager then clarified that there are no individual street improvement estimates in the actual adopted budget for the current year. The actual budget for this current year - as adopted - had a lump sum appropriation by department. Project estimates for this year will be developed after only the adoption of a capital improvement plan in July, and only after surveying and geotechnical data is gathered - not at the time of contract bidding.

[Clerks Note: Once the proposed FY2015-2016 budget is presented to Council at the May 5, 2015 meeting is will become available for viewing the next morning on the Town's website and copies are also available at the Town Hall.]

OTHER ITEMS

Town Manager's report

None

Mayor's comments:

None

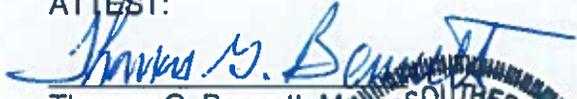
Council Members' comments:

Council Member Holland stated he would be absent at the May 5, 2015 Council meeting. Also he stated Sgt. Cooke would be giving a presentation at the Knights of Columbus social meeting on gangs and drugs at the Holy Redeemer Catholic Church on Monday, April 27th.

ADJOURN

MOTION: Council Member Lawhon moved to adjourn. The motion was seconded by Council Member Holland. The motion passed unanimously (5-0). The time was 11:42 a.m.

ATTEST:


Thomas G. Bennett, Mayor



Respectfully submitted,


Shella Kane, Town Clerk



**PUBLIC COMMENT SIGN-UP SHEET
APRIL 21, 2015**

We encourage your public comments. All speakers must recognize the utmost importance of maintaining the decorum of Town meetings and of the need for all to have an opportunity to speak in a timely and uninterrupted manner. Please limit your comments to 3 minutes and speak courteously and respectfully to the Council as a whole. The 3 minute time allotted is your time to speak. You may choose to use all of it or less, but it is not transferrable to anyone else. Public comment is your opportunity to provide input on Town matters. It is not meant to be a dialogue exchange between you, members of the Council, or others in the audience.

NAME	MAILING ADDRESS OF RESIDENT	TOPIC
Fred Newberry	267 N. Dogwood Trail	Dogwood Trail
Ann Sjoerdsma	69 Hickory Trail	CIP, clear cutting
Debbie Newberry	267 Dogwood Trail	Streets
Tommy Karole	E. Dogwood Trail	
Joe Van Giesen	N. Dogwood Trail	



Town of Southern Shores

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RESOLUTION 2015-04-03

TOWN OF SOUTHERN SHORES RESOLUTION IN OPPOSITION TO SENATE BILL 369 (S369)

WHEREAS, the Town of Southern Shores is a public entity established under the laws of the State of North Carolina; and

WHEREAS, the Town relies heavily on sales tax revenues to provide services, to include those necessary to provide for the health and safety of its residents; and

WHEREAS, it is projected by the North Carolina League of Municipalities that NC Senate Bill 369, as introduced, will result in the Town losing over \$411,940 in annual sales tax revenues - resulting in over a 50% projected decrease in Town sales tax revenue as compared to projected collections under the current law; and

WHEREAS, the Town would have to increase the property tax rate by approximately 3.23 cents per \$100 in valuation (approx.15%) to replace lost revenues as a result of Senate Bill 369 in order to continue providing the current Town-provided services - Dare County taxes would also have a significant sales tax loss and would have to increase property taxes as well to compensate; and

WHEREAS, a 15% increase to the property tax rate necessitated by the passage of Senate Bill 369 would place a severe burden on our residents and property owners.

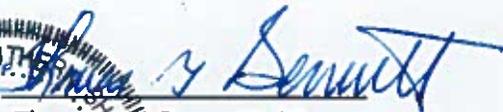
NOW THEREFORE, be it resolved by the Town Council of the Town of Southern Shores, County of Dare, State of North Carolina that the Town of Southern Shores strongly opposes Senate Bill 369 due to the detrimental effect this proposed bill will have on the Town's ability to provide for and protect the health, safety, and welfare of our residents.

Adopted this the 21st day of April 2015 at a regular meeting of the Town of Southern Shores Council.

ATTEST:


Sherla Kane, Town Clerk




Thomas G. Bennett, Mayor
Town of Southern Shores

Having received the April 9, 2015 capital street improvement prioritization recommendation from the CIP Committee at its regular meeting of April 21, 2015, the Town Council did take action at that meeting to amend the prioritization as follows and set a Public Hearing for its consideration and possible adoption on July 7, 2015 at 5:30 pm.

Capital Street Improvement *prioritization for FY 2015-2016 as recommended by the CIP Committee April 9, 2015 and revised by the Town Council April 21, 2015.

1. **Beechtree Trail** - street rebuild from house #s 155/157 to north end.
2. **Fox Grape Lane** – street rebuild; end of road/cul-de-sac sinkholes, root issues, edge failure, cracking.
3. **Hollow Beach Court** - street rebuild: asphalt and subgrade failure.
4. **Bear Track Lane** - street rebuild: asphalt & subgrade.
5. **Wild Swan Lane** – street rebuild: cracking, root upheaval, potholes, and stormwater. [exclude extreme south and north ends]
6. **Yaupon Trail** - street rebuild due to asphalt failure, edge failure and continuing tree root undermining. Bulkhead replacement. [recommend phasing]
7. **Turtle Pond Court** - street rebuild
8. **Twisted Tree Court** - street rebuild
9. **Osprey Lane** [within house addresses #95-105] - street rebuild: alligator cracking, root upheaval, and stormwater.
10. ****South, North, and East Dogwood Trails** – development of comprehensive plan for street safety and asphalt improvements (to include r-o-w surveying, engineering, and public input meetings.)
10. **** South, North, and East Dogwood Trails**
11. **Wax Myrtle Trail** - Block and alligator cracking, edge failures. [recommend partial]
12. **Clamshell Trail** - asphalt & subgrade failure. [phased: Chicahauk Trail to Otter Slide- remainder following]
13. **Ginguite Trail** - [recommend partial segments]
14. **Land Fall Loop** - street rebuild: alligator cracking.
15. **Happy Indian Lane** - cul-de-sac rebuild: alligator cracking, eroded areas.
16. **Teal Court** - repair, portion of road leading to cul-de-sac cracking.

* Discussed for ongoing consideration: Hillcrest Drive, Sea Oats Trail, Bayberry Trail

** Replaces “N. Dogwood Trail [within house addresses #s 280-293 only] – street rebuild due to 500-ft of alligator surface cracking, excessive potholing, and block cracking. [originally authorized for FY 14-15]”

2014-15 SOUTHERN SHORES ROAD PROJECTS

Pintail Court remaining area

ORIGINAL PROPOSALS RECEIVED

MAR 19 2015

	Original bid amount	Revised bid amount after value engineering
Barnhill	\$35,225.00	\$33,980.00
RPC	\$67,495.00	Contractor chose not to submit a revised bid