



Town of Southern Shores

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

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

www.southernshores-nc.go

August 1, 2017

COUNCIL MEETING-5:30 P.M.-PITTS CENTER

1. Opening

- A. Call Meeting to Order (all citizens interested in offering Public Comment are reminded to sign up.)
- B. Pledge of Allegiance
- C. Moment of Silence
- D. Amendments to / Approval of Agenda

2. Staff Reports

- A. Town Planner (followed by NFIP CRS Recognition Presentation - Heather Keefer, NCDEM)
- B. Police Chief
- C. Fire Chief, Southern Shores Volunteer Fire Department
- D. Town Manager's Report
- E. Town Attorney's Report

3. Board Reports

- A. Planning Board

4. General Public Comment (Limit: 3 minutes per speaker.)

(Note: All matters heard or considered by the Council are subject to possible action by the Council.)

5. Old Business

- A. Consideration of organizing and appointing a new Capital Infrastructure Improvement Planning Committee - Requested by Council Member McDonald
- B. Consideration of Town Code Options For Accessory Structures Containing Living Space - Town Attorney
- C. Clarify/Affirm Council's 2/7/17 Directive - Continuing Design of a 5-ft Walkway along South Dogwood Trail

6. New Business

- A. Consider Resolution 2017-08-01 Termination of Interlocal Agreement with Dare County for Building Inspections eff. 10/2/2017 – Building Inspector to transition as PTE with TOSS 10/3/17 as budgeted **TAB 1**
- B. Consider request from Dominion Energy NC for easement along Town street rights-of-way for Dominion Energy reliability project (WR# 10000852), Jason Hathcock, Dominion Energy NC **TAB 2**
- C. Budget Amendments (Projects Approved, Budgeted, and Contractually Encumbered in FY16-17, Yet Not Spent - Rollover to FY 17-18. **TAB 3**
 - i. Budget Amendment #4: Cost associated with installing street light and landscaping at NC 12/E. Dogwood Trail Flooding Project. Purchase Orders were issued prior to 6/30/17 but the work was not started until after 7/1/17. Funds were appropriated in FY 16-17 budget but were not spent, therefore the funds rolled over into the UFB on 6/30/17 - must be re-appropriated in FY 17-18 budget.
 - ii. Budget Amendment #5: The cost for weapons for the Police Department reimbursable under GCC Grant. Funds were budgeted in FY 16-17, items were ordered but have not yet arrived, resulting in the money being re-budgeted for FY 17-18.

- D. Consideration of Staff-listed Concrete Options to Deter Traffic on all Town Streets – as Directed 6/6/2017 **TAB 4**

7. General Public Comment (Limit: 3 minutes per speaker.)

8. Other Business

- A. Mayor's Comments & Responses
- B. Council Member's Comments & Responses

9. Adjourn

From: Benjamin M. Gallop <bmgallop@hrem.com>
Sent: Monday, July 31, 2017 4:35 PM
To: Tom Bennett; Fred Newberry; Leo Holland; Chris Nason; Gary McDonald
Cc: Peter Rascoe; Wes Haskett; Sheila Kane
Subject: Ordinance Proposals for Accessory Structure Living Space
Attachments: ZTA-XX-XX AccessoryLivingSpaceRegulation STATUS QUO HREMv001 2017.07.31.pdf;
ZTA-XX-XX AccessoryLivingSpaceRegulation NODWELLINGUNITS HREMv001
2017.07.31.pdf

Mayor and Council,

Please find attached two PDF ordinance proposals for your consideration and discussion at tomorrow's meeting. The first proposal, labeled "STATUS QUO", merely updates the definitions in the zoning ordinance regarding how living space is determined. This proposal would maintain the status quo and living space within accessory structures to single family dwellings would remain unavailable in RS-1, RS-8, R-1, and OSW districts. Please note that the restriction does not currently appear in the RS-10, Government and Commercial districts.

The second proposal, labeled "NODWELLINGUNITS" attempts to reconcile the difference between living space and dwelling units. In doing so, it is drafted to allow for living space that does not reach the status of a dwelling unit within accessory structures in those districts in which living space is currently denied. Again, please note that there are no restrictions on dwelling units or living space in accessory structures in RS-10, Government and Commercial districts. This version also updates and clarifies the definitions of living space, and amends the Flood Protection Ordinance to allow living space in accessory structures if they are allowed under the Zoning Ordinance and they are located above the regulatory flood height. The key point of this version is the options for how to manage the amount of the living space that is allowed. Under ARTICLE III, PART VI, you will find two main options along with sub-options under the second main option. These options will be ripe for discussion and consideration of which option and what numbers to plug in for percentages or square footage.

Once we have received Council's direction on which version of the amendments and options should go forward, there will be additional steps to take before adoption can occur. If consensus is reached I will prepare a more finalized ordinance proposal that matches the consensus. Otherwise, if the options are narrowed, but not single option decided upon, I will prepare multiple complete proposals for consideration. Then they will go through the Planning Board and ultimately be considered by the Council again at a public hearing in 2-3 months.

Please let me know if you have any questions.

Thank you,

-Ben

Benjamin M. Gallop, Attorney at Law
Hornthal, Riley, Ellis & Maland, LLP
2502 S. Croatan Highway, Nags Head, NC 27959
T: (252) 441-0871
F: (252) 441-8822
E: bmgallop@hrem.com
W: <http://www.hrem.com>



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ZTA-XX-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWN OF SOUTHERN SHORES, NORTH CAROLINA

ARTICLE I. Purpose(s) and Authority.

WHEREAS, pursuant to N.C.G.S. § 160A-381, the Town of Southern Shores (the "Town") may enact and amend ordinances regulating the zoning and development of land within its jurisdiction and specifically the location and use of buildings, structures and land. Pursuant to this authority and the additional authority granted by N.C.G.S. Chap. 160A, Art. 19 et. seq, the Town has adopted a comprehensive zoning ordinance (the "Town's Zoning Ordinance") and has codified the same as Chapter 36 of the Town's Code of Ordinances (the "Town Code"); and

WHEREAS, the Town desires to clarify the definitions associated with determining the existence and amount of living space within structures in the manner provided herein; and

WHEREAS, the Town further finds that in accordance with the findings above it is in the interest of and not contrary to the public's health, safety, morals and general welfare for the Town to amend the Town's Zoning Ordinance, Flood Ordinance and Town Code as stated below.

ARTICLE II. Construction.

For purposes of this ordinance amendment, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the adopted Town Code which are not repeated herein, but are instead replaced by an ellipses ("...") shall remain as they currently exist within the Town Code.

ARTICLE III. Amendment of Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Southern Shores, North Carolina, that the Town Code shall be amended as follows:

PART I. Section 36-57. – Definitions of specific terms and words. shall be amended as follows:

...

1 *Dwelling unit* means one ~~room~~, or more rooms or living spaces connected together,
2 constituting a separate, independent housekeeping establishment for owner occupancy, or
3 rental or lease, and physically separated from any other rooms, living space or dwelling
4 units which may be in the same structure, and containing independent cooking and
5 sleeping facilities for a single-family.

6 ...

7
8 *Enclosed living space.* See *Living space*.

9 ...

10
11 *Habitable floors and stories* ~~(living space)~~ means enclosed living space areas within a
12 structure ~~which are~~ located below the top plate, ~~and containing rooms or areas which~~
13 ~~have been designed, and constructed for human habitation.~~

14
15 *Habitable space.* See *Living space*.

16
17 *Living space* means enclosed conditioned areas within a structure that are designed or
18 constructed for human habitation. All conditioned areas within a structure are presumed
19 to be constructed for human habitation unless affirmatively shown to be to the contrary in
20 a manner such that the use of the area cannot be modified, i.e. a conditioned wine cellar
21 or refrigerated storage area.

22
23 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
24 **Reasonableness.**

25
26 The Town's adoption of this ordinance amendment is consistent with the Town's adopted
27 comprehensive zoning ordinance, land use plan and any other officially adopted plan that
28 is applicable. For all of the above-stated reasons and any additional reasons supporting
29 the Town's adoption of this ordinance amendment, the Town considers the adoption of
30 this ordinance amendment to be reasonable and in the public interest.

31
32 **ARTICLE V. Severability.**

33
34 All Town ordinances or parts of ordinances in conflict with this ordinance amendment
35 are hereby repealed. Should a court of competent jurisdiction declare this ordinance
36 amendment or any part thereof to be invalid, such decision shall not affect the remaining
37 provisions of this ordinance amendment nor the Zoning Ordinance, Flood Ordinance or
38 Town Code of the Town of Southern Shores, North Carolina which shall remain in full
39 force and effect.

40
41 **ARTICLE VI. Effective Date.**

42
43 This ordinance amendment shall be in full force and effect from and after the ____ day of
44 _____, 2017.

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_____, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

Date adopted:

Motion to adopt by Councilmember:

Motion seconded by Councilmember:

Vote: __AYES__NAYS



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ZTA-XX-XX

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WHEREAS, the Town has adopted a flood damage prevention ordinance (the "Flood Ordinance" and has codified the same as Chapter 16 of the Town's Code of Ordinances; and

WHEREAS, the Town's Zoning Ordinance and Flood Ordinance currently disallow any living space to be constructed within accessory structures; and

WHEREAS, the Town desires to allow for living space to be constructed within accessory structures in the manner proposed herein; and

WHEREAS, the Town further desires to clarify the definitions associated with determining the existence and amount of living space within structures in the manner provided herein; and

WHEREAS, the Town further finds that in accordance with the findings above it is in the interest of and not contrary to the public's health, safety, morals and general welfare for the Town to amend the Town's Zoning Ordinance, Flood Ordinance and Town Code as stated below.

ARTICLE II. Construction.

For purposes of this ordinance amendment, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the adopted Town Code which are not repeated herein, but are instead replaced by an ellipses ("...") shall remain as they currently exist within the Town Code.

1
2 **ARTICLE III. Amendment of Zoning Ordinance.**
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4 **NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of
5 Southern Shores, North Carolina, that the Town Code shall be amended as follows:
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7 **PART I. Section 36-57. – Definitions of specific terms and words. shall be amended as**
8 **follows:**
9 ...

10
11 *Dwelling unit* means one ~~room~~, or more rooms or living spaces connected together,
12 constituting a separate, independent housekeeping establishment for owner occupancy, or
13 rental or lease, and physically separated from any other rooms, living space or dwelling
14 units which may be in the same structure, and containing independent cooking and
15 sleeping facilities for a single-family.
16 ...

17
18 *Enclosed living space. See Living space.*
19 ...

20
21 *Habitable floors and stories (~~living space~~)* means enclosed living space areas within a
22 structure ~~which are~~ located below the top plate, ~~and containing rooms or areas which~~
23 ~~have been designed, and constructed for human habitation.~~
24

25 *Habitable space. See Living space.*
26

27 *Living space* means enclosed conditioned areas within a structure that are designed or
28 constructed for human habitation. All conditioned areas within a structure are presumed
29 to be constructed for human habitation unless affirmatively shown to be to the contrary in
30 a manner such that the use of the area cannot be modified, i.e. a conditioned wine cellar
31 or refrigerated storage area.
32

33 **PART II. Section 36-202(b)(2) shall be amended as follows:**
34

35 (2) Customary accessory buildings and structures including, but not limited to, swimming
36 pools, tennis courts, and garages, provided no ~~living space~~ dwelling unit is ~~provided~~
37 located in the accessory structure. Accessory beach access walks, ramps, and steps shall
38 not exceed four feet in width. Accessory ocean dune platforms shall not exceed 200
39 square feet.
40

41 **PART III. Section 36-203(b)(4) shall be amended as follows:**
42

43 (4) Customary accessory buildings including, but not limited to, swimming pools, tennis
44 courts, and garages, provided no ~~living space~~ dwelling unit is ~~provided~~ located in the
45 accessory structure.
46

1 **PART IV. Section 36-205(b)(2)** shall be amended as follows:
2

3 (2) Customary accessory buildings including, but not limited to, swimming pools, tennis
4 courts, and garages, provided no ~~living-space dwelling unit~~ is ~~provided~~ located in the
5 accessory structure.
6

7 **PART V. Section 36-208(b)(3)** shall be amended as follows:
8

9 (3) Customary accessory uses and structures, including estuarine bulkheads, are subject
10 to the conditions and limitations of subsection (b) of this section, and provided further
11 that no ~~living-space dwelling unit~~ is ~~provided~~ located in any accessory structure.
12

13 **PART VI. Section 36-102** of the Zoning Ordinance shall no longer be “reserved” and
14 **Section 36-102. Living space within accessory structures.** shall be added as follows:
15

16 On lots where enclosed living space is permitted within accessory structures, the living
17 space within an accessory structure shall:
18

19 **Option 1:** Count towards any living space restrictions for the principal building.
20

21 **Option 2:** Be limited to:

- 22 (a) a certain square footage or a specific percentage of the living space restrictions
- 23 for the principal building;
- 24 (b) a percentage of the lot coverage or footprint associated with the accessory
- 25 structure;
- 26 (c) a percentage of the living space of the principal building;
- 27 (d) some combination of the preceding; or
- 28 (e) the lessor or greater of some combination of the preceding.
29

30 **ARTICLE IV. Amendment of Flood Protection Ordinance.**
31

32 **PART I. Section 16-5(b)(8)** shall be amended as follows:
33

34 (8) *Accessory structures.* When accessory structures (sheds, detached garages, etc.) are to
35 be placed within a special flood hazard area, the following criteria shall be met:
36

37 a. Accessory structures shall not be used for human habitation (including
38 working, sleeping, living, cooking or restroom areas) unless permitted by the
39 Town’s Zoning Ordinance and all such permissible habitable space is located
40 above the regulatory flood protection elevation;
41

42 b. Accessory structures shall not be temperature-controlled unless permitted by
43 the Town’s Zoning Ordinance and all such permissible temperature-controlled
44 space is located above the regulatory flood protection elevation;
45

46 c. Accessory structures shall be designed to have low flood damage potential;

d. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;

e. Accessory structures shall be firmly anchored in accordance with subsection (a)(1) of this section;

f. All service facilities such as electrical shall be installed in accordance with subsection (a)(4) of this section; and

g. Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below regulatory flood protection elevation in conformance with subsection (b)(4)c of this section. An accessory structure with a footprint less than 150 square feet that satisfies the criteria outlined in this subsection does not require an elevation or floodproofing certificate unless it has habitable space or temperature controlled space. Elevation or floodproofing certifications are required for all other accessory structures in accordance with section 16-4(b)(3).

ARTICLE V. Statement of Consistency with Comprehensive Plan and Reasonableness.

The Town's adoption of this ordinance amendment is consistent with the Town's adopted comprehensive zoning ordinance, land use plan and any other officially adopted plan that is applicable. For all of the above-stated reasons and any additional reasons supporting the Town's adoption of this ordinance amendment, the Town considers the adoption of this ordinance amendment to be reasonable and in the public interest.

ARTICLE VI. Severability.

All Town ordinances or parts of ordinances in conflict with this ordinance amendment are hereby repealed. Should a court of competent jurisdiction declare this ordinance amendment or any part thereof to be invalid, such decision shall not affect the remaining provisions of this ordinance amendment nor the Zoning Ordinance, Flood Ordinance or Town Code of the Town of Southern Shores, North Carolina which shall remain in full force and effect.

ARTICLE VI. Effective Date.

This ordinance amendment shall be in full force and effect from and after the ____ day of _____, 2017.

_____, Mayor

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ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

Date adopted:

Motion to adopt by Councilmember:

Motion seconded by Councilmember:

Vote: __AYES__NAYS



Town of Southern Shores

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**A Resolution Pursuant to NCGS §160A-413 and NCGS §160A-360(g)
Terminating November 15, 2010 Interlocal Government Agreement
Resolution # 2017-08-01**

Whereas the Town of Southern Shores entered into an Interlocal Government Agreement with Dare County dated November 15, 2010 for the purposes of utilizing Dare County Building and Fire Inspection Services; and

Whereas the Interlocal Government Agreement dated November 15, 2010, contains the provision *"Either party may terminate this Agreement upon sixty (60) days written notice to the other party evidencing the adoption of a resolution in the manner provided by N.C.G.S. 160A-413 and N.C.G.S. 160A-360(g)."*; and

Whereas it is the desire of the Town of Southern Shores to now transmit to Dare County such notice that it desires to terminate the Interlocal Government Agreement effective October 2, 2017 – as a qualified North Carolina Building Inspector has been employed part-time effective October 3, 2017 to perform fire and building inspections for the Town of Southern Shores;

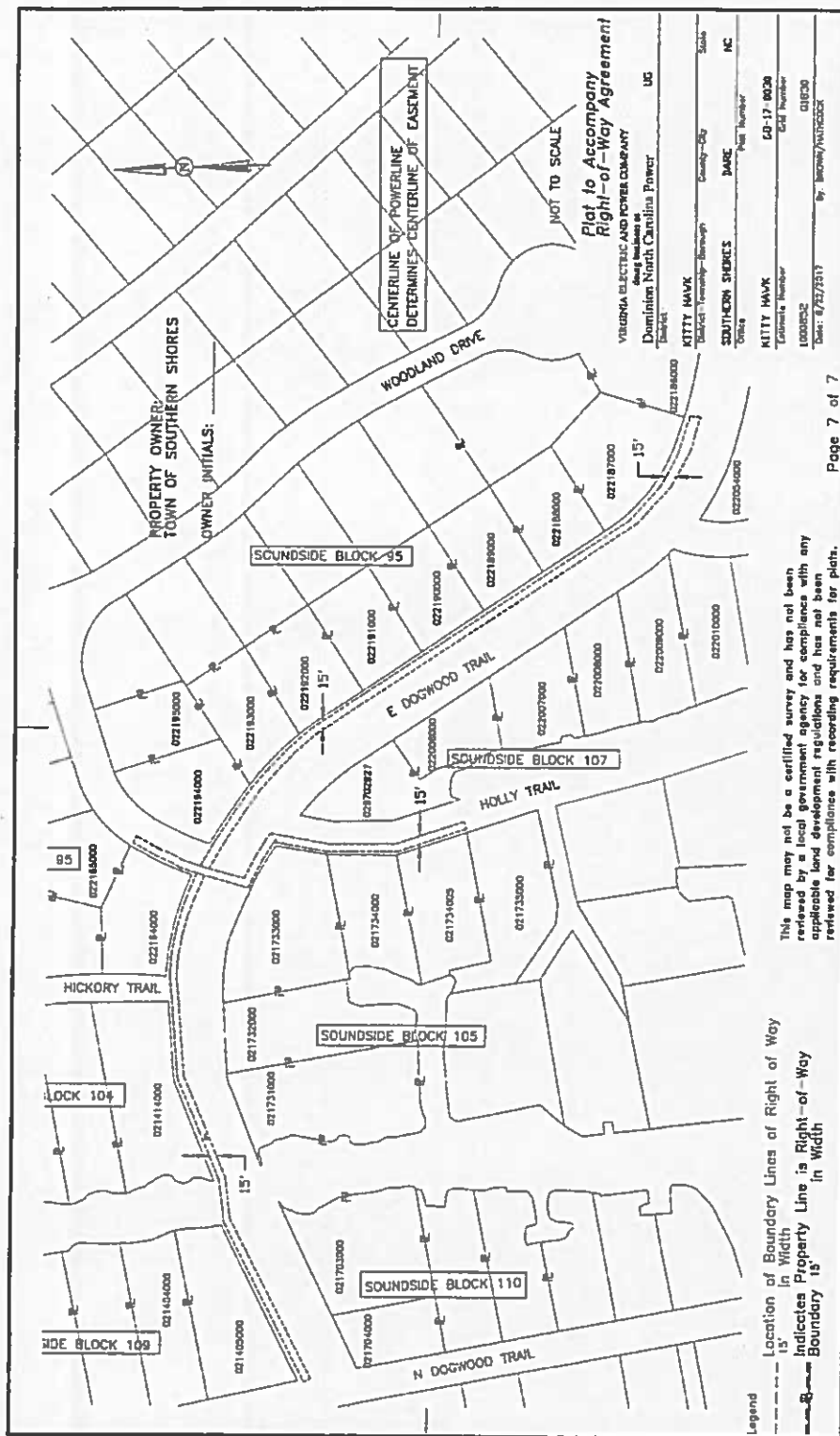
Now Therefore, pursuant to North Carolina General Statutes §160A-413 and §160A-360(g), the Town of Southern Shores Town Council hereby resolves that, effective October 2, 2017, the agreement dated November 15, 2010 be terminated and that notice of such October 2, 2017 termination be immediately transmitted to Dare County.

This the 1st day of August, 2017.

TOWN OF SOUTHERN SHORES

By: _____
Mayor

Attest: _____
Town Clerk





Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into this _____ day of _____, _____, by and between

TOWN OF SOUTHERN SHORES

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in North Carolina as Dominion Energy North Carolina, with its principal office in Richmond, Virginia ("GRANTEE").

WITNESSETH:

1. That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, GRANTOR grants and conveys unto GRANTEE, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

Initials: _____

This Document Prepared by Virginia Electric and Power Company and should be returned to: Dominion Energy North Carolina, 304 NC Highway 11N, Ahoskie, NC 27910.

(Page 1 of 7 Pages)

DNCPIDNo(s). 68-17-0028 , 68-17-0029 , 68-17-0030

Form No. 721043-1 (May 2017)
© 2017 Dominion Energy

Right of Way Agreement

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as GRANTEE may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said easement shall extend FIFTEEN (15') feet in width across the lands of GRANTOR; and

2. The easement granted herein shall extend across the lands of GRANTOR situated in DARE, North Carolina, as more fully described on Plat(s) Numbered 68-17-0028 , 68-17-0029 , 68-17-0030 , attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of GRANTEE. GRANTEE shall have the right to inspect, reconstruct, remove, repair, improve, relocate on the easement, and make such changes, alterations, substitutions, additions to or extensions of its facilities as GRANTEE may from time to time deem advisable.

4. GRANTEE shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by GRANTEE shall remain the property of GRANTOR.

5. For the purpose of exercising the right granted herein, GRANTEE shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of GRANTOR. The right, however, is reserved to GRANTOR to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, GRANTEE shall have such right of ingress and egress over the lands of GRANTOR adjacent to the easement. GRANTEE shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to GRANTOR.

Initials: _____

(Page 2 of 7 Pages)

DNCPIDNo(s). 68-17-0028 , 68-17-0029 , 68-17-0030

Form No. 721043-2 (May 2017)
© 2017 Dominion Energy

Right of Way Agreement

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE**'s option, for other damage done to **GRANTOR**'s property inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE**'s facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE**'s exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE**'s rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE**'s exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE**'s exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such of its facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE** shall have the right to assign or transfer, without limitation, to any public service company all or any part of the perpetual right, privilege and easement granted herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: _____

(Page 3 of 7 Pages)

DNCPIDNo(s). 68-17-0028 , 68-17-0029 , 68-17-0030

Form No. 721043-3 (May 2017)

© 2017 Dominion Energy



Right of Way Agreement

11. GRANTOR covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that GRANTEE shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that GRANTOR shall execute such further assurances thereof as may be reasonably required.

12. The individual executing this Right of Way Agreement on behalf of GRANTOR warrants that they have been duly authorized to execute this easement on behalf of said County.

IN WITNESS WHEREOF, GRANTOR has caused its name to be signed herelo by authorized officer or agent, described below, on the date first above written.

APPROVED AS TO FORM:

COUNTY OF TOWN OF SOUTHERN SHORES

By:

(Name)

Title:

(Title)

State of _____

County of _____, to-wit:

I, _____, a Notary Public in and for the State of _____ at Large, do hereby certify that this day personally appeared before me in my jurisdiction aforesaid

(Name of officer or agent)

(Title of officer or agent)

on behalf of TOWN OF SOUTHERN SHORES Dare County, North Carolina, whose name is signed to the foregoing writing dated this _____ day of _____, 20____, and acknowledged the same before me.

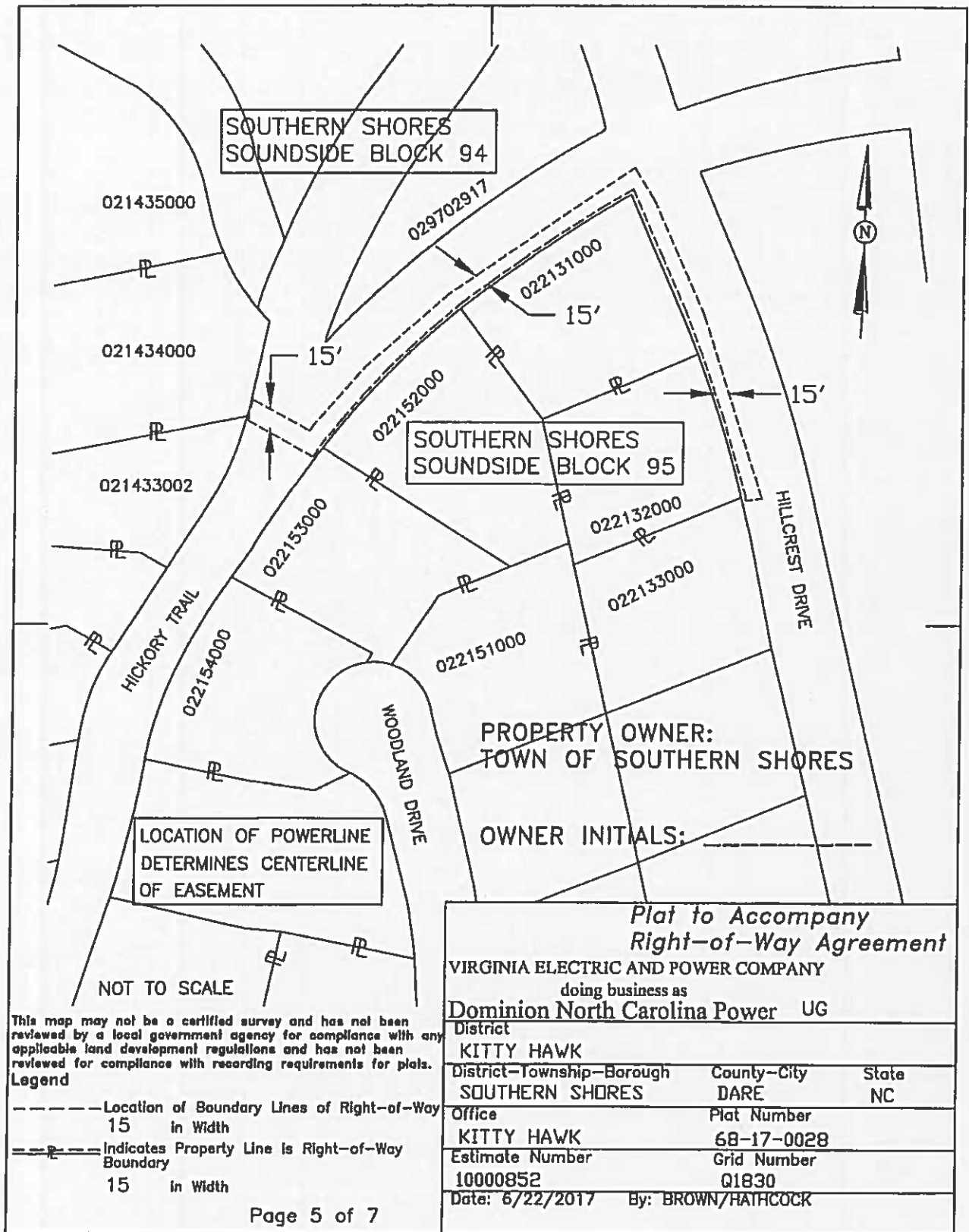
Given under my hand _____, 20____.

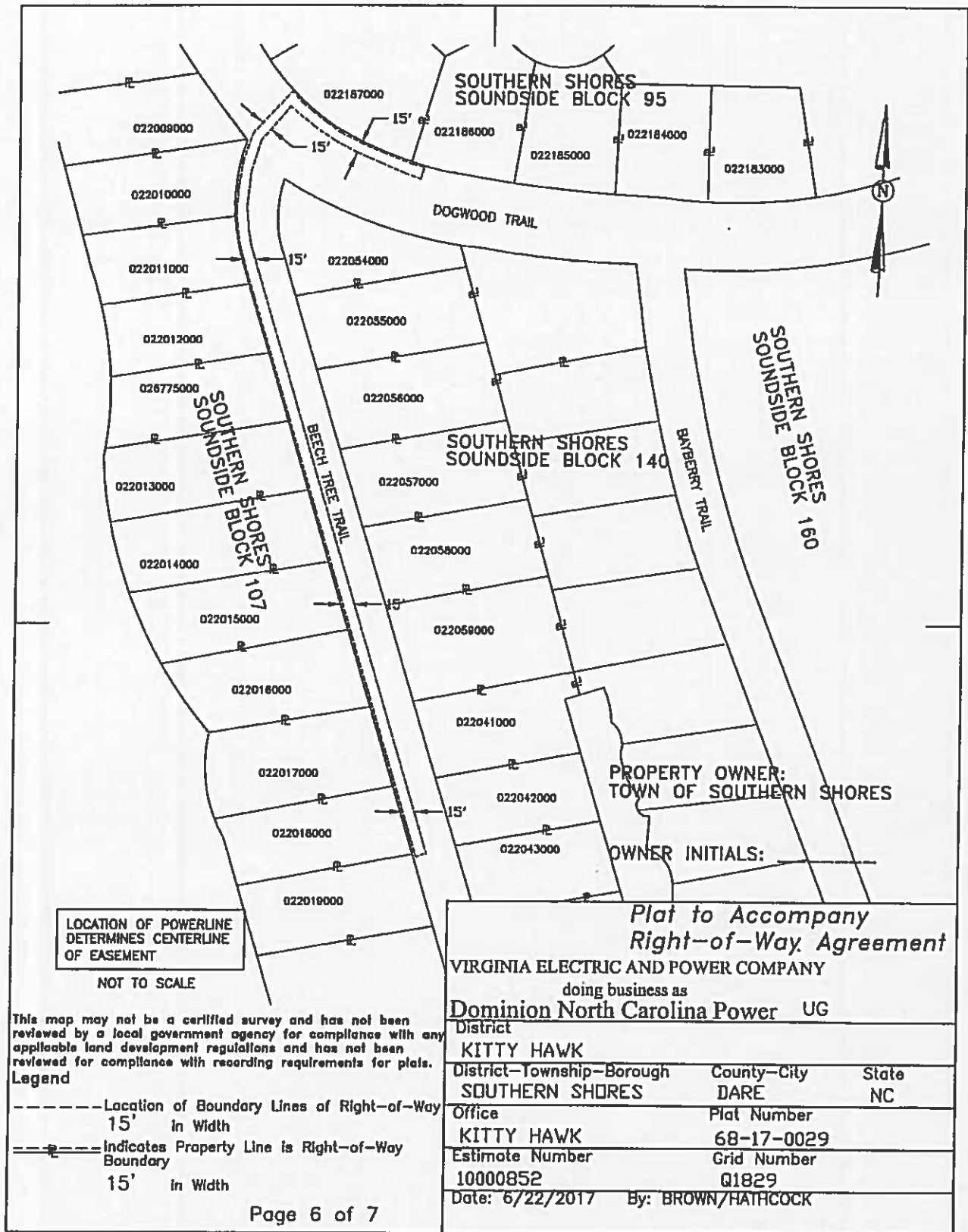
Notary Public (Print Name)

Notary Public (Signature)

My Commission Expires: _____

(Page 4 of 7 Pages)





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

[illegible]

Explanation: Cost associated with installing street light and landscaping at NC 12/Dogwood Flooding Project. Purchase Orders were issued prior to 6/30/17 but the work was not started until after 7/1/17. Money was appropriated in FY 16-17 budget but was not spent, therefore the money will roll over into the UFB at 6/30/17 and must be re-appropriated in FY 17-18 budget.

Approved By:

J. Peter Rascoe, III, Town Manager

Tom Bennett, Mayor

Date _____

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

Police Increases

Decreases

Account Number	Description	Amount	Account Number	Description	Amount
40-39919	Revenues GCC Grant	\$ 7,264			
51-50146	Expenditures GCC Grant-Training Equipment	\$ 7,264			
TOTAL			TOTAL		\$ -

Explanation: The cost for guns for the police department that is reimbursable under the GCC Grant.

Money was budgeted in FY 16-17 and guns were ordered but have not yet arrived, resulting in the money being rebudgeted for FY 17-18.

Recommended By:

Approved By:

J. Peter Rascoe, III, Town Manager

Tom Bennett, Mayor

Date _____

August 1, 2017

To: Town Council

From: Town Manager
Chief of Police
Town Attorney

Memorandum Regarding: Transmittal of Some Options to Deter Traffic on All Town Streets

At the June 6, 2017 meeting of the Southern Shores Town Council, on motion made by Council Member Gary McDonald and seconded by Council Member Chris Nason, the Town Council voted to *direct the Town Manager, the Police Chief, and the Town Attorney to bring some concrete options that would deter traffic on all streets of the Town, along with associated costs, to the Council for it to consider.* Options in response to the Council directive have been listed below for the Council to consider.

Residents' concerns regarding non-resident traffic on the public streets of the Town of Southern Shores during summer months have been an issue in Southern Shores for many years. Town Councils have discussed the matter at length. In previous years, the potential for NCDOT to widen NC Highway 12 through the Town of Southern Shores (including the addition of a third and/or fourth lane) as a way to address increased traffic, deterred some citizens' concerns over seasonal traffic on interior Town streets.

The Town of Southern Shores (1) has a history of on-going support for the Mid-Currituck Bridge, (2) has maintained a leadership role in founding and supporting the manning of the US Highway 158 – NC Highway 12 intersection with law enforcement officers during seasonal traffic events, and (3) took the leadership role in advocating the start-up promotion of the alternate "Summer Saver" route (I-95 – US Highway 64) to the Outer Banks by both the Outer Banks Visitor Bureau and the NCDOT. Since 2009, the Town of Southern Shores has enjoyed a close working relationship with the NCDOT at each of the Division, District, and County levels, as well as with both the previous and current DOT Board members representing Division One which includes Dare County.

Recent traffic counts are attached.

Public Forum on Seasonal Traffic. On October 2, 2014, the Town Council held a Public Forum at the Kitty Hawk Elementary School meeting space for the purpose of *receiving public comments, ideas, and concerns on any possible solutions to increased seasonal vehicular traffic on any public street of the Town of Southern Shores.* A copy of the public forum Facilitator's Report, submitted to the Town Council on November 18, 2014 and included in the minutes of the Council meeting held that same date may be viewed on the Town's website at:

<http://southernshores-nc.gov/wp-content/uploads/2015/10/Oct-2-2014-Public-Forum-on-Summer-traffic-report.pdf> .

Recommendations of the South and East Dogwood Trails Task Force: On October 6, 2015 the Town Council appointed nine (9) Southern Shores citizen-residents to the South and East Dogwood Trails Task Force. On October 27, 2015, the Town Council formally charged the Task Force to *solicit input from property owners of Southern Shores and develop a report to the Town Council specifically regarding issues of vehicular and pedestrian safety, any future street improvements, and long-term maintenance of South and East Dogwood Trails.* The complete work of the Task Force, along with public input documentation, may be read on the Town's website at:

<http://southernshores-nc.gov/dogwood-trails-task-force/> . On January 17, 2017, the Task Force presented its Final Report to the Town Council titled "Evaluation of South & East Dogwood Trails", which includes options suggested by the public. This report may be read in full on the Town's website at

<http://southernshores-nc.gov/wp-content/uploads/2015/10/170117-FINAL-REPORT-DWTF-2ND.pdf> . Pages 9-10 of the report specifically address the issue of “Seasonal Cut-Through Traffic”, and includes options determined by the Task Force based on its own study and including options suggested by the public to the Task Force.

Options that the Town Council could now revisit and consider:

In addition to all the options recommended and listed in each of the two aforementioned reports, the Town Council could consider the following options, for substantial, or absolute, deterrence of “cut-through, non-resident” traffic on streets of the Town. The Town Attorney is prepared to discuss with the Council the Town’s legal risks and liabilities of administering any of the following options.

1. **“No-left Turn”.** Revisit and exhaust all political efforts to receive the necessary support of the governing body of the Town of Kitty Hawk, the NCDOT Division One Resident Engineer, the NCDOT Area One Board Member, and any other state officials with persuasive influence over a NCDOT decision to design, develop, and sustain “a no-left turn” restriction within the traffic control devices for the east-bound lanes of US Highway 158 in Kitty Hawk at their intersection with S. Dogwood Trail. A “no-left turn” restriction itself would prevent all vehicles (including those of residents and their service providers) from turning left from the eastbound lanes of US Highway 158 into S. Dogwood Trail during such days and hours the restriction is active. Westbound vehicles would be able to turn right at the intersection. In the past, NCDOT has not supported such a restriction. (See attached Council minutes of September 22, 2009). Also, the Town of Kitty Hawk has not been supportive of this concept in the past as the intersection lies within its municipal boundaries and law enforcement jurisdiction (concurrent with the State).

During times that a no-left turn restriction is operational at the S. Dogwood Trail intersection with US Highway 158, online travel and mapping applications would presumably continue to offer alternative routes to NC Highway 12 by recommending a left-turn at the Juniper Trail intersection with US Highway 158, as well as left-turns at six (6) other locations along NC Highway 12 - Porpoise Run, Dolphin Run, East Dogwood Trail, Hickory Trail, Hillcrest Drive, and 11th Avenue for vehicles seeking access to streets running parallel to NC Highway 12. Concurrent “no-left” turn restrictions would also have to be considered for east-bound and north-bound traffic at those intersections as well.

2. **Block Bridges and/or Streets.** (South and East Dogwood Trails Task Force recommendation) In the event the Council considers the referenced option of blocking a bridge – or a variation of that option by blocking/barricading a street to prohibit traffic from transiting from either direction, the Town would have to assume the financial responsibility of manning the barricades, preferably with a uniformed officer during the times of restriction. To be totally effective and efficient, all vehicles would need to be restricted from passing through the barricade during the operational hours. A heavy barricade would need to be installed at a strategic location in order to be properly maintained during the “closure season”. There would also be a need for this immediate area to be re-designed to provide space for vehicles to safely and legally turn around, should they travel this route and ignore closure postings.
3. **Create “Gated Community” by Limiting Street Access to Only Residents or Property Owners.** Assuming the Town Council is willing to assume the legal risk and financial responsibility of prohibiting any person but residents to access its streets, the option of prohibiting the general public from Town streets, even for limited times, could be considered by the Town Council. With both the Dick White Bridge and the Trinite-Juniper Trail canal culvert open to public traffic, there are currently ten (10) entry points that a vehicle may use to enter upon Town streets from

[illegible]

PROS and CONS of Options

Option 1. "No-left Turn" on East-bound lane of US Highway 158 at S. Dogwood Trail

PROS:

1. Would legally prohibit eastbound US Highway 158 traffic from turning left onto S. Dogwood Trail during times the restriction is posted.

CONS:

1. Would have to legally prohibit all traffic (including residents, property owners, and residents and owner agents providing services) from making a left-turn during the times of restriction.
2. Would presumably require a similar enforced "no-left turn" restriction at US Highway 158 intersection with Juniper Trail – and to avert traffic seeking other routes alternate to NC Highway 12, could also require similar enforced "no-left turn" restrictions at five (5) other locations along NC Highway 12 - Porpoise Run, Dolphin Run, East Dogwood Trail, Hickory Trail, Hillcrest Drive, and 11th Avenue – to block traffic from seeking access to streets running parallel to NC Highway 12.
3. Until travel and mapping applications adjust themselves, US Highway 158 eastbound traffic could possibly then be directed onto the "no-through" Duck Woods Drive, and into the Market Place Shopping Center (with direct access onto Juniper Trail).
4. Although some vehicle traffic has already been turning left off of US Highway 158 onto private Landing Trail prior to the South Dogwood Trail intersection, a no-left turn restriction at that intersection would presumably result in an increase in left-turns onto private Landing Trail and on private Fox Wood Circle with increased non-resident travel through the Southern Shores Landing community. (The private entrance street could be legally gated by that HOA.)
5. Unless NCDOT is willing to re-design and permanently re-construct the intersection for seasonal "no-left turn" implementation, this option would require the Town of Southern Shores to acquire and place safety directional/barricade traffic devices in US Highway 158 prohibiting east-bound traffic from entering the current left-turn lane. These structures would have to be placed out by Town personnel the morning of and prior to the traffic event, and retrieved the afternoon after the traffic event, on each day the traffic event occurs. If NCDOT requires the Town to acquire and install signage, that would be additional significant cost.
6. Would require North Carolina Department of Transportation approval, and would require concurrence from the Town of Kitty Hawk, which would presumably include a mutual aid agreement and the Town of Southern Shores' assumption of all law enforcement duties involving the traffic handling, and legal hold-harmless/indemnity provisions.
7. To deal with the effect of non-compliant traffic from making the turn (i.e. enforceability) during times of restriction, increased law enforcement manpower would be necessary - as well as room for vehicles to turn around without creating stacking back onto US Highway 158.

Option 2. Block Bridges and/or Streets by Physical Means

PROS:

1. Would physically prohibit non-residents and/or non-property owners from entering upon Town-owned streets during times of restriction.

CONS:

1. Residents, property owners, service providers, and possibly emergency vehicles would also be restricted during times of restriction; sufficient room for turn-around for restricted vehicles without stacking will be required.
2. Legal prohibition of a "No Through Traffic" ordinance would require increased enforcement manpower; and enforcement of a "No through traffic" ordinance would be impractical due to required showing of intent to drive through Town from one side to another for purpose of passing through.
3. Required cost of infrastructure installation and maintenance.
4. Persons previously using the Town's public streets, could possibly bring a lawsuit to claim and enforce a vested easement right of travel over these streets if now blocked from using them.
5. Any streets restricted by a "No Through Traffic" ordinance from actual use by the general public, even for a period of time, could no longer be certified as "open to use by the general public" for purposes of the Town receiving annual funds from North Carolina's State Aid to Municipalities Program (Powell Bill) for street maintenance, repair, and construction. Current Powell Bill FY 17-18 budgeted revenue for all Town streets (approx. 38 miles) = \$ 119,000.
6. Involves a legal process, with accompanying legal costs.

Option 3. Create “Gated Community” by Limiting Street Access to Only Residents or Property Owners.

PROS:

1. Would physically and/or legally prohibit non-residents and/or non-property owners from entering upon Town-owned streets during times of restriction.

CONS:

1. If either un-manned or manned access gates are used to allow entrance for residents, property owners, qualified service providers, and emergency vehicles, sufficient room for turn-around for restricted vehicles without stacking will be required.
2. Legal prohibition of “No Through Traffic” would require increased enforcement manpower; impractical due to required showing of intent to violate for successful enforcement.
3. Required cost of infrastructure and manpower at ten (10) different locations (some w/ multiple openings) to insure compliance.
4. Persons previously using the Town’s public streets, could possibly bring a lawsuit to enforce a vested easement right of travel over these streets if now blocked from using them.
5. Once restricted from use by the general public, even for a period of time, restricted Town streets could no longer be certified as “open to use by the general public” for purposes of the Town receiving annual funds from North Carolina’s State Aid to Municipalities Program (Powell Bill) for street maintenance, repair, and construction. Current Powell Bill FY 17-18 budgeted revenue for all Town streets (approx. 38 miles) = \$119,000.
6. Involves a legal process, with accompanying legal costs.

ESTIMATED COSTS OF INFRASTRUCTURE AND INCREASED LAW ENFORCEMENT MANPOWER

1. Manning entry and exit points with non-law enforcement officers, including professional security guards, is an option, however non-law enforcement personnel would have to be administered and supervised separately from the Police Department. The Town would be liable for their actions and inactions. The ten (10) entry and exit points in Town with required officers:

<u>Street(s) to be gated</u>	<u>Officers Needed</u>
S. Dogwood Trail at US Hwy 158	2
Juniper Trail at US Hwy 158	2
Chicahauk Trail at NC Hwy 12	1
Porpoise Run at NC Hwy 12	1
Dolphin Run at NC Hwy 12	1
E. Dogwood Trail at NC Hwy 12	1
Hickory Trail at NC Hwy 12	1
Hillcrest Drive at NC Hwy 12	1
11th Avenue at NC Hwy 12	1
13th Avenue at NC Hwy 12	1
<u>Relief Support officers</u>	<u>2</u>
Total officers required	14

It is impractical to employ sworn law enforcement officers on a part-time basis. Each officer needing to be hired would be a new full-time employee of the Southern Shores Police Department. Including salary and benefits, uniforms and equipment, required training, and vehicle, each new officer would require a Town investment of \$115,165.00. (14 x \$115,165.00 = \$1,612,310.00)

2. Gates with electronic access - commercial grade: (Current Estimate, awaiting actual quote)
Qty 22 x \$30,000 to \$ 50,000= \$666,000.00 to \$1,100,000.00
Installation could be another \$150,000.00 – \$500,000.00
This does not include utilities/shaded shack/electric/engineering/roadwork for necessary staging and turn around areas.
3. Blocking through-access on a street at a certain location and for a time with a gate/barricade, would require cost of the gate at that location, and a law enforcement officer to administer the access at each blocked location as determined by the Town Council. Presumably and at a minimum, emergency vehicles could be allowed through on demand during times of restriction.
4. For a 'No-Left Turn' administration at both S. Dogwood Trail and Juniper Trail, four dedicated law enforcement officers would be needed; utilizing existing officers with overtime expense: 4 officers x \$70.00/hr x 10 hours/day x 2 days/weekend = \$5,600.00 x 12 weekends = \$67,200.00 on overtime costs. This assumes the Town has enough current officers to work into overtime slots. If not, additional hires would be needed. Note: if five (5) other streets along NC Highway 12, law enforcement officer costs would incur in those locations (Porpoise Run, Dolphin Run, East Dogwood Trail, Hickory Trail, Hillcrest Drive, and 11th Avenue) as well.
5. For a 'No-Left Turn' administration at both S. Dogwood Trail and Juniper Trail, at least two

Public Works personnel would be needed for the tasks of setting out and retrieving the directional devices; utilizing overtime expense: $2 \text{ PWs} \times \$40.00/\text{hour} \times 10 \text{ hours/day} \times 2 \text{ days/weekend} = \$1,600 \times 12 \text{ weekends} = \$19,200$. This assumes the Town has enough current Public Works personnel to work into overtime slots. If not, additional hires would be needed, or the cost of contracting this service would need to be incurred.

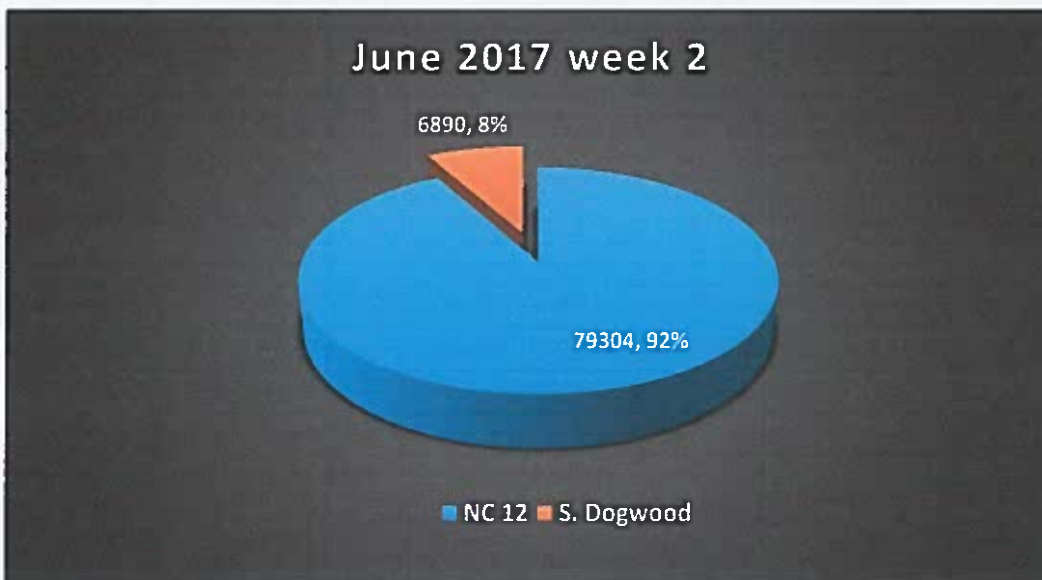
6. "No-left Turn" traffic devices, barricades, signage, and safety placement equipment acquisition costs estimated to be \$5,000 - \$7,500 per intersection with turn lanes. Intersections without turn lanes in place, could be less. Cost to develop off-season storage not yet calculated.
7. Necessary legal costs would be estimated once a particular option objective is directed for planning.

Traffic Counts

Week: June 12 thru 18 2017

S Dogwd A	Jun-17	S Dogwd B		NC12	Jun-17 Hillcrst
Week 2	June	12 thru 18		Week 2	
Mon	906	1182	-276	10588	282
Tue	861	1144	-283	10920	232
Wed	891	1232	-341	11268	234
Thu	828	1178	-350	11615	263
Fri	884	1183	-299	11018	249
Sat	1504	1843	-339	520	12243
Sun	1016	1249	-233	11652	391
Total	6890	9011	-2121	79304	2301

NC 12 79304
S. Dogwood 6890

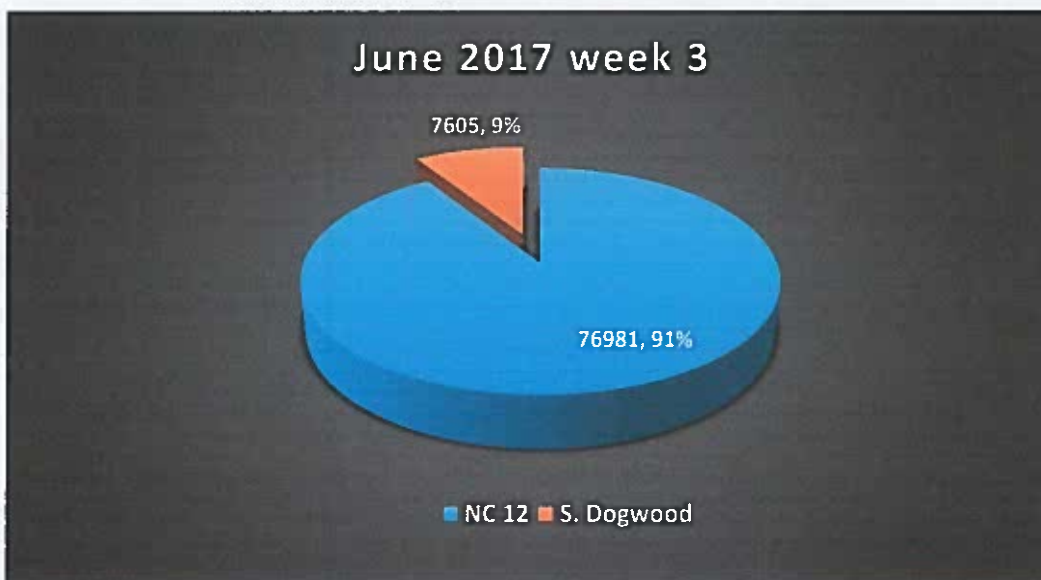


S Dogwd A = Counts after (north) of Country Club
S Dogwd B = Counts before (south) of Country Club

All counts are for (incoming) Northbound Traffic

S Dogwd A	Jun-17	S Dogwd B	NC12	Jun-17 Sea Oats	Wax Myrtle
Week 2	June	19 thru 25	Week 3		
Mon	930	1256	-326	10678	
Tue	789	1045	-256	10730	
Wed	855	1162	-307	11084	229
Thu	832	1213	-381	10838	201
Fri	920	1233	-313	11431	207
Sat	2113	2725	-612	10843	1967
Sun	1166	1411	-245	11377	275
Total	7605	10045	-2440	76981	2879

NC 12 76981
 S. Dogwood 7605



S Dogwd A = Counts after (north) of Country Club
 S Dogwd B = Counts before (south) of Country Club

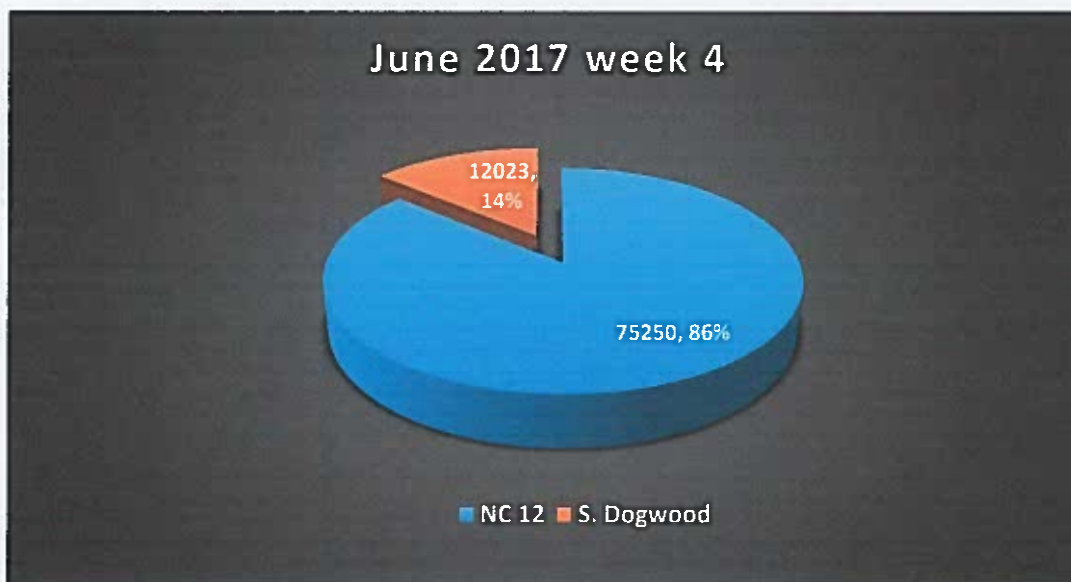
All counts are for (incoming) Northbound Traffic

Traffic Counts

Week: June 26 thru July 02 2017

S Dogwd A	Jun-17	S Dogwd B	NC12	Jun-17 Sea Oats	Wax Myrtle	
Week 2	June	26 thru jul02	Week 4			
Mon	1077	1326	-249	10439	202	0
Tue	841	1172	-331	11394	159	0
Wed	1014	1358	-344	11234	0	0
Thu	987	1367	-380	11525	217	161
Fri	1141	1533	-392	12466	276	186
Sat	3958	5005	-1047	8579	2424	1745
Sun	3005	3740	-735	9613	2204	0
Total	12023	15501	-3478	75250	5482	2092

NC 12 75250
S. Dogwood 12023



S Dogwd A = Counts after (north) of Country Club
S Dogwd B = Counts before (south) of Country Club

All counts are for (incoming) Northbound Traffic

Traffic Counts

Jun/3 thru Jun/9
Week: June 26 thru July 02 2017

S Dogwd A	Jun-17	S Dogwd B	NC12	Jun-17	Sea Oats	Wax Myrtle
Week 2	July	Jul 3 thru jul 9	Week 1			
Mon	1228	1885	-657	11530	547	333
Tue	958	1170	-212	7436	170	172
Wed	1113	1463	-350	11262	285	157
Thu	1097	1463	-366	11026	262	217
Fri	1298	1561	-263	11021	209	156
Sat	2862	3564	-702	9520	2060	1159
Sun	1597	1749	-152	10947	661	408
Total	10153	12855	-2702	72742	4194	2602

NC 12 72742
S. Dogwood 10153



S Dogwd A = Counts after (north) of Country Club
S Dogwd B = Counts before (south) of Country Club

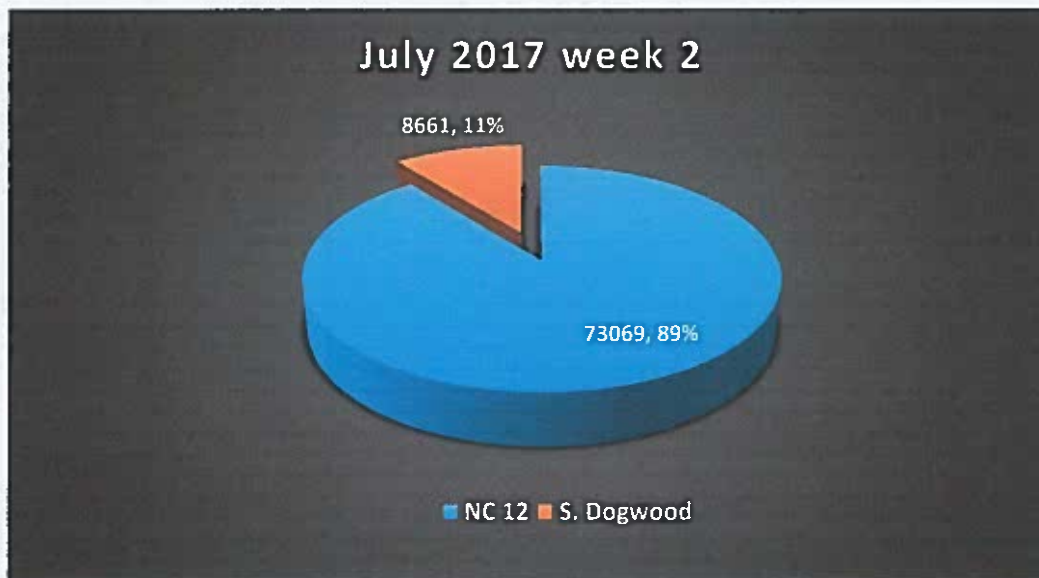
All counts are for (incoming) Northbound Traffic

Traffic Counts

Jul 10 July 16
Week: June 26 thru July 02 2017

S Dogwd A	Jun-17	S Dogwd B	NC12	Jun-17	Sea Oats	Wax Myrtle
Week 2	July	Jul 10 thru Jul 16	Week 2			
Mon	908	737	171	9896	233	69
Tue	899	1319	-420	10293	217	113
Wed	932	1364	-432	10885	210	133
Thu	903	1319	-416	10914	206	121
Fri	1028	1427	-399	11141	221	155
Sat	2688	3512	-824	9330	1778	1056
Sun	1303	2172	-869	10610	1020	736
Total	8661	11850	-3189	73069	3885	2383

NC 12 73069
S. Dogwood 8661



S Dogwd A = Counts after (north) of Country Club
S Dogwd B = Counts before (south) of Country Club

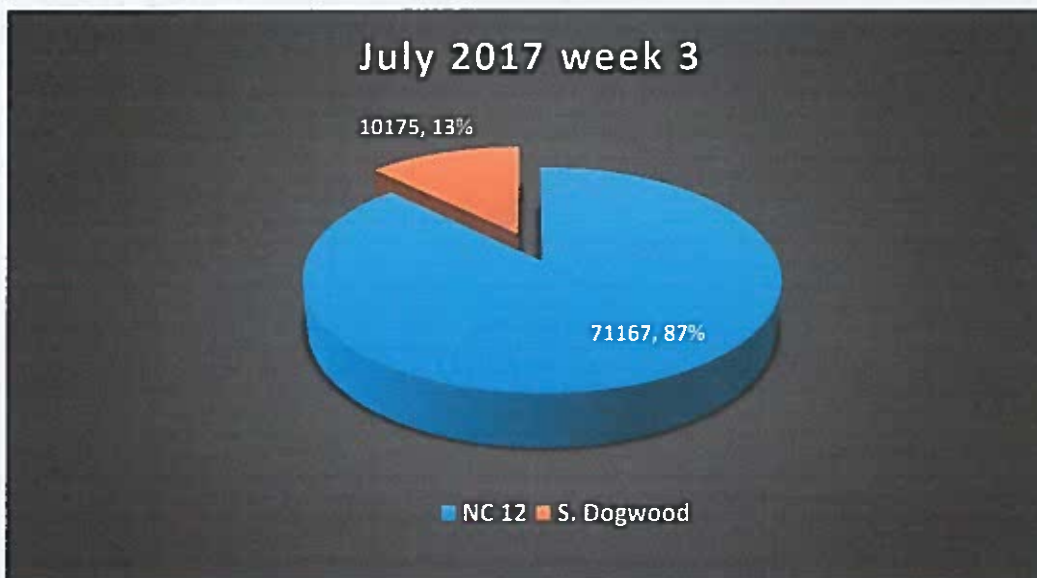
All counts are for (incoming) Northbound Traffic

Traffic Counts

Week: July 17 thru July 23 2017

S Dogwd A	Jun-17	S Dogwd B	NC12	Jun-17	Sea Oats	Wax Myrtle
Week 2	July	Jul 17 thru Jul 23	Week 2			
Mon	1158	0	1158	9945	0	0
Tue	940	1335	-395	10084	234	192
Wed	937	1328	-391	10345	120	163
Thu	916	1349	-433	11055	210	196
Fri	970	1379	-409	11360	242	189
Sat	3162	4353	-1191	8471	1905	1247
Sun	2092	2737	-645	9907	1684	868
Total	10175	12481	-2306	71167	4395	2855

NC 12 71167
S. Dogwood 10175



S Dogwd A = Counts after (north) of Country Club
S Dogwd B = Counts before (south) of Country Club

All counts are for (incoming) Northbound Traffic



Town of Southern Shores

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Council Meeting

September 22, 2009

8:00 a.m.-Pitts Center

The Southern Shores Town Council met on September 22, 2009 at the Pitts Center.

The following Council Members were present: Mayor Don Smith, Brian McDonald, Jodi Hess, Kevin Stroud and Jim Pfizenmayer.

Also present were: Charlie Read, town manager, Ben Gallop, town attorney and Carrie Gordin, town clerk.

Mayor Smith called the meeting to order at 8:00 a.m. and led the Pledge of Allegiance. He held a moment of silence for the families of Bob Siegel and Francis Rogallo. He stated Bob was a long time resident who volunteered for many years on the Town's Board of Adjustment and as the president and member of the Southern Shores Civic Association. He stated Mr. Rogallo also was a long time resident and is remembered for his years being instrumental in hang gliding on the Outer Banks. He also remembered all our military men and women serving around the world.

APPROVAL OF AGENDA

Council Member McDonald moved to amend the agenda by moving Item VIII. B. Council representative to canal project to the canal dredging update. Council Member Hess seconded. The motion passed with Mayor Smith and Council Members McDonald, Hess, and Stroud and Pfizenmayer voting aye; no council member voting no and no Council Member absent.

PRESENTATION-EMPLOYEES YEARS OF SERVICE

Mayor Smith presented Jennifer Couture, police department administrative assistant with certificate of appreciation for her ten years of service and a plaque.

Mayor Smith presented Carrie Gordin, town clerk with a certificate of appreciation for her fifteen years of service and a gift.

GENERAL PUBLIC COMMENT

Mayor Smith opened the public comment section.

Jim Winebarger, Dare County Board of Education Facilities Director, stated he attended the Southern Shores Planning Board meeting last night to provide information on a Kitty Hawk Elementary School project for renewable energy known as Renewable Energy Discovery Zone "Schoolyard Demonstration Project" funded by NC Department of Environment and Natural Resources (NCDENR).

He stated this program provides elementary school student to participate in a "real world" application of science curriculum and provide a broader understanding of alternative energy sources.

He now is asking Council's support on the project. He stated the project involves placement of solar panels at the school as well as a wind turbine. He stated he is aware the planning board is drafting an ordinance for the use of wireless towers and wind turbines.

He asked Council as they are moving forward on drafting the ordinance to allow this type of wind generator. He stated it is hoped that the school project will be used by other schools and more information can be found on the school's website. He stated he would be happy to take Council and or the Planning Board on a tour.

Hearing no other comments Mayor Smith closed the public comment section.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT)

The Town Manager introduced Jerry Jennings, district manager and Chad Edge, traffic engineer and stated they were invited to attend the Council meeting to address several traffic issues. They provided a Power Point presentation.

Mr. Jennings stated NC12 has many functions other than moving traffic and that vehicle and pedestrian safety is the number one factor.

Mayor Smith asked if the speed limit should be reduced to 35 mph from 45 mph on NC 12 due to the additional crosswalks.

Mr. Edge stated not necessarily and explained there are many factors to consider. He stated DOT would allow the speed limit to be reduced to 35 mph on a seasonal basis if the town requested it.

Mayor Smith feels placing signs before the crosswalk alerting drivers a crosswalk is ahead would be helpful.

Mr. Edge stated that blinking lights and signage becomes over used at times and once they blend in people tend to ignore them.

Council Member Stroud stated his observation is when drivers see people walking toward the crosswalk the drivers stop to early and this may cause a rear-end accident. He would like to see the yellow signs used not the sign that reads "must stop" at the crosswalk. .

The Town Manager thanked them for coming and asked if the R1-5 signs should be removed. Mr. Edge said yes.

Council Member Hess stated she is concerned with the number of crosswalks but that the signs do work. She stated there are thirty-three crosswalks. She asked if it would be safer to have fewer crosswalks.

Mr. Edge stated people will cross the road wherever they want.

Mr. Edge stated typically NCDOT will not put crosswalks on a road like NC12 they look at the situation and sometimes go against a standard and make a judgment call. He stated the town requested the signs.

Council Member McDonald stated he has many business trucks on NC12 and as he drives he finds it difficult to see the pedestrians due to signage and other vehicles. He feels there are too many signs or that the signs need to be reduced or placed higher so the pedestrians can be seen.

Council Member Hess asked if a traffic light could replace the blinking light.

Mr. Jennings stated there are certain requirements in the placement of traffic lights and he doesn't think traffic volume is there but they will look into it.

The Town Manager asked if NCDOT would consider a mowing contract with the town to mow the right-of-way on NC12. Mr. Jennings other areas supplement the NCDOT mowing by doing the mowing themselves. NCDOT may be willing to pay the town what they pay their mowing contractor.

The Town Manager asked if the high water signs could be replaced with signs that read "road susceptible to flooding".

Mr. Jennings stated new signs could be placed and NCDOT will meet with someone from the town to get locations.

Council Member Pfizenmayer stated he is in favor of the crosswalks and reducing the speed limit. He asked can signs be placed at the beginning and at the end of the town warning of all the crosswalks.

Mr. Jennings stated yes signs reading "crosswalks ahead" can be installed but after a while they will blend into the scenery and people won't notice them. He stated we need to educate the tourist about the crosswalks.

Mayor Smith stated the Mid-Currituck Bridge needs to be built and this would relieve the problems.

Mr. Jennings stated the schedule has not been changed from 2013.

The Town Manager asked if there is a traffic study being done for the intersection at Town Hall.

Mr. Jennings stated other than the bridge study there is none but they are aware of the congestion.

Council Member Stroud asked what can be done to allow low speed vehicles on the multiuse paths so citizens can get through town. To allow these types of vehicles on the road the speed limit must be 35 mph or less. He stated also allowing these vehicles to go to the beach would allow for more parking since they are smaller.

Mr. Jennings stated there have been legislation changes for these types of vehicles but NCDOT has no regulation authority on Town owned roads and motorized vehicles are not allowed on multiuse paths.

The Town Attorney stated low speed vehicles are street legal which requires them to meet the same safety and road standards as vehicles. He stated the use of an HOV lane may be an option which requires a separate lane.

Council Member Stroud asked about restricting cut through traffic by installing no left turn signs at S. Dogwood and Hickory Trail during specific times.

Mr. Jennings stated that is not a viable solution and would cause more problems.

APPROVAL OF MINUTES-August 25, 2009

Council Member McDonald moved to adopt the August 25, 2009 as presented. Mayor Smith seconded. The motion passed with Mayor Smith and Council Members McDonald, Hess, and Stroud and Pfizenmayer voting aye; no council member voting no and no Council Member absent.

CONSENT AGENDA

- A. Tax pickups and Releases
- B. FY2009-2010 Budget Amendment #2

Council Member Hess moved to approve the consent agenda as presented. Council Member Pfizenmayer seconded. The motion passed with Mayor Smith and Council Members McDonald, Hess, and Stroud and Pfizenmayer voting aye; no council member voting no and no Council Member absent.

[Clerk's Note: A copy of the Tax pickups and releases are attached as Exhibit A].

[Clerk's Note: A copy of the FY2009-2010 Budget Amendment #2 is attached as Exhibit B].

REPORTS-None

OLD BUSINESS

Beach Access Parking

Council Member Pfizenmayer addressed the confusion for residents and tourist of different required parking passes for different areas in town. The Southern Shores Civic Association (SSCA), Chicahauk Property Owners Association (CPOA) and the town all require a different parking pass for each of their respective parking lots. He stated he has not talked to CPOA. He stated this might encourage people to join the SSCA. He doesn't feel this would take away any parking spaces.

Council Member Stroud stated he disagrees that there would be less parking available because those who do not join the SSCA would use the town parking. He thinks the tow civic associations should have one pass and leave the town lot alone so property owners can have a place to park.

Council Member Hess asked would this mean that Chicahauk residents would be allowed to park in the SSCA parking lot without belonging to SSCA. She is not sure what we are trying to fix.

Council Member Pfizenmayer stated by having one sticker it would reduce the amount of tickets issued. He stated he would further discuss this with the SSCA and CPOA presidents and get back with Council.

Canal-Council Representative to Project

The Town Manager stated as the town prepares to kick-off Phase I of the canal dredge project it is important to keep the momentum into the permitting and grant application portions of the next phase. He requested Council consider keeping the team intact and direct the team to proceed with the next phase of this vital project as soon as the successful bidder/contractor is selected for Phase I. He stated Council Member Hess has agreed to remain as one of the team members and to participate in refining permits and preparation of the grants.

Council Member Pfizenmayer stated he thought this was the town manager's job to work with the project manager. The Town Manager stated direct council representative is important and is needed for a smooth transition into Phase II.

Mayor Smith stated he is confused with this direction since Council Member Hess was appointed to negotiate with certain parties to obtain spoil sites and that has been completed. He doesn't see why she would need to continue since Council will be kept up to date by the project manager and that Council can attend any meetings related to the project.

The Town Manager stated George Wood, EPI, and the town engineer has suggested keeping the team together.

The Town Attorney stated the project manager's contract is through Phase I. He stated the project manager will be working through issues on Phase II and there will need to be a line item in the budget for Phase II which will require a budget amendment.

Mayor Smith stated he is concerned with the budget needs and we should wait until after the bids are opened. The Town Manager needs to provide a report to Council as soon as possible regarding Phase II.

Council Member Stroud stated he appreciates Council Member Hess putting in the time and supports her staying on the team.

Council Member McDonald stated he also supports Council Member Hess remaining on the team. He stated the reason for confusion in the past is that no council person was appointed and this has been helpful.

Council agreed the team should move ahead and to keep Council Member Hess as part of the team.

NEW BUSINESS -None

OTHER ITEMS

Town Manager

The Town Manager reported Bonnie Swain, finance officer and he met with a Third Party (TPA) Administrator and the North Carolina League of Municipalities (NCLM) insurance to discuss a co-op managed by the TPA in conjunction with the NCLM (current carrier) to aid in lower insurance costs and greater benefits with an expanded network for our employee health insurance. He stated the towns of Kitty Hawk, Kill Devil Hills and Nags Head are also considering this option.

He reported working with the Capital Improvement Plan (CIP) a Cost Benefit Analysis will be discussed with Tim Gregory, public works supervisor, on ways to bring large road repairs in-house. A Funding Task Force will be established to address the financing options for the CIP and this will require Council input throughout the process.

He announced that the search for a Planner has been completed. An offer of employment has been made to Wesley Haskett to serve as planner with additional duties of inspections and permitting. He stated Wesley currently fills the dual-municipality role of Planner for Chowan County and Planning Director for the Town of Edenton. Previously he served as interim Planner for Gates County thereby working for three jurisdictions simultaneously. He stated he successfully completed a comprehensive pre-employment background investigation and will begin the first or second week in November.

Town Attorney

The Town Attorney stated upon review of the draft wireless ordinance he had made some changes and he asked Larry Lawhon, wireless committee chairman, if the planning board had approved those changes. Mr. Lawhon stated yes and that the planning board has set a public information workshop for October 14th and the Planning Board will be asking Council to hold a public hearing in November.

Mayor

Mayor Smith asked Joe Anlauf, town engineer, if there is an update on the rejuvenation project done on Soundview and Kingfisher. Mr. Anlauf stated there has been a visual inspection but to have a professional inspection it will cost \$6000 for GTE to perform it. He stated he doesn't know if now is the time to spend the money. He recommended waiting until December to visually inspect the roads and then contact GTE to ask them to support their warranty.

Council

Council Member McDonald announced the Dare County Tourism Board has hired Lee Nettles, as the new director of the Outer Banks Visitors Bureau. He stated Mr. Nettles previously was the director from Cape Fear.

GENERAL PUBLIC COMMENT-None

Council agreed to hold a five minute recess and then return for the Canal Maintenance Dredge Project Update.

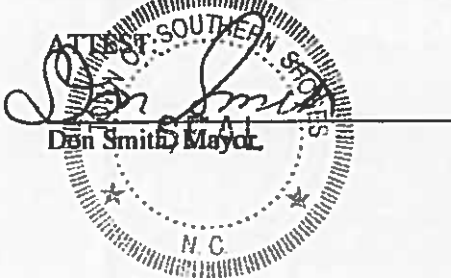
CANAL MAINTENANCE DREDGE PROJECT UPDATE

Tom Bennett, project manager, provided an update on the project by saying the town received the final permit from the Army Corp of Engineers with some requirement changes one of which is the Submerged Aquatic Vegetation (SAV) will need to be transplanted which will incur some additional costs. He stated the bid opening will be held next Monday (September 28) and three bids are required. He stated a permit modification will be needed if the new dewatering system is used.

Council Member Hess stated if three bids are not received we will need to re-advertise for seven days and Council will need to hold a special meeting to approve the contract.

Joe Anlauf provided an informative power point presentation. Following the presentation he stated there will be a change to the Southern Shores Civic Association spoil site agreement dealing with the type of de-watering process used but this will need to wait until the bids are opened. He also stated some trees will need to be removed at the marina.

Hearing no further business Council Member McDonald moved to adjourn the meeting at 10:55 a.m. Mayor Smith seconded. The motion passed with Mayor Smith and Council Members McDonald, Hess, and Stroud and Pfizenmayer voting aye; no council member voting no and no Council Member absent.



Respectfully submitted:

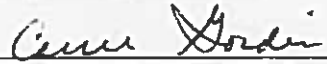

Carrie Gordin, Town Clerk

Exhibit A

**TOWN OF SOUTHERN
SHORES
TAX DEPARTMENT**

9/22/2009

PICKUPS

Feb. Vehicles	\$8.59
Mar. Vehicles	\$25.75

RELEASES

Feb. Vehicles	\$77.36
Mar. Vehicles	\$47.17
April Vehicles	\$44.56
May Real	\$4.56
June Vehicles	\$2.20

TOTAL

\$34.34

\$175.85

Exhibit B

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

<u>Increases</u>			<u>Decreases</u>		
<u>Account Number</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
40-39909	<u>Revenues</u> Undesignated FB	\$12,200			
59-50915	<u>Expenditures</u> Brush Trimming	\$12,200			
TOTAL			TOTAL		\$ -

Explanation: The cost to have brush trimmed back 5 feet

Recommended By:

Charles B. Read, Jr Town Manager

Approved By: Town Council

Don Smith, Mayor

Date _____



Town of Southern Shores

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

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Town of Southern Shores
Joint Council/Planning Board Meeting
June 11, 2009
12:00 P.M.-Pitts Center

The Southern Shores Town Council met with the Southern Shores Planning Board on June 11, 2009 at the Pitts Center.

The following Council Members were present: Mayor Don Smith, Brian McDonald, Jodi Hess, Kevin Stroud and Jim Pfizenmayer. The following Planning Board Members were present: Nancy Wendt, chair, Bob Palombo, Mike Florez, Larry Lawhon, alternate, Bill Gleason, alternate and Ed Overton, ETJ representative with Jay Russell, vice chair absent with excuse. Also present: Charlie Read, town manager, Franz Koeleveld, Board of Adjustment chair, Police Chief Kole, Merrie Smith, executive assistant and Carrie Gordin, town clerk.

Mayor Smith called the meeting to order at 12:00 p.m. and turned the meeting over to Nancy Wendt.

Planning chairperson Wendt explained the meeting is not a meeting between council and planning board but the planning board acting as a planning department. She stated since the Town has no planner at this time and there are activities that need to be addressed, completing the Coastal Area Management Act (CAMA) Land Use Plan (LUP), the planning board took on this role beginning in December of 2008. The LUP was returned by CAMA with recommended changes which the planning board has worked on making corrections to the document. She stated council was provided a copy of recommendations on several planning topics at the June 2 council meeting and that is what will be discussed today.

[Clerk's Note: A copy of the Power Point presentation will be attached as Exhibit A].

Planning Board Rules of Procedure

Chairperson Wendt stated due to working with planning issues it was found their Rules of Procedure needed to be amended to include a second meeting a month. She stated the Planning Advisory Group (PAG) meets the first Monday of the month to hold public workshops and to work on long range planning activities and on the third Monday of each month the Planning Board meets to review permit applications and ordinance changes.

[Clerk's Note: Members of the PAG are members of planning board who chair specific committees or lead projects dealing with planning issues].

Coastal Area Management Act Land Use Plan (CAMA LUP)

Sam Williams stated the original plan submitted to CAMA was returned with eighty-two suggested corrections. He stated they requested a matrix but he found it to be difficult and he re-wrote the plan. He stated the steering committee and others found some additional needed corrections. He stated the maps (13) of which 4-5 will need to be corrected also. He stated this may require additional funding if the contracted planner-in-charge is unable

to complete the work. He submitted 4-5 goals and policy recommendations and asked council to provide comment within the next two weeks. The goal is have the plan submitted to CAMA by September. He stated the Coastal Resource Commission provides final approval. He stated if certain deadlines are not met the plan may not be finalized until 2010. He stated the plan is a five-year plan and if it is not finalized until 2010 it will be time to start over. He asked Council to contact him upon review of the plan to let him know they have no changes or they are in agreement with the plan recommendations.

Council Member McDonald asked why the planner didn't finish the plan.

N. Wendt stated CAMA changed the requirements for LUP in 2003 and available grant funds were reduced and at the time the town started the process only one bid was received. She stated the LUP has now been reformatted to meet state requirements.

Transportation/Cut-through Traffic

Bob Palombo stated safety is the first priority. He stated the town does have a seasonal problem with traffic but the problem is volume not speeding. He stated work should begin immediately on a master plan with a date to be determined for completion.

Mayor Smith stated there is the recommendation to lower the speed limit on NC12 from 45 mph to 35 mph. and this could be done just for the summer (May-Sept.). He stated he doesn't support this and that tailgating is the problem.

Police Chief Kole stated during a test drive it was found there is only a 1.3 minute difference between the two speeds. He stated a consideration for lowering the speed limit would allow the low speed vehicles to be used on NC12.

The Town Manager supports lowering the speed limit for safety's sake. It was stated there is an electronic device available that enables flashing lights to activate to alert drivers at crosswalks.

Council Member Hess stated she is not sure changing the speed limit will make a difference and she supports crosswalks at traffic lights only. She would like to see the others removed.

Police Chief Kole stated the last crosswalk put in by NCDOT, in front of the Triangle Park, is dangerous and no one discussed this with the police department before it was done.

The Town Manager stated NCDOT supports the placement of marked crosswalks and that they are beneficial.

Council Member Pfizenmayer supports lowering the speed limit on NC 12 in the summer months and drivers need to be more alert for pedestrians. He stated the tourists look for and use the crosswalks.

Council Member Stroud supports the use of low-speed vehicles. He is not sure changing the speed limit for a short period of time is the way to go. He stated there is an area in town that prevents the use of this type of vehicle and we should be looking at a way to allow them all the time.

Council Member Hess stated reducing the speed limit may increase cut-through traffic.

Council Member Stroud supports drafting and approving an ordinance to prohibit cut-through traffic as a test for six months and then review the outcome. If it is found to be baseless than rescind the ordinance. He would like to find a way to alleviate the 8,000-10,000 cars cutting through town. He would like to see the ordinance written to read no cut-through traffic on the weekends in the summer months and asked that we find out if DOT would allow placing no left turn signs at S. Dogwood Trail.

Chief Kole stated the ordinance can't be enforced. He stated it is his experience if you show DOT you are making an effort they may help.

Council Member Stroud stated if we need to pay for extra officer and it would reduce the traffic then why not do it.

The Town Manager stated no-through traffic signs have been posted. He stated an ordinance addressing no through trucks, buses and other heavy vehicles has been drafted and he would like to see it approved.

Council Member McDonald stated if we ask DOT for help with our traffic problems like cut-through traffic then they will make NC12 a three-lane and we don't want that. He stated we stopped them before but it is a matter of time before they address this again.

He asked what kind of message do we give to say don't drive through our town but leave us your money. He stated council agreed before to not put more ordinances on the books that couldn't be enforced.

Mayor Smith stated the number of vehicles is more like 4,000 cutting through town to go north and if they use NC12 the residents there will be impacted.

The Town Manager stated a weight ordinance has been drafted and he would like to see it approved.

Bill Gleason stated the PAG report addresses some of these issues and one recommendation is the use of multi-use paths.

N. Wendt stated the town's rights-of-way may be used and policies could be written regarding pedestrian safety. Chief Kole stated policies and standards when written apply to all areas.

Bob Palombo stated educating the people is a key factor.

Storm Water Management

N. Wendt stated Jay Russell is unable to be here today. Mike Torres reviewed the presented recommendations.

Dan Shields, member of the Storm Water committee, stated Council approved the storm water plan and they have not disbanded the committee. He stated there is no one solution for storm water and in the CIP it is incorporated that any road improvements will address storm water issues.

N. Wendt stated in speaking for Jay the approved plan was a set of policies and that a comprehensive plan would be written and should become part of the Land Use Plan. She stated some of those policies went to the transportation committee for review with the roads plan which is linked to the CIP.

Wireless Infrastructure

Larry Lawhon stated cellular service in town is poor. He stated currently telecommunication towers are only allowed in the commercial district. He provided recommendations from the Wireless committee.

Council Member Hess stated she has attended most wireless meetings and her concerns are the setback requirements and the potential use of certain areas for towers. She stated soil sampling is required to determine what type of tower could be used and what specifications would be required.

N. Wendt stated placement of a tower would be a conditional use and the need to be determined what zoning district could be used. She stated there may be a need to amend zoning districts. She stated a draft ordinance has been prepared using language for the current telecommunications ordinance.

She stated there are three areas for consideration: permitted or conditional use, safety, and what areas to allow towers. She stated we will need attorney input. She stated a 100% setback is mostly used for tower placement.

Mayor Smith asked if the committee is investigating with the different service providers on what they need. She stated yes the committee has met with different ones.

N. Wendt stated the town needs more tall towers (under 195') and she asked does the town want to address this up front or wait until the providers come in and place towers as needed.

Financial Planning

Bill Gleason provided a Statement of Work for council's consideration. He stated a lot of progress has been made over the last year since he became involved. The focus has been on roads and the canal dredging project has been left out since the town is still waiting for permits and spoil sites. He stated storm water is part of the road improvement. He stated council approved ten budget principals but a more rigorous process for financial planning is needed. Council should set the criteria for priority of projects. He stated he met with each council member and it has always been a pay as you go policy. He stated now is the time to dedicate money for CIP projects. He recommended reconstituting the plan and call them a planning committee using the same people and to include someone (Jay Russell) on storm water and to work in the fall on a more comprehensive plan once the status of the canal dredging is known. He recommended preparing a list of projects over a 5-7 year period showing on the projects will be funded.

The Town Manager stated it is great to have this committee who is willing to stay on.

N. Wendt stated it is important to make it clear to the citizen's of council's intent.

S. Williams stated it is important to find what level of service people want and at what cost.

Mayor Smith stated he would like to hear from the citizens if they still would want a specific service, like chipping, if they knew the actual costs.

Council Member Hess stated discussion has been held before on how to poll the citizens. They can be reached by email using specific software.

B. Gleason stated it would be beneficial to show capital expenses side-by-side with operating expenses that would show the cost of street repairs and chipping service. The citizen would then need to choose which is more important.

Council Member McDonald stated financing a big project like Chicahauk Trail improvements means a tax rate increase do the people want to do that.

Everyone agreed the town needs to get better input from the citizens.

Public Comment

Tom Welch, 17 Skyline Road, stated he does long range planning for a living and this was a great presentation. He stated it would cost the town over \$100,000 to get this kind of product. He stated the lack of long range planning comes at a cost which shows we need a plan.

N. Wendt summarized by asking Council to submit their comments on the recommendations provided to the planning department and to decide how we will get the information to the citizens.

Council discussed what recommendations they would address first and when. It was decided agenda items 1 (Rules of Procedure), 2 (CAMA LUP) and 7 (Financial Planning Statement of Work) would be addressed at the June 23 council meeting. Agenda item 4 (Cut-through traffic) and 6 (Wireless Infrastructure) would be placed on the July 7 council meeting and agenda items 3 (Transportation) and 5 (Storm water Management) would be addressed at the July 28 council meeting.

Hearing no other business Mayor Smith thanked everyone for attending and adjourned the meeting at 2:05 p.m.

ATTEST:



Respectfully submitted:

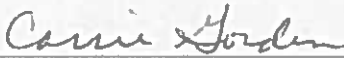

Carrie Gordin, Town Clerk

Exhibit A

Power Point Presentation Presented by
Planning Board / Planning Advisory Group

Agenda

1. Rules of Procedure
2. CAMA LUP
3. Transportation
4. Cut Through Traffic
5. Stormwater Management
6. Wireless Infrastructure
7. Financial Planning

Planning Board / Planning Advisory Group

Rules of Procedure Recommendation

1. Findings:

- a. Reviewing permits/ordinances is a different type of work than committee/project work; best to focus on one at a time
- b. 1st Monday of the month
 - Public Workshops on planning topics
 - Planning Advisory Group working sessions
- c. 3rd Monday of the month
 - Review permit applications
 - Review proposed ordinances & amendments

2. Recommendation:

- a. Revise Planning Board Rules of Procedure to reflect new meeting schedule effective immediately

Planning Board / Planning Advisory Group

CAMA LUP Recommendations

1. Findings:

- a. NC –DNR requested 82 corrections / changes to LUP DRAFT
- b. The LUP Steering Committee and PAG identified additional errors, omissions & mis-statements

2. Recommendations:

- a. Adopt revised goals, policies & action items & use the corrected DRAFT as basis for the Futures Section
- b. Correct & complete required mapping work (work with Earth-Tech or another consultant)
- b. Complete reviews & approvals. Target milestones are:
 - Revised LUP to DNR Sept 2009

- TOSS Public Hearing Sept 2009
- Town approved LUP to CRC Oct 2009
- Town adoption of CRC approved LUP Nov 2009

Planning Board / Planning Advisory Group

Transportation Recommendations

1.Findings:

- a.Pedestrian safety is an issue at crosswalks and on class 1 roads that were not built to carry seasonal traffic volumes & that do not have pathways or adequate pedestrian safety zones
- b.Seasonal problems are caused by increased volume not by speeding
- c.Increased use of low speed vehicles could add to public safety issues
- d.Lack of transportation policies & standards results in inconsistent decisions

2.Recommendations:

- a.Adopt proposed policies, road classification system & standards
- b.Incorporate Federal, NC & NHTSA standards for low speed vehicles into TOSS ordinance
- c.Require all roadway & pathway projects to comply with policies & standards
- d.Evaluate pedestrian safety zones for all class 1 roadways & propose corrective actions
- e.Create a Master Plan (design or blueprint) for an interconnected network of multi-use pathways

Planning Board / Planning Advisory Group

Cut -Through Traffic Recommendations

1.Findings:

- a.Seasonal traffic issues on town roads are caused by increased volume not by increased speeding
- b.Pedestrian safety is an issue at crosswalks and on class 1 roads that were not built to carry seasonal traffic volumes and that do not have pathways or adequate pedestrian safety zones

2.Recommendations:

- a.Establish a legal basis for action (approve ordinance to prohibit through traffic on turn over days during the season)
- b.Based on ordinance, take action to remove cut-through routes from mapping services like MapQuest & rental company driving directions
- c.Based on ordinance, appeal to NC DOT for assistance to prohibit left turns from R 158 into E Dogwood & Juniper Trail on Saturdays and Sundays from May 15 through Sept 30

Planning Board / Planning Advisory Group

Stormwater Recommendations

1.Findings:

- a.TOSS paid \$163,811 for studies; analysis & design work is done
- b.6 problem areas identified; 5 are still pending
- c.Stormwater Committee recommendations still pending:

- Address financial support for stormwater management (CIP)
- Revise ordinance to make it more effective & more enforceable
- Develop & implement a Stormwater Management Plan

2.Recommendations:

- a.Approve the Stormwater Policy Advisory Committee recommendations from April 2007 effective immediately
- b.Develop a Stormwater Management Plan to implement the Advisory Committee recommendations
- c.Require all roads projects to comply with Stormwater Management policies effective immediately

Planning Board / Planning Advisory Group

Wireless Recommendations

1.Findings:

- a.Cellular service poor due to inadequate coverage & capacity
- b.Current ordinance does not serve either citizens or carriers
- c.Expansion of wireless infrastructure is inevitable

2.Recommendations:

- a.Adopt proposed definitions, policies & action items for wireless
- b.Town Attorney recommend zoning approach & draft an ordinance
- c.Incorporate Federal, State & Industry standards into new ordinance
- d.Planning Board and Town Council review DRAFT ordinance with a goal of holding a public hearing in September 2009
- e.Define a process for technical review of permit applications for wireless facilities when needed by year end 2009

Financial Planning Recommendations

1.Findings:

- a.Existing financial planning process does not link long-range plans and proposed projects to CIP & budgets.
- b.Prioritization of pending projects needs to be more transparent with clearly defined prioritization criteria (e.g., government mandates, public health & safety, etc.).
- c.Operating and capital budgets are developed with limited public dialog regarding how alternative tax rates and/or reserve fund policies impact project priorities and funding.

2.Recommendations:

- a.Adopt proposed Statement of Work (SOW)
- b.Develop & approve an inclusive process by year end 2009
- c.Implement new process effective January 1, 2010

Planning Board / Planning Advisory Group

Next Steps

1. Council will make its decisions by ?
2. Draft implementation plans & schedules
3. Communicate decisions, implementation plans & schedules to the community
4. Incorporate citizen feedback as appropriate
5. Proceed with implementation