



Town of Southern Shores
Regular Council Meeting
January 5, 2021

The Town of Southern Shores Town Council met in the Pitts Center located at 5377 N. Virginia Dare Trail at 5:30 p.m. on Tuesday, January 5, 2021.

COUNCIL MEMBERS PRESENT: Mayor Bennett, Mayor pro tem Elizabeth Morey and Councilmen Matt Neal, Jim Conners, and Leo Holland.

COUNCIL MEMBERS PARTICIPATING REMOTELY: None

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Town Attorney Ben Gallop, Town Manager Cliff Ogburn, Deputy Town Manager/Planning Director Wes Haskett, Town Clerk Sheila Kane, Police Chief David Kole, and Deputy Chief Jay Williams.

CALL TO ORDER / PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

Mayor Bennett called the meeting to order at 5:30 p.m., led the Pledge of Allegiance, and held a moment of silence.

AMENDMENTS / APPROVAL OF AGENDA

Mayor Bennett requested item 2A be removed and placed on the February 2, 2021 agenda (Historic Landmarks Appreciation-Lorelei Costa).

MOTION: Councilman Holland moved to approve the agenda with amendment. The motion was seconded by Mayor pro tem Morey. The motion passed unanimously (5-0).

CONSENT AGENDA

The consent agenda consisted of the following items:

- o Council Meeting Minutes – November 4, 2020 & December 1, 2020
- o Resolution- Extend Emergency Sick Leave until Governor's State of Emergency is lifted

MOTION: Councilman Holland moved to approve the consent agenda as presented. The motion was seconded by Mayor pro tem Morey. The motion passed unanimously (5-0).

PRESENTATIONS

Beach Nourishment Funding-Dare County Manager-Attorney Bobby Outten
Dare County Manager/Attorney Bobby Outten presented the present funding plan based off the financial modeling for allocating funds from the Beach Nourishment Occupancy Tax Fund. Mr. Outten

explained that both Southern Shores and Avon are moving forward with beach nourishment projects. The Beach Nourishment Occupancy Tax Fund does not have enough funds to help support both projects. Several of the other towns who have received prior funding support from the Beach Nourishment Occupancy Tax Fund for their beach nourishment projects have all recently been awarded a grant in the amount of approximately 1.4 million dollars each. If Dare County was to reduce the contribution amount for the 2022 projects to these towns in the amount of grant awarded, then Dare County would be able to help support both projects (Avon & Southern Shores). Mr. Outten explained that the county board has not voted yet but are aware of the conversations. He stated the towns will be receiving exactly what they expected to get, had they not received the grant. When asked about how far the funding model went out, Mr. Outten stated the model actually goes as far as June 2055, but you truly can only rely on ten (10) years of numbers.

STAFF REPORTS

The following department heads presented reports for the month:

- Deputy Town Manager/Planning Director Wes Haskett presented the department's monthly permit report for the month of December.
- Police Chief David Kole presented the Police Department's report for December.
- Fire Chief Ed Limbacher presented the Fire Department's report for December.
- The Town Manager presented the Manager's report on operations highlights:
 - Town of Southern Shores – 2022 Permitting & Design (beach nourishment project)
 - Task 1 –Environmental Documentation and Permitting 60% complete
 - Task 2 – Engineering and Design 40% complete
 - Task 3 – Borrow Area Investigations and Design 40% complete
 - Task 4 – Native Sampling 95% complete
 - Task 5 –Survey to Quantify 3-Inch Clasts on Native Beach 98% complete
 - Town of Southern Shores 2020 Annual Monitoring and Initial Permitting Coordination
 - Task 1 –Annual Beach Profile Data Acquisition 98% complete
 - Task 2 –Annual Data Analysis and Report 95% complete
 - Task 3 – Inter-Agency Coordination / BOEM G&G Permitting 100% complete
 - The January 19th workshop agenda will include a discussion/consideration of MSD's.
 - The Town put out an RFQ -Professional Engineering Services Pavement Condition Survey and Development of Capital Improvement Plan for Maintenance and Repair Treatment Recommendations, all submissions are due Friday, January 22nd. Council can expect to consider a firm at their March meeting.
 - Staff continues to work with Outer Banks Internet to upgrade the website.
 - Road improvements to Wood Duck Ct have a completion date of the end of February.
 - RPC Contacting has been sold and is now Rose Brothers.

GENERAL PUBLIC COMMENT

Mayor Bennett called for public comment and hearing no citizen wishing to speak, he closed public comment.

BUSINESS ITEMS

HISTORIC LANDMARKS COMMISSION APPOINTMENT

There is currently one vacant seat on the Historic Landmarks Commission (HLC) due to the departure of Lorelei Costa. Town Staff has two applications on file from citizens interested in serving on the HLC. The term for the position would take effect immediately and expire on December 11, 2022.

MOTION: Mayor Bennett moved to appoint Charlie Andrews as a member of the Historic landmarks Commission with a term that is valid until December 11, 2022. The motion was seconded by Councilman Conners. The motion passed unanimously (5-0).

Mayor pro tem Morey expressed gratitude for both volunteers and inquired as to adding an alternate position.

After a brief discussion, Council directed Town Manager Ogburn to place a town code amendment allowing for an alternate position of the Historic landmarks Commission on the February agenda.

TOWN CODE UPDATE PLANNING BOARD DIRECTION

The Town has been in the process of updating the Town Code since 2015 with the assistance of a consultant, CodeWright Planners. A Citizen Survey has been conducted, two public forums have been held, and the Planning Board reviewed Module One of three and submitted comments on it to the consultant in 2018. All three modules have been revised to reflect comments submitted by Town Staff, the Planning Board (Module One only), and the Town Attorney (Zoning Chapter only). The next step in the adoption process requires the Planning Board's final review and recommendation to the Town Council. The following Chapters require the Planning Board's final review and recommendation: Chapter 4, Definitions; Chapter 22, Zoning; Chapter 26, Subdivisions; and Chapter 28, Flood Damage Prevention. Town Staff would like Council to direct the Planning Board to conduct its final review of the applicable Chapters in the Town Code Update.

MOTION: Mayor Bennett moved to direct the Planning Board to conduct its final review of the applicable Chapters in the Town Code Update. The motion was seconded by Councilman Conners. The motion passed unanimously (5-0).

Mayor pro tem Morey stated there is only one Planning Board member that has been on the board since the code update process began and inquired if the board felt comfortable with the task of reviewing the required chapters.

Planning Director/Deputy Town Manager Wes Haskett stated the board is comfortable with the review and the timeline, and will do its best to keep it on track and a smooth process.

NCLM LEGISLATIVE GOALS

The agenda summary sheet read as The NCLM Board of Directors revised the member-driven process that forms the NCLM legislative policy positions. The goal was to expand the process to receive as much input from all municipal officials that reflects the diversity of members' opinions and circumstances.

This process coincides with the start of each new legislative biennium. During even-numbered years, members meet to share their legislative goals and priorities. The basic process includes the following steps:

1. Members submit their ideas for legislative policy goals online. Ideas should fit into the League's overarching policy focus areas, be actionable and be applicable to cities and towns statewide.
2. The Policy Committee considers all submitted ideas through the lens of the Core Municipal Principles and policy focus areas and submits its suggestions to the Board of Directors.
3. After reviewing and refining the Policy Committee's suggestions, the NCLM Board of Directors presents the goals to the entire membership for a vote.
4. Each municipality casts a single vote on the policy goals and the results are used by League staff, members, and legislative leaders to advance the agenda together.

450 ideas from 165 individuals representing 114 municipalities were submitted. The Legislative Policy Committee compiled and refined the submitted goals which the NCLM Board of Directors reviewed, approved, and submitted 17 proposed advocacy goals for consideration by the full membership. Each municipality will cast a single vote by selecting 10 of the 17 proposed goals.

To vote, a municipality must:

1. Designate a single Voting Delegate who will cast the municipality's vote by January 14, 2021 and submit attached form.
2. Review, discuss and determine which of the proposed advocacy goals the Town Council supports. Each municipality may select 10 of the 17 proposed goals.
3. Submit the online ballot by January 15, 2021.

Staff recommends that the Council participate in this process. Many of the 17 proposed goals do not directly impact the town although they do support several towns and cities across the State which can have positive impacts for us. Being involved with establishing the Municipal Advocacy Goals will hopefully better position us in the future with the League in our own individual advocacy needs.

Of the 17 goals, staff sees the following 10 as being the most beneficial:

- Grant local governments the authority to build broadband infrastructure to partner with private providers and provide additional funding to help close the digital divide.
- Secure federal and state aid directly to municipalities to offset all lost revenues due to the Covid-19 pandemic.
- Refine economic tier designation system to reflect conditions more accurately at subcounty level.
- Increase state and federal funding for affordable housing.
- Create a permanent and adequate funding stream for local infrastructure needs.
- Ensure state funding for any new, state-mandated benefits for municipal employees.
- Allow a short grace period for online posting of local emergency declarations while allowing them to take effect immediately.
- Increase public safety grant funding and expand allowable uses.
- Reduce pressure on property taxpayers by expanding locally controlled options for revenue generation.
- Increase in state funding to support public transportation development and operations.

MOTION: Mayor Bennett moved to designate the Town Manager as the single voting delegate who will cast the Town's vote; accept the ten (10) proposed advocacy goals suggested by the Town manager, and supported by Council; and submit the online ballot by January 15, 2021. The motion was seconded by Councilman Holland. The motion passed unanimously (5-0).

PUBLIC COMMENT

Mayor Bennett called for comment, hearing no citizen wishing to speak he closed public comment.

COUNCIL COMMENTS

Mayor Bennett and Councilman Neal wished everyone a happy New Year.

Mayor pro tem Morey reminded everyone that we are still in a state of emergency, almost a year later. We are all doing the best we can, it doesn't always go perfect, but it is the best we can do. She thanked staff for being proactive in extending the emergency leave policy.

Councilman Holland gave a brief Tourism Board update:

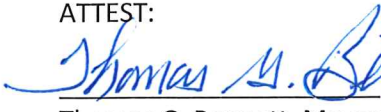
- New officers will be sworn in January 21st
- Occupancy is up 83% for October-up 10% calendar year to date.
- Meals were up 14% for October but still down for the calendar year to date by 19%

Councilman Holland also stated that citizens can now go online and sign up for the COVID-19 vaccine.


ADJOURN

MOTION: Hearing no other business, Mayor Bennett moved to adjourn. The motion was seconded by Mayor pro tem Morey. The motion passed unanimously (5-0). The time was 6:51 pm.

ATTEST:


Thomas G. Bennett, Mayor



Respectfully submitted,

Sheila Kane, Town Clerk