

News From Southern Shores Town Hall: Friday, May 29, 2009

Town Council Meeting Agenda

Southern Shores Town Council will meet Tuesday, June 2, at 7 PM at the Pitts Center. For more information on the meeting go to [agenda](#). Mayor's Chats have been postponed until September. Highlights of the last two Mayor's Chats can be seen at [Mayor's Chat](#)

Proposed FY 2009-10 Budget

Public Hearing for FY 2009-10 Budget will be at the Town Council Meeting, Tuesday, June 2 at 7 PM. Go to [Budget Message](#) for more information.

Garbage Summer Schedule Starts June 1st

Effective Monday June 1, garbage pickup will be every Monday and Friday through September. Please put your collection cans out the night before and pull them back from the curb after collection. Garbage collection begins at 3:00 AM. Garbage or recycling placed outside of or on top of the cans cannot and will not be collected. If you own a rental unit please post the above instructions prominently in your cottage for guests to see. **You can pick up a refrigerator magnet at Town Hall. Remember: Roll Out/Roll In – 24!!**

Recycling Pickup, Monday, June 1 and every Monday through September.

NO Chipping until September

Recycle Old T-Shirts

The Dunes of Dare Conservation Committee are collecting old tee shirts for the shirts to bags project. T-shirts can be dropped off at Town Hall for the committee to recycle into re-useable grocery bags.

From the Town Manager:

HOMEOWNER INSURANCE RATE INCREASES:

Dare County Attorney and Deputy County Manager Robert (Bobby) Outten is coordinating the challenges to the State Insurance Commission for the several communities of the Outer Banks including the Town of Southern Shores. He and the legal team are zealously pursuing this matter. I am including (1-4 below) a brief yet informative synopsis prepared by Mr. Outten in this Broadcast.

Citizens may direct their questions, concerns, and complaints for these outrageous rate hikes to: Mr. Wayne Goodwin, Commissioner NC Department of Insurance, 1201 Mail

Service Center, Raleigh, NC 27699-1201 (NC) 800-546-5664 (out-of-state) 919-807-6750 or see the Department's website www.ncdoi.com

1. The lawsuit that we filed contesting the increased surcharge and increased deductible is before the Court of Appeals. We won in the lower court and we were issued a stay of the implementation of the surcharge and deductible while the appeal is being heard. I do not know how long it will take the Court of Appeals to rule but generally it takes months.

2. The lawsuit that we filed contesting the rate increases is also before the Court of Appeals. A different judge in the lower court ruled against us and said that we did not have standing to sue and did not grant a stay of the rate increase. We appealed to the Court of Appeals. Again, I do not know how long it will take them to rule. As such, the rate increase approved by the Commissioner and effective on May 1 are in place. (I just got my renewal and it did reflect the rate increase.)

3. We have filed requests for rehearing with the Commissioner. We have not heard back from him yet. Earlier today I sent you a copy of letter from the Rate Bureau asking for the opportunity to respond to our request with a deadline of June 15. I would expect the Commissioner to give them that opportunity and that we will not hear anything from him until after June 15.

4. Legislatively, NC 20 has been working the legislature in an effort resolve these issues legislatively. There has been much discussion, numerous ideas and proposals considered, but there is yet to be consensus. NC 20 is still working diligently and we will have to wait and see what happens. As you know, the biggest hurdle we have is that we are only 18 of 100 counties. Though the facts support our position, the politics do not. NC 20 is working to bring the politics in line with the facts.

We extend our appreciation to Bobby for his efforts on behalf of Southern Shores and all coastal communities.

WEEKLY UPDATE - CANALS MAINTENANCE DREDGING PROJECT

- **(NEW)** We previously reported that the Town expressed interest in purchasing a property and that the owner was unresponsive. On May 21st, the Town Attorney received an unsigned proposal from this entity. The document was reviewed by the Town Attorney, Town Council, and Town Manager and was determined to be unfavorable to the Town's interests and needs. The Town Manager re-contacted the seller on Tuesday, May 26th to ascertain his interest in selling the property "fee simple" to the Town, to-date neither he nor his attorney has responded.
- **(NEW)** The Town is continuing negotiations with several property owners. We are optimistic that we will be able to reach an agreement so that the project can move forward this year. Once an agreement has been reached there are many additional steps that need to be taken to complete all the permits that are required and to put the project out to bid. We will keep you informed as we move ahead.

- This project holds an extremely high priority and is being handled as such accordingly, Town staff including; the Town Manager, Town Engineer, and Council's assigned designee Council Member Jodi Hess are working this issue virtually every day.
- The Town was successful in overcoming the legal challenges of the State's denial of a permit to conduct the dredging. In pursuing its permits, the Town has and is working with fourteen (14) agencies; ten (10) State and four (4) federal.
- The Town was successful in having the US Coast Guard declare the main channel hazardous to navigation which was one of the several factors in the Town's success in its legal challenges to the State. Dredging the main channel has always been a part of the overall dredging plan.
- Every reasonable attempt has been made to keep the citizens informed regarding this project. To-date, the Town has regularly included a report on the status of this project at Town Council Meetings, information was included in previous Broadcast messages and posted on the Town's website, Town officials have made presentations at various association meetings, and formal presentations have been made by the Town Attorney, Town engineer, and the Town's Environmental Consultant. Previously state officials have also made presentations at Council Meetings - regrettably many of these meetings were poorly attended.
- The State will not allow the construction of a "sand island" to place the spoils.
- To-date, the State has not permitted a project to remove spoils by barge.
- The construction and use of a temporary spoils dewatering and transfer site is required if we are to truck the material out-of-town; it cannot simply be loaded into trucks directly from the pipe.
- Dredging contractors have declined to "bid" on the project due to the uncertainty of obtaining the final permit and the lack of a spoils location. Therefore many technical specifications, methodologies, and costs remain unknown.
- Permit conditions restrict the type of dredging to Hydraulic. Mechanical Dredging is not permitted further complicating land application and material handling.
- Filling the distal end of canal(s) is not a permissible option.
- Hydraulic dredging can be done in a classic earthen berm or into geo-bags, a more costly but less invasive process, a process that is under consideration.
- The Town was represented by Council Members Jodi Hess and Jim Pfizenmayer at the May 20th SSCA meeting. Mayor Smith and Mayor Pro Tem McDonald were out-of-town at previously scheduled business engagements.

Chipping ** NO Chipping until September**

The Chipper is finished until September. **DO NOT PLACE ANY BRUSH OUT.**

****NO SCHEDULED CHIPPING IN JUNE, JULY, or AUGUST**.**

Thanks to all of you who got your brush out on schedule. Persons placing their brush out for chipping after their scheduled pickup week will be required to remove it from the Town's Right-of-Way. Code Enforcement officials will issue warning citations giving property owners two weeks to remove the pile from the right-of-way. ***Failure to comply will result in the

Town bringing in the chipper for an unbudgeted service and the offender will be charged at the Town's contracted rate for that service***.

Dates To Remember:

- **Recycling Pickup, Monday, June 1**
- Town Council Meeting, Tuesday, June 2, 7 PM, Pitts Center [Agenda](#)

If you need a police officer, anytime day or night, please call Central Communications at 252-473-3444. Write that number down or pick up a free sticker at Town Hall. Keep this number by your home phone and put it on your cell phone.

For more information, contact the Southern Shores Town Hall, 252-261-2394, 252-255-0876 (fax), info@southernshores-nc.gov , www.southernshores-nc.gov .

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