



TOWN OF SOUTHERN SHORES
 "A Town of Volunteers"
 6 Skyline Rd, Southern Shores

Monthly Code Enforcement & Building Summary
 March, 2003

Summary

# New houses permitted this month	10	Estimated Value	\$ 3,739,750.00
Additions, Remodels and Other permits	26	Estimated Value	\$ 4,681,752.00
Total	36	Total	\$ 8,421,502.00
New CO issued this month	6	Total Homes YTD FY 2002-3	2077
		Total Homes as of FY 2001-2	2027
Total Permits for the FY 2002	258	Total Fees Collected	\$ 155,755.19

SOUTHERN SHORES

<u>Type of Construction</u>	<u>Number</u>	<u>Est. Cost</u>	<u>Permit Fees</u>
New Construction	10	\$ 3,739,750.00	\$ 19,690.96
Additions/Alterations	5	\$ 240,500.00	\$ 1,659.49
Other Permit Types	21	\$ 4,416,252.00	\$ 1,836.84
Add to Permits	1	\$ 25,000.00	\$ 100.00
Additional fees	4		\$ 200.00
Plan Review Fees	21		\$ 1,705.00
CAMA minor permits	0		\$ -
		\$ 8,421,502.00	\$ 25,192.29

MARTIN'S POINT

<u>Type of Construction</u>	<u>Number</u>	<u>Est. Cost</u>	<u>Permit Fees</u>
New Commercial			
**Additions/Alteration			
Other			
New CO issued			\$ -

** We will be reporting certificates of occupancy issued & possible additions to open permits for MP.

Respectfully submitted,

Michael J Hejduk
 Code Enforcement Administrator

Council Meeting Planning Board Recap

PLANNING BOARD MEETING RECAP

03/19/03

Prepared by Dan Shields for Council Meeting 04/01/03

The March 2003 meeting of the Southern Shores Planning Board was called to order at 7:30 P.M. Monday 17 March 2003. A quorum of the Board was in attendance.

1. The first item of business was to elect a Chairman and Vice Chairman for the next year. Dan Shields was elected Chairman and Mimi Iacone was elected as Vice Chairman.
2. A discussion and review of the ordinance modification for Dwelling, Large Home was conducted. Mr. Mark Martin and Mr. Frank Stone spoke to the Board expressing their concerns. In the discussions that followed, it was determined that the primary concern was the percentage of lot coverage, there was no problem with the requirement of one parking space per bedroom. Mr. Mike Hejduk will draft some proposed language for our review.
3. The preliminary site plans for the construction of two ten bedroom, Large Home Dwellings in the commercial district, Lots 2-R and 3-R, Section 1, Block 9 Ocean Blvd. was considered. After this item was discussed the Board recommends Council approval.
4. Preliminary site plan for Sun Com Telecommunications, Placement of an antenna on top of the Dare County Water Tower. After discussion, the board recommends Council approval. The contract Sun Com has with Dare County allows the placement of a temporary antenna vehicle on site when the antenna on the tower are shut down for tower maintenance.
5. The amended site plan for Southern Shores Crossing was reviewed. This amendment was considered in two parts. The first was the building of a 10' by 10' kiosk in the breezeway. The proposed 10' x 10' kiosk does not meet the conditional use, Group Development minimum building square footage of 2500, and the board recommends council not approve. The second part was the installation of stairs on the North East side of the property between Southern Shores Crossing and the Southern Shores Realty parking lot. Mr. Frank Stone expressed his concern to the installation of these steps and the fact that his parking lot would be used by Crossing patrons and the liability that may be incurred. The Board voted two to two and therefore does not recommend Council approval.
6. A draft amendment to Article VII. Schedule of District Regulations, Section 7.04, R-1 Low Density Residential District C.6. Conditional Uses Permitted telecommunication Array and Accessory Equipment to correct a wording error. The Board recommends Council approval.
7. A draft amendment to Article III. Interpretation and Definitions of Terms, Section 3.02. a word correction for consistency to read Multi-family versus Multiple. The Board recommends Council approval.
8. A draft amendment to Article X. Administration and Enforcement, Section 10.04 Application for Building Permits and Site plan Requirements, B.2. All uses other than One and Two family Dwelling Units, Site Plan requirements be amended to require 12 vice 8 copies of the site plan. The Board recommends Council approval.

Dan Shields .

P. B. Chan

4/1/03

SOUTHERN SHORES FIRE DEPARTMENT

19 S. Dogwood Trail
Southern Shores, NC 27949

Dave Bakken, Chief

Jim Morrison, Chairman

MONTHLY REPORT TO TOWN -FIRE CALLS FOR 2002-03

CALLS ANSWERED	MARCH	FY2002-03
STRUCTURE 111	8	65
PROP O/S STRUCTURE 112	0	1
VEHICLE FIRE 131	1	4
BRUSH FIRE 142	0	7
EMS 311	18	178
RESCUE 300	0	5
VEHICLE ACCIDENT 322	0	11
SERVICE CALL 500	0	3
GOOD INTENT 600	2	9
FALSE MALFUNTION 735	0	6
FALSE UNINTENTIONAL 740	4	44
HAZARDOUS CONDITION 400	2	13
OTHER 900	0	2
TOTAL CALLS	35	348
MUTUAL AID GIVEN	6	87
MUTUAL AID RECEIVED	10	42
CASUALTIES	0	0
PROPERTY LOSS \$	2500	3000
VOLUNTEER HOURS	1887	10485

TOSS
JULY 2002-JUNE 2003

TYPE CALL	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
STRUCTURE 111	8	15	12	3	2	5	4	8	8				65
PROPERTY STRUCTURE 112	0	0	0	0	0	0	0	0	0				0
VEHICLE FIRE 131	0	0	0	2	1	0	0	0	0				4
BUSH FIRE 142	5	1	1	0	0	0	0	0	0				7
OUTSIDE FIRE 152	0	0	0	0	1	0	0	0	0				1
RESCUE 300	0	4	0	0	1	0	0	0	0				5
RESCUE EMS 311	32	24	31	23	10	20	12	8	18				178
VEHICLE ACCIDENT 322	1	2	3	0	1	2	1	1	0				11
HAZARDOUS CONDITION 400	0	0	1	1	2	2	0	2	2				10
PROPERTY TECHNICIAN 480	0	0	0	0	0	0	0	0	0				0
SERVICE CALL 500	1	0	2	0	0	0	0	0	0				3
GOOD INTENT 600	2	4	0	0	0	0	1	0	0				7
FALSE MALFUNCTION 735	0	0	4	1	1	0	0	0	0				6
CC-ALARM 736	0	0	0	1	0	1	0	1	2				5
FALSE UNINTENTIONAL 740	9	8	2	5	4	7	2	7	4				48
OTHER 99	1	0	0	1	0	0	0	0	0				2
MONTHLY TOTAL	59	58	56	37	23	37	20	23	35				348
MUTUAL AID GIVEN	18	14	15	5	3	10	6	10	10				91
MUTUAL AID RECEIVED	12	26	6	8	8	6	2	4	5				77
CASUALTIES	0	0	0	0	0	0	0	0	0				0
\$ PROPERTY LOSS	0	500	0	0	0	500	0	0	2500				3000
VC-LUNTEER HOURS	1211	1199	1398	1119	1086	1008	635	942	1887				10485
FIRE CALLS	627	572	445	316	222	296	152	294	386				3311
TRAINING	259	280	561	483	418	268	225	279	1172				3945
PROJECTS	325	347	392	320	446	444	257	369	329				3229
TOTAL	1211	1199	1398	1119	1086	1008	635	942	1887				10485



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Resolution 03-04-031

RESOLUTION SUPPORT FOR FUNDING FOR UNC COASTAL STUDIES INSTITUTE

WHEREAS, the University of North Carolina Board of Governors has approved the establishment of the UNC Coastal Studies Institute to be located in Dare County; and

WHEREAS, the Coastal Studies Institute will provide the opportunity for world-class research in areas of environmental and marine science that are of great importance to Dare County, Northeastern North Carolina, and our state as a whole; and

WHEREAS, the Dare County Board of Commissioners has long supported the establishment of the Coastal Studies Institute, and formed the Higher Education Task Force to ensure local community input into the University's planning process; and

WHEREAS, Dare County has made available county office space and property for temporary use by the University during the initial start-up phase of the project; and

WHEREAS, state funding is critical to the continued development of the Coastal Studies Institute, and is needed during the coming fiscal year in order to ensure that the Institute is developed to its full potential for the benefit of the citizens of Dare County and the State of North Carolina.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Southern Shores urges the General Assembly to appropriate expansion funding of \$450,000 and \$650,000 for the UNC Coastal Studies Institute as requested by the University of North Carolina Board of Governors for fiscal year 2003-05 for continued planning and development of the Coastal Studies Institute, and further urges the General Assembly to restore the cut taken to the UNC President's Strategic Initiative Reserve so that planning and support for the Coastal Studies Institute may continue.

THIS RESOLUTION is adopted this 22nd day of April 2003.

ATTESTED


Carrie Gordin
Carrie Gordin, Town Clerk

Paul Sutherland
Paul E. Sutherland, Mayor



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Proclamation # 03-04-030

PROCLAMATION

52ND Annual National Day of Prayer

WHEREAS, Civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

WHEREAS, The Declaration of Independence, our first statement as Americans of national purpose and identity, made "the Laws of Nature and Nature's God" the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

WHEREAS, the Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the U.S. Congress themselves begin each day with prayer; and

WHEREAS, in 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

WHEREAS, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

WHEREAS, It is fitting and proper to give thanks to God by observing a day of prayer in the Town of Southern Shores when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our State and nation; and

WHEREAS, this year marks the 52nd Annual National Day of prayer with this year's theme, "Righteousness Exalts a Nation" ...but sin is a disgrace to any people";

NOW, THEREFORE, I, Paul Sutherland, mayor of the Town of Southern Shores, North Carolina do hereby proclaim Thursday, May 1, 2003, to be designated as A Day of Prayer in Southern Shores and encourage our citizens to observe the day in ways appropriate to its importance and significance.

Proclaimed this the 22nd day of April 2003.


Paul Sutherland, Mayor

ATTEST:


Carrie Gordin, Town Clerk



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Proclamation # 03-04-029

PROCLAMATION

NATIONAL SAFE BOATING

WHEREAS, on average, 700 people die each year in boating-related accidents in the U.S.; nearly 70% of these are fatalities caused by drowning; and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgement and not by the boat, equipment, or environmental factors; and

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

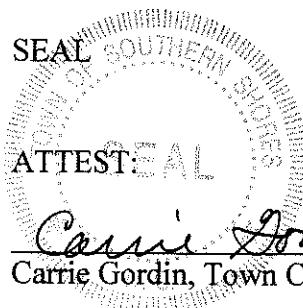
WHEREAS, modern life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today's boating public.

THEREFORE, The Town Council of the Town of Southern Shores do hereby support the goals of the North American Safe Boating Campaign and proclaim May 17-23, 2003 as National Safe Boating Week and the start of the year-round effort to promote safe boating.

We therefore urge all of those who boat to **"Boat Smart. Boat Safe. Wear It."** and practice safe boating habits.

Sworn to and subscribed before me this the 22nd day of April 2003.

SEAL

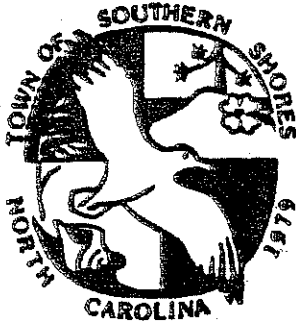


ATTEST: SEAL

Carrie Gordin
Carrie Gordin, Town Clerk

Paul Sutherland

Paul Sutherland, Mayor



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Proclamation # 03-31-028

CHILD ABUSE PREVENTION MONTH 2003 PROCLAMATION

WHEREAS, child abuse is a community problem and finding solutions depends on involvement among people throughout the community; and

WHEREAS, approximately 3 million children are reported as abused and neglected in this country each year; and

WHEREAS, more than 100,000 million children are reported as abused and neglected in North Carolina each year; and

WHEREAS, 24 children were victims of child abuse homicide in North Carolina during the year 2001; and

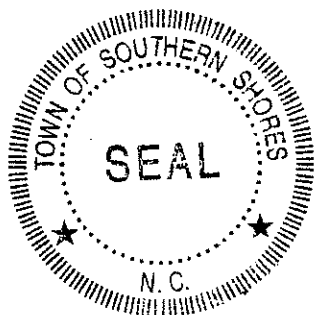
WHEREAS, 128 children were victims of child abuse in Dare County this past fiscal year; and

WHEREAS, the effects of child abuse are felt by whole communities, and need to be addressed by the entire community; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS, all citizens should become more aware of the negative effects of child abuse and its prevention within the community, and become involved in supporting parents to raise their children in a safe, nurturing environment:

I, do hereby proclaim April as child abuse prevention month and call upon all citizens, community agencies, religious organization, medical facilities, and businesses to increase their participation in our efforts to prevent child abuse, thereby strengthening the communities in which we live.



This 31st day of March 2003


Paul Sutherland, Mayor



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RESOLUTION #03-04-027

**RESOLUTION SUPPORTING OUR PRESIDENT AS
COMMANDER IN CHIEF AND OUR ARMED FORCES
PROSECUTING THE WAR OF LIBERATION IN IRAQ**

WHEREAS, our nation is presently pursuing a war of liberation in Iraq against a despotic regime, and

WHEREAS, our Armed Forces and other United States governmental units are actively engaged with other coalition forces in pressing forward with the war, and

WHEREAS, the Town Council of the town of Southern Shores fully and enthusiastically supports our Commander in Chief and especially the members of the Armed Forces and all other representatives of the United States actively engaged in the prosecution of the war in Iraq, and

WHEREAS, our prayers are with all of them for their safe return.

THEREFORE BE IT RESOLVED that the town of Southern Shores Town Council wishes to officially proclaim support for our President and all coalition forces actively engaged in the conflict in Iraq and the allied war against terrorism.

Adopted this 1st day of April 2003.



ATTEST:


Carrie Gordin, Town Clerk


Paul Sutherland, Mayor

CERTIFICATION OF MUNICIPAL ORDINANCE DECLARING SPEED LIMIT MODIFICATIONS AND REQUEST FOR CONCURRING ORDINANCE BY DEPARTMENT OF TRANSPORTATION:

I, Carrie Gordin, Clerk of the Town of Southern Shores (City) (Town)

, do hereby certify that the Town Council (Governing Body)

of the Town (City) (Town) duly enacted on the 1st day of

April, 20 03 an ordinance based upon engineering and

traffic investigation pursuant to authority granted by G.S. 20-141(f)

declaring the following speed limit modifications as set forth below on

the following described portion of a State Highway System Street:

Declare the Following Speed Limit

<u>Speed Limit</u>	<u>Ordinance Number</u>	<u>Description</u>
<u>45</u>	<u>270200120</u>	<u>NC 12, from a point 0.30 mile north of</u>
		<u>SR 1493 northward to the northern corporate</u>
		<u>limits of Southern Shores, a point 3.90</u>
		<u>miles north of SR 1493.</u>

Rescind the Following Speed Limit

<u>Speed Limit</u>	<u>Ordinance Number</u>	<u>Description</u>
<u>45</u>	<u>270200119</u>	<u>NC 12, from a point 0.40 mile north of</u>
		<u>SR 1493, northward to the northern corporate</u>
		<u>limits of Southern Shores, a point 3.50</u>
		<u>mile north of SR 1493.</u>



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Ordinance #03-04-026

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF SOUTHERN SHORES

BE IT ORDAINED, by the Town Council of the Town of Southern Shores, North Carolina, that the Zoning Ordinance be amended as follows:

PART I. Article VII. Schedule of District Regulations, Section 7.04 R-1 Low Density Residential District, C. 6. Conditional Uses Permitted to be amended to read:

6. Telecommunication Array and Accessory Equipment on publicly owned water towers, with the approval of the public entity which owns the water tower and in accordance with Section 7.10, subsection C, paragraph 7 b and c.

PART II. All ordinances or parts of ordinances in conflict with ordinance are hereby repealed.

PART III. This ordinance shall be in full force and effect from and after the 1st day of April 2003.



Mayor

ATTEST:



Town Clerk

Date: 4/1/03

Vote: 5 Aye 0 Nay

Approved as to form:



Town Attorney



Children & Youth Partnership
for Dare County

Mayor Paul Sutherland
Southern Shores Town Council
98 Poteskeet Trail
Southern Shores, NC 27949

March 26, 2003

Dear Mayor Sutherland:

Children & Youth Partnership for Dare County is promoting *April Is Child Abuse Prevention Month* in Dare County. We are enclosing a proclamation declaring April as Child Abuse Prevention Month and would ask you to consider this declaration at your April council meeting as a means of enhancing awareness for this worthy cause.

Advocates all across the country are making coordinated efforts to educate their communities in unison. Too many children are being abused daily. Three million children are reported as abused and neglected in this country each year and approximately one million of these reports were confirmed. During the past fiscal year, 107,218 children were reported as abused in North Carolina; 32,883 of these children were confirmed as victims. In our state, 24 children died from abuse during the 2001 calendar year. 45% of these children were six years old or younger, 34% were between the ages of 7 and 12 years, and 21% were 13 years old or more.

In Dare County, during the 2001-2002 fiscal year, 283 children were reported as abused, 128 of these children were confirmed as victims. It is important to note that this is an unduplicated count. Some of these children have been reported as abused on more than one occasion. The majority of child abuse cases in Dare County involve neglect or sexual abuse. Substance abuse is a significant factor in child abuse incidents in Dare County.

The physical and emotional abuse of children yields harmful consequences for society: a growing body of evidence links child abuse and neglect with drug and alcohol abuse, teen pregnancy, youth violence, and chronic health problems. It is therefore critical to focus on preventing child abuse and neglect before it starts. That is what April's observance of Child Abuse Prevention Month is all about. Placing an emphasis on positive parenting is an important component to the prevention of child abuse. It is essential that our community supports parents and families.

Thanks to Bank of America's grant of \$33,076 to Children & Youth Partnership, Dare County's young children and families will soon benefit from the Parents as Teachers, Born to Learn™ program (PAT). This award winning, free, and voluntary home-visiting program will serve 50 families with children from birth to three. Three PAT trained and certified parent educators will meet regularly with families to explore questions and concerns about child development and offer practical tips on parent-child interactions that promote learning and strengthen relationships. Children whose families participate in a home visiting program have a decreased risk of being victims of child abuse.

We hope you find the attached packet and brochures informative and helpful in furthering your commitment to this crucial issue.

Respectfully,

Linda Ward
Family Services Coordinator



252-441-0614 • 252-441-3580 (fax)

2224 S. Croatan Highway, #12 • Nags Head, NC 27959

INTERLOCAL SHARED USE AGREEMENT BETWEEN
THE TOWNS OF NAGS HEAD, MANTEO, KILL DEVIL HILLS,
SOUTHERN SHORES AND KITTY HAWK, AND THE
COUNTY OF DARE REGARDING THE
GOVERNMENT CABLE TELEVISION ACCESS CHANNEL

THIS INTERLOCAL AGREEMENT is made and entered into by The Towns of Nags Head, Manteo, Kill Devil Hills, **Southern Shores, and Kitty Hawk**, North Carolina Municipal Corporations, (the "Municipalities") and The County of Dare (the "County") by and through their Boards of Commissioners effective the 1st day of April, 2003 pursuant to Article 20, Part 1 of Chapter 160A of the North Carolina General Statutes:

W I T N E S S E T H:

THAT WHEREAS, the Towns of Nags Head, Manteo, and Kill Devil Hills heretofore by a document entitled "Agreement For Shared Use of Government Access Channel Provided by Falcon Cable TV" (the "Agreement") which became effective April 5, 1995 upon its approval by the Towns of Nags Head, Manteo, and Kill Devil Hills;

thereafter in or about April 1997 the County became a participating community upon its request of January 1997 which was approved by the Towns of Nags Head, Manteo, and Kill Devil Hills;

thereafter in or about March 2002 the Town of Southern Shores became a participating community upon its request of February 2002 which was approved by the Towns of Nags Head, Manteo, Kill Devil Hills and the County; and

thereafter in or about October 2002 the Town of Kitty Hawk became a participating community upon its request of August 2002 which was approved by the Towns of Nags Head, Manteo, Kill Devil Hills, Southern Shores and the County.

AND WHEREAS, Municipalities and County have operated and utilized the Government Access Cable TV Channel ("Channel") pursuant to the Agreement and have recognized the need to more particularly set out the rights, duties, obligations and responsibilities of the participating governmental entities, to update the procedures used to allocate usage of the Channel, and define the operations of the Operations Committee (the "Committee");

NOW THEREFORE, Municipalities and County in consideration of the mutual rights, duties, obligations and responsibilities hereinafter set out each agree with the others as follows:

Section 1. Rights of Participating Communities.

Each Participating Community shall be entitled to equal participation in the operation and use of the Government Channel. Each Participating Community shall appoint one member (the "Member") to act as its representative of the governing board, which shall be named The

expenses and obligations shall be shared equally by the Participating Communities shall be administered in accordance with North Carolina law and in accordance with rules established by the Committee in accordance with this shared use agreement but in no event shall any participating community have any financial obligation of any kind without its expressed consent.

- (c) The Committee shall adopt a Standard Operating Procedure (SOP), which will confirm and comply with this agreement and set out guidelines for the channel's day-to-day operations.
- (d) The Committee will maintain complete records in accordance with North Carolina Public Records Law (Chapter 132 of the N.C. General Statutes). Copies of materials in the public file shall be available for reproduction upon request, providing the requesting party pays the cost of reproduction.
- (e) In the event this Shared Use Agreement is terminated, any funds on deposit for operation of the Government Access Channel will revert to the participating communities equally.

Section 4. Definitions and Regulations.

(a) Definitions.

1. Governmental Access Channel (GAC). A channel dedicated by the cable system to present programs of interest to the community on a non-commercial basis.
2. Lottery. Any device, scheme, plan, promotion, contest, or other program and/or presentation which involves directly or indirectly the elements of prize, chance, and consideration or any such device, scheme, plan promotion, contest, or any other program and/or presentation which is, has been, or may be declared a lottery under applicable local, state, or federal law.
3. Obscene or Indecent Material. Any material in a program and/or presentation which would subject the producer or supplier thereof to prosecution under local, state, or federal law for the production or presentation of obscene or indecent material.
4. Governmental Unit. Any body political and corporate under North Carolina law and any agency of the State of North Carolina or Federal Government that is not eligible to become a participating community.
5. Participating Community. Nags Head, Manteo, Kill Devil Hills, **Southern Shores, Kitty Hawk**, and Dare County, subsequent to signing of agreement such other incorporated towns in Dare County.

Excluding, however, usage of the bulletin board and scrolls from the computation of usage of the channel by the participating communities. Except, however, for any government that did not use the Channel during the preceding fiscal year due to suspension or not having been a participating community, the allocation for that government shall be a fraction of the total funding request, with no reduction by the amount of the unexpended and unobligated surplus, in which the numerator is one (1) and the denominator is the number of participating communities anticipated for the new fiscal year.

3. Each of the participating communities shall consider the proposed Channel budget in its budget process. In the event any government indicates its intent to deny, change, amend, reduce, increase or in any way alter the proposed budget, including its prorata share of the funding request, the Committee (consisting of one elected official from each governmental entity) shall attempt to reconcile the budget request with and among the participating governments.
4. Upon completion of attempts to reconcile the budget, the Committee shall submit an amended budget request to each of the participating governments by April 30 of each year. Failure or refusal of any government to adopt and ratify the proposed amended budget request, including the requested contribution of funds, shall result in a suspension of that governments right to utilize the Channel during the fiscal year for which the budget is requested.
5. If any government fails or refuses to adopt the amended budget request, the Committee shall prepare a second amended budget request that reallocates the funding request using the formula in paragraph 2 above among the participating governments that adopted the amended budget request. If any participating government has adopted its own budget prior to the receipt of the seconded amended budget request, that government shall process the request following its usual procedure for budget amendments.
6. A permanently withdrawn government pursuant to Section 9 of the Agreement shall not be entitled to any portion of the unobligated and unexpended funds remaining on deposit in the Government Access Channel account.

Section 6. Content and Indemnification.

(a) Content. The Participating Communities shall have complete responsibility for the content of the programming on the Government Channel. The programming shall comply with all applicable laws, rules and regulations of the FCC. The programming shall not contain any material which is libelous, slanderous, obscene, or otherwise unprotected by the United States Constitution, and will not, when transmitted by Charter Communications and its successors and assigns, subject Charter Communications and its successors and assigns to any liability of any kind or violate any legal requirement, or infringe upon or give rise to any adverse claim with respect to any right of any person or entity.

by the participating Communities, programming from other Government Agencies and the amounts of time to be allotted to each. The Committee shall be responsible for ensuring the maximum use of the Government Channel for its intended purposes and shall have the authority to make rules allowing unused time allotted to a Participating Community to be used for other appropriate purposes.

Section 9. Addition and Withdrawal of Participating Communities.

Other Dare County incorporated towns served by Charter Communications and its successors and assigns shall be permitted to become participants in this shared use agreement on such terms and conditions as negotiated by the participating communities, with the requesting party and the terms of this agreement. At any time, any Participating Community may withdraw and shall be relieved of any further obligations under this agreement; provided however that a withdrawing Participating Community shall remain obligated in all respects for the period of its participation prior to the effective date of withdrawal. The withdrawing community shall have no rights or interest in the Government Channel or its assets.

Section 10. Amendments, Modifications and Notices.

This agreement may be amended, modified or terminated at any time by agreement of all the parties in writing. Further, any party may withdraw from this agreement by the giving of a ninety (90) day notice, in writing, by the terminating party and addressed to the non-withdrawing parties. Said notice shall designate the effective date of withdrawal.

Section 11. Effective Date.

This agreement shall become effective on the latest date that all parties hereto ratify this agreement by a resolution of the governing board of each and the resolution is spread upon the minutes of each of said boards. Upon ratification this agreement shall continue and be effective for ten (10) calendar years, expiring on the last day of the one hundred twenty first (121st) month following ratification unless extended by written agreement of the then participating governments.

IN TESTIMONY WHEREOF The Municipalities have caused this instrument to be executed in their names and behalf by their Mayors, attested by their Clerks, and their corporate seal affixed hereto, all as the acts and deeds of the Municipalities pursuant to a resolution of their Boards of Commissioners adopted at duly assembled meetings thereof as indicated below, and The County of Dare has caused this instrument to be executed in its name and behalf by its Chairman, attested by the Clerk to the Board and its seal affixed hereto, all as the act and deed of its Board of Commissioners, pursuant to a resolution adopted as indicated below, all effective the day and year of the latest ratification by a party hereto.

Adopted by the Board of Commissioners of the County of Dare, North Carolina this the _____ day of _____, 2003.

County of Dare, North Carolina

(Corporate Seal)

By: _____
Warren Judge, Chairman

Attest:

Fran Harris, Clerk to the Board

Adopted by the Board of Commissioners of the Town of Southern Shores, North Carolina this the 1st day of April, 2003.

Town of Southern Shores, North Carolina

(Corporate Seal)

By: Paul Sutherland
Paul Sutherland, Mayor

Attest:

Carrie Gordin
Carrie Gordin, Town Clerk

Adopted by the Board of Commissioners of the Town of Kitty Hawk, North Carolina this the _____ day of _____, 2003.

Town of Kitty Hawk, North Carolina

(Corporate Seal)

By: _____
Bill Harris, Mayor

Attest:

Lynn Morris, Town Clerk



P.O. Box 517 • Buxton, NC 27920
Buxton: (252) 995-4441
Waves: (252) 987-2744
Fax (Buxton): (252) 995-4700

February 6, 2003


Mayor Paul Sutherland
Southern Shores Town Hall
6 Skyline Rd.
Kitty Hawk, NC 27949-3600

Mayor Sutherland,

The directors of the Outer Banks Community Development Corporation (OBCDC) extend a cordial invitation for you to appoint a member of your board to a committee within our organization. As you are aware, we are a newly formed corporation dedicated to providing reasonable housing for low and moderate income citizens in Dare County. The knowledge and experience your appointee has within their community would make them an invaluable member of the OBCDC.

Meetings are the third Friday of every month at the Chamber of Commerce building in Kill Devil Hills at 8:30 am. Affordable housing in Dare County is rapidly becoming obsolete unless we, as a community, work together to address this immediate need. We hope you will join us in our efforts. Please feel free to contact me with your recommendation at 995-4441 ext. 224 and I will provide additional information at that time. Thank you for your time and consideration.

Sincerely,



Todd Merriss
Vice Chairman, OBCDC