



**TOWN OF SOUTHERN SHORES**  
**TOWN COUNCIL REGULAR MEETING**

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

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

www.southernshores-nc.gov

**PITTS CENTER**

**Tuesday, April 04, 2023, at 5:30 PM**

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**MINUTES**

1 **Call Meeting to Order**

2 Pledge of Allegiance

3 Moment of Silence

4

5 **PRESENT**

6 Mayor Elizabeth Morey

7 Council Member Paula Sherlock

8 Council Member Mark Batenic

9

10 **ABSENT**

11 Mayor pro tem Neal

12 Council Member Sherlock

13

14 **Amendments to / Approval of Agenda**

15 **Motion** made by Council Member Batenic to approve the agenda as presented, Seconded by Council  
16 Member Sherlock. The motion passed unanimously.

17 Voting Yea: Mayor Morey, Council Member Sherlock, Council Member Batenic

18

19 **Consent Agenda**

20 **Motion** made by Council Member Sherlock to approve the consent agenda, Seconded by Council  
21 Member Batenic. The motion passed unanimously.

22 Voting Yea: Mayor Morey, Council Member Sherlock, Council Member Batenic

23

24 1. Minute Approval-workshop 3/31

25 2. Budget Amendment #25-Cost of surveying for walkway on NC 12 from Ocean Blvd. to East  
26 Dogwood Trail

27 3. Resolution 2023.04.01-Sale of Police K9

28

29 **Staff Reports**

30 Deputy Town Manager/Planning Director Wes Haskett provided the permit report for the month of  
31 March. He also provided a Land Use Plan update and a report on the Planning Board.

- 32 • Land Use Plan Update

33 -The consultant is almost finished drafting the updated plan. Once complete, Town Staff will review it  
34 and provide comments and they will revise it accordingly. Then the draft plan will be posted on the  
35 Town website for public review. A public input meeting to gather feedback on the draft plan will be  
36 held here in the Pitts Center on April 26th from 5:00 p.m. to 7:00 p.m.

- 37 • Planning Board

38 - The Town Planning Board will hold its regular meeting on April 17th at 5:00 p.m. here in the Pitts  
39 Center. The purpose of the meeting is for the Board to consider ZTA-23-03, a Zoning Text Amendment  
40 application submitted by the Town to amend the current lot width requirements in Town Code  
41 Sections 36-57, 36-202, 36-203, 36-204, 36-205, and 36-206. The Board may also continue discussion of  
42 potential commercial design standards and additional requirements for accessory structures that  
43 contain living space.

44  
45 Police Chief David Kole presented the Police Department report for March. He also distributed a copy  
46 of his department's annual report. A copy of which is available at the town hall and on Police  
47 Department's website.

48  
49 Fire Chief Ed Limbacher presented the Fire Department monthly report for March.  
50 Mayor Morey and Council Member Batenic provided positive feedback for the Fire Department  
51 Community Letter that went out in the newsletter and on social media informing residents of the cost  
52 benefits they receive by having a volunteer fire department.

53  
54 Town Manager Cliff Ogburn provided an update to the following operational highlights:

- 55 • Public Works building improvements – improvements are underway to the Public Works  
56 building providing a new bathroom and break area, and the 90-day projects should be  
57 completed at the end of May.
- 58 • Update on Street Paving-bids have gone out for mill and fill for several streets in town. The bid  
59 opening is April 18<sup>th</sup> but most likely will have to be readvertised, as normally only 1-2 bids are  
60 received. The completion date for the street projects is October 13<sup>th</sup>.
- 61 • Update on Trinitie Culvert Bridge-some subsurface investigation work was done last week. One  
62 lane is expected to be closed in the next two days as some geotechnical services are being  
63 performed. An update from the Coast Guard should be received in the next 2-3 weeks in  
64 reference to the lowering of the height of the bridge.
- 65 • Update on Sidewalks-The sidewalk project at Chicahauk is being delayed until a new  
66 construction house project in the area is completed. Triangle Park to East Dogwood sidewalk  
67 project bids and construction should start just after the summer.
- 68 • Earth Day Activities-50th anniversary of Earth Day globally. The SSCA, CPOA with support from  
69 the Town are hosting an Earth Week event April 15-22, 2023.
- 70 • Beach Nourishment-Weeks Marine placed the subline yesterday and are mobilizing. It is about  
71 a thirty-day project in Duck and then they will head back down to Southern Shores to complete  
72 our project.
- 73 • The Manager's Recommended Budget will be presented May 2<sup>nd</sup>. The council may want to hold  
74 a budget workshop prior to that meeting.

75  
76 Mayor Morey asked if budget discussions could be on May 2<sup>nd</sup>, she noted that Council has had  
77 significant budget discussions since the beginning of the year? Town Manager Ogburn stated that  
78 could be incorporated into the regular meeting agenda.

79 Town Attorney-no report

80

81 **General Public Comment**

82 Ms. Palmer-3 Foxwood Circle-expressed concern for the lack of voting for the zoning text  
83 amendment in her neighborhood. The 15-foot setback is very Kill devil Hills where the 50 ft. setback is  
84 more in line with Southern Shores.

85 Dianne Hendrix-2 Foxwood Circle-concerned that Council did not vote at the last meeting to keep  
86 the 50-foot setback and would like council to still consider the matter.

87 Stephanie Huband-110 Landing Trail-disappointed the zoning text amendment was not voted on at  
88 the prior meeting but trusts that Council will do everything in their power to protect their residential  
89 use community with the fifty-foot setback that all other residential uses are afforded.

90 Lorelei Dibernardo-32 Ninth Ave-representing the League of Women Voters and distribution of the  
91 2023 Citizens Guide.

92 **Old Business**-none

93 **New Business**

94 4. Discussion/Consideration of an Amendment to Sandski, LLC, Ocean Rescue Contract

95 a) Consideration of Amendment to Contract

96 b) Consideration of Budget Amendment #26

97 Town Manager Cliff Ogburn recommended the following:

98 The Town contracts with Surf Rescue, LLC to provide ocean rescue services from May 1 through  
99 October 15 annually. Mirek Dabrowski, who owns Surf Rescue has indicated a challenge he has in  
100 recruiting lifeguards due to the wage increases offered by competing town and the National Park  
101 Service. The following is a breakdown of total hours.

- 102 • training May 15 - 31 2,184 hours
- 103 • shared supervisor May 1 - Oct 15 845 hours
- 104 • 2 guards / 2 atvs May 20 - Sep 10 4560 hours
- 105 • 2 guards June 10 - Aug 13, 1300, hours
- 106 • 2 atvs Sep 2 - Oct 15 880 hours
- 107 • \$3/hr increase 9748 **\$29,245**

108 Surf Rescue is requesting a \$29,245 annual increase be added to the remaining years on the contract.  
109 This would amount to a \$9,749 increase to cover the remaining months of this fiscal year and the full  
110 amount for the remaining three years.

- 111 • FY 2021/2022 \$176,000
- 112 • FY 2022/2023 \$184,000 + \$9,749 = \$193,749
- 113 • FY 2023/2024 \$192,000 + \$29,245 = \$221,245
- 114 • FY 2024/2025 \$200,000 + \$29,245 = \$229,245
- 115 • FY 2025/2026 \$208,000 + \$29,245 = \$237,245

116

117 Council Member Sherlock stated she does not have a problem with the raise, and it is probably needed  
118 but she did want to note that Southern Shores did have one notable incident last year and Southern  
119 Shores needs better access to the jet ski. Town Manager Cliff Ogburn stated there will be a jet ski  
120 permanently assigned to the beaches in Southern Shores.

121 **Motion** made by Council Member Batenic to approve budget amendment #26 in the amount of  
122 \$29,245 and addendum to the ocean rescue service contract, Seconded by Council Member Sherlock.

123 The motion passed unanimously.  
124 Voting Yea: Mayor Morey, Council Member Sherlock, Council Member Batenic  
125

126 **General Public Comment -none**

127 **Council Business**

128 Council Member Sherlock acknowledged a new business in Southern Shores named Sojourn that  
129 opened just next to Steamers Restaurant. She wanted to welcome this boutique to the Southern  
130 Shores community.

131

132 **Closed Session**-pursuant to N.C.G.S. § 143-318.11(a)(5)

133 **Motion** made by Council Member Batenic to enter closed session pursuant to N.C.G.S. § 143-  
134 318.11(a)(5), Seconded by Council Member Sherlock. the motion passed unanimously.  
135 Voting Yea: Mayor Morey, Council Member Sherlock, Council Member Batenic

136

137 Upon returning to open session Mayor Morey made the following announcement.

138 *“The Town of Southern Shores is pleased to announce the purchase of 13 Skyline Road, a property*  
139 *originally owned by Frank Stick which adjoins our own governmental campus here. That property*  
140 *now contains the Outer Banks Community Foundation office which has been located there since*  
141 *2007. We have the executive director of the Community Foundation with us this evening, Chris*  
142 *Sawin, and he's going to say a few words here in a minute but we're very excited about this. We're*  
143 *also grateful to be a part of an effort to fulfill the wishes of the donors who originally gifted the*  
144 *home to the foundation and want to participate in maintaining its non-profit use and ownership.*  
145 *The Town of Southern Shores established a Landmark Commission in 2016 where we are in the*  
146 *business of promoting the preservation of our own our very own flat tops here in the Town of*  
147 *Southern Shores and we're just excited to be a part of maintaining this historic flat top and honor*  
148 *the legacy of our Town founder Frank Stick. We hope to get some Community input about future*  
149 *possible uses for this property but one idea that we have talked about is a temporary housing*  
150 *option while a new police officer might seek a permanent home here in the town, so lots of*  
151 *opportunities and we're very excited.”*

152

153 Chris Sawin on behalf of the Community Foundation spoke.

154 *“I am very grateful that we were able to work with the Town of Southern Shores for the next*  
155 *chapter of this historic building and particularly grateful to the mayor and town manager Cliff*  
156 *Ogburn for helping us navigate this path. For us, it has been an amazing 15 plus years as residents*  
157 *of Southern Shores. Personally, for me it's been nice to come back here, my best friend from Kitty*  
158 *Hawk Elementary School lived on 11<sup>th</sup> avenue and I practically lived in Southern Shores growing up,*  
159 *so it's been wonderful to be working here since I started there, you have been great partners*  
160 *throughout. The next chapter of this is in your hands but I can tell you that so much good has*  
161 *happened from us being the stewards of this building for the last 15 plus years. The Community*  
162 *Foundation has gone through an exciting period of growth, and this has been the center for it, and*  
163 *we've been just thrilled to work with the folks that are behind the flat top tour, the overall flat top*  
164 *architectural movement and I'm so pleased that Southern Shores is going to be the new stewards*  
165 *of the building. I do want to also mention that our involvement with this historic building doesn't*

166 *end with the sale of the building to the town of Southern Shores. In 2009 our board of directors*  
167 *established the flat top preservation fund, which is an endowment that still exists and will exist in*  
168 *perpetuity for the maintenance and preservation of this building. Our hearts are always going to be*  
169 *here, we are going to relocate our offices to Roanoke Island but so many of our donors and so*  
170 *many of the people we've helped are in Southern Shores. The endowment fund is available for the*  
171 *town to have some additional support in maintaining the building, I'm hoping is a way that we can*  
172 *continue to be partners. Thank you very much, thank you to the citizens of Southern Shores for*  
173 *being wonderful neighbors and I couldn't be more pleased."*

174

175 **Motion** to approve a contract for the purchase of 13 Skyline Rd. for \$400,000 and authorize the Town  
176 Manager to execute the contract on behalf of the town, Seconded by Council Member Batenic. The  
177 motion passed unanimously. Voting Yea: Mayor Morey, Council Member Sherlock, Council Member  
178 Batenic

179

180 **Motion** made by Council Member Batenic to approve budget amendment #27 in the amount of  
181 \$400,000, Seconded by Council Member Sherlock. The motion passed unanimously. Voting Yea: Mayor  
182 Morey, Council Member Sherlock, Council Member Batenic

183

#### 184 **Announcements**

185 Mayor Morey stated a mid-month meeting has not been confirmed yet.

186 Council Member Batenic stated the Government Access Channel Director is looking for any safety,  
187 documentaries, or good community ideas that can be promoted.

188

189 Council Member Sherlock stated she was skeptical about purchasing the property on Skyline until she  
190 toured it and saw what a magnificent opportunity it was to be able to preserve a flattop and have one  
191 that connects to the town hall complex. She is hopeful to hear from citizens on their ideas for use of  
192 the flattop and that the Gov-ed Channel takes the opportunity to promote this news. She also  
193 announced the Albemarle Rural Planning Organization will meet on April 19<sup>th</sup>. This is the annual  
194 meeting to set legislative priorities for this group. The Mid Currituck Bridge has been a priority for  
195 many years with this group and doesn't want it to drop off the radar and will continue to push for it.

196 Mayor Morey stated she does not take spending four hundred thousand dollars of the town's money  
197 lightly and needed to be convinced that this was the right thing to do. Ultimately, she felt it was the  
198 right thing to do for the future of the Town. She is extremely happy the town was able to come to an  
199 agreement with the foundation and excited that that we're going to keep that little flat top just like it  
200 is.

201

#### 202 **Adjourn**

203 Hearing no further business Mayor Morey called for a motion to adjourn.

204 **Motion** made by Council Member Sherlock to adjourn the meeting at 6:28 p.m., Seconded by Council  
205 Member Batenic. The motion passed unanimously.

206 Voting Yea: Mayor Morey, Council Member Sherlock, Council Member Batenic

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