

## SOUTHERN SHORES: THE FIRST DECADE, 1946 - 1956

by  
David Stick

### Part 1 - Preface

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At the beach in the peak of the summer almost everybody seemed to want a ride in my car, especially the girls, and I graciously obliged. More often than not, I took my passengers on a drive through parts of the Banks so entirely different from the area they knew as Nags Head Beach that it seemed to be part of another world. My Airflow was low slung and certainly no beach buggy, so I tried to stay away from soft sand, including the deep ruts that led up into the Nags Head Woods. Instead, I took them north from Kitty Hawk through the beautiful forests and meandering trails of the Duck Woods, always ending the trip on the flat soundside beach south of the village of Duck. If it was night, we usually built a bonfire there and ate watermelon by the firelight to the melodic sounds of the wavelets lapping against the sound shore and the crackling of the fire, then reluctantly headed south for the return trip through the Duck Woods. There were no houses on that four mile route, no buildings of any kind, in fact, and certainly nothing to indicate that three decades later I would be transforming that beautiful forest into what today is Dogwood Trail and the soundside area of the Town of Southern Shores.



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## Part 2 - The Naming of Southern Shores

I was in New York in late 1946, not long out of the Marine Corps, and just getting settled into my job as Associate Editor of the American Legion Magazine, when I received a letter from my Dad saying he had signed an option to buy 2,600 acres of land north of Kitty Hawk, four miles of oceanfrontage extending west to Martin's Point Creek and Currituck Sound, for thirty thousand dollars. I was incredulous. At a time when my New York salary as an editor of one of the largest circulation magazines in the country was an even one hundred dollars a week, thirty thousand dollars was an astronomical sum; and to Frank Stick, gradually working himself back to solvency from the deep depression, big money was figured in the hundreds, not in the thousands. What my father lack in money, however, he made up for with extraordinary foresight, plus the conviction that he was capable of doing just about anything he set his mind to.

Dad was so confident, in fact, that he seemed more concerned about what to call his proposed new development than he was about raising the money to buy it. He said he had considered innumerable possible names, and the best he could come up with was Southern Shores. But he admitted that "Southern Shores" didn't really send him, so he wanted suggestions from me. I gave it back to him in blunt language, listing the things I felt were wrong about the name "Southern Shores." A primary objection was that it would be a misnomer, since the development would be located at the extreme north end of the developed beaches on the Outer Banks. Added to that was the fact that he had already been involved with Dare County developments names Virginia Dare Shores, Carolina Shores, Kitty Hawk Shores, and Croatan Sores, and it seemed to me he was in something of a rut. What he needed, I felt, was a more descriptive name, one with oomph and distinction. Admitting that I had not come up with any proposed alternatives just then, I promised to give it considerable thought and get back to him later with suggestions for a better name. I never did, and neither did anybody else, which is how Southern Shores got its name.

### Part 3 - A Slow Start

Dad soon became so immersed in his new development project that I had only infrequent and fragmentary reports on what was going on down at Kitty Hawk. Later I learned that there had been delays and disappointments that would have caused most prudent people to back away, but Dad had been through this same thing before back in the 1920s when there were no Outer Banks roads or bridges and the only vehicular access was a coin-flipping choice between driving the ocean wash from Virginia Beach or trusting your car and your life to a device ludicrously called a ferry which was simply a barge towed by a small motor boat from Powells Point to Kitty Hawk

Virginia Dare Shores was the name Dad and his associates gave to their proposed ocean-to-sound development in what is now what is now the north end of the Town of Kill Devil Hills. The first phase in the development was construction of a large pier extending from shore to deep water in Kitty Hawk Bay at the end of what they named Hayman Boulevard, where small excursion steamers from tidewater Virginia could tie up on holidays and week ends. Attached to the pier out over the water were two large buildings, one containing offices, a kitchen, and a dining room, the other a dance hall. In addition, the company built two concrete block cottages on shore opposite the pier, and my fondest boyhood memories include those of the summer vacation we spent in one of them.

Virginia Dare Shores gained national exposure December 17, 1928, when Orville Wright, Amelia Earhart, and other luminaries were feted at a banquet there following ceremonies at nearby Kill Devil Hill on the twenty-fifth anniversary of the Wright Brothers' first flights. After that, however, it was all down hill. Dad's primary partner, Alan Hueth, died of a heart attack on the self propelled ferry that had replaced the barge on the Kitty Hawk to Point Harbor run, and the Depression wiped out all hopes for any kind of successful real estate development on the isolated Outer Banks. Dad came out of the venture with a single interior block of Virginia Dare Shores property, but even that was lost when he was unable to pay the property taxes and the county foreclosed on him.

Despite memories of his Virginia Dare Shores experience, Dad pressed on with his dream of creating at Southern Shores the finest ocean to sound development on the Atlantic coast. First, however, there was the matter of the thirty thousand dollars, and even that seemed about solved as the result of discussions with General Don Scott, brother of Governor W. Kerr Scott and a close friend of Dad's. The simple arrangement was for Scott to handle the financing while Dad took care of the development part of the project. That's when Walter J. Townsend, the owner of the property, caused all plans to be changed. Sensing that his isolated beach land had become worth more than the thirty thousand dollars, he had agreed to sell it for, Townsend refused to follow through on the agreement.

John B. McMullan, my brother-in-law and Frank Stick's son-in-law, had gained a reputation as one of the most highly qualified attorneys in the Albemarle section of North Carolina by the time Walter J. Townsend reneged on this contract with Dad. It was therefore logical for Dad to turn to his son-in-law when he needed the services of an attorney, and they soon worked out an arrangement by which John would own a one-third interest in the Southern Shores project if he was successful in his suit against Townsend.



In addition, John convinced Dad that his law partner, N. Elton Aydlett and two of Elton's brothers, Journey and Cyrus, should be let in for another third in exchange for putting up the money.

Subsequently, John was successful in the lawsuit, the Aydletts arranged for the necessary money, and in 1947, the Stick, McMullan, and Aydlett partnership was born, with each entity owning a one-third interest in the project. Surprisingly, the plan Dad came up with for the first phase of Southern Shores oceanfrontage was so conventional it could have been confused with any number of other area developments. The essential element in the plan for Section One of Southern Shores was a hard-surfaced road parallel with the ocean and extending north from the state highway for one mile. This was Ocean Boulevard, with the eastern edge of its right of way located an average of at least 350 feet from the meandering high water mark of the ocean. There were eight blocks east of Ocean Boulevard, separated by fifty foot streets, all unpaved, but providing access to the beach; and eight more on the west side. All of the blocks were laid out with lots that were fifty feet wide, even though the covenants provided that they could be sold only in pairs, thus making each building site one hundred feet in width. Dad said he felt this helped sales, his view being that the average person would be more inclined to buy two fifty foot lots than a single one hundred foot lot. This was one of a number of things that we tended to disagree on.

At that time Dad was sixty-two years old, and from the outset he made it clear to his partners and to his family that this was his last business undertaking, and that he was looking forward to a retirement that would enable him to do a lot of traveling while concentrating his work on a resumption of his career as an artist, a career he had abandoned in the early 1920s resolving never again to paint for pay. In order to get Southern Shores started, however, he agreed to take over the initial planning and development activity, with the understanding that he would have nothing to do with sales. Accordingly, John and the Aydletts made an arrangement with an Elizabeth City realty firm to handle the sales on a commission basis. They began operations from a small office Dad built for that purpose on top of the massive sand ridge that runs from one end of Southern Shores to the other less than half a mile from the ocean. Thus the new office had the advantage of facing directly on the state highway leading from the Currituck Sound Bridge to the southbound beach road, while at the same time providing a panoramic view of the oceanfront.

Dad went about his Southern Shores work with great confidence and enthusiasm, looking forward to retirement by the time he reached sixty-five. But it didn't work out that way, for the Elizabeth City realty people produced little to show for their efforts. They did sell a pair of oceanfront lots to a young couple from Washington, D.C. area, Bill and Dorothy Phillips, who soon arranged with Cliff Midgett of Kitty Hawk to build their cottage, thus becoming the first Southern Shores homeowners.

In retrospect, it is not difficult to understand why conventional real estate selling practices were not suited to the new development. For one thing, tourists coming to the beach across the Wright In retrospect it is not difficult to understand why conventional real estate selling practices Memorial Bridge were headed for Nags Head, the established resort, or its offshoots at Kitty Hawk Beach or Kill Devil Hills. For another, it was difficult to find the entrance to Ocean Boulevard even if you were looking for it, since it





connected with the old causeway that ran in a straight shot from the bridge to the ocean, whereas the southbound traffic flow followed a newer curving road that connected the causeway with the beach highway. Finally, if someone in an exploring mood actually drove up to the end of Ocean Boulevard, about all he would find was bare beach with no signs of life.

It soon became obvious to all involved that Dad would have to take over sales as well as everything else if Southern Shores was to prosper. In the process, he resorted to the same sales methods he had employed successfully in the late 1930s while developing what became known as *Millionaire's Row* on the Kill Devil Hills oceanfront. It all began with going out and locating your prospective buyers instead of waiting for them to come to you. Frank Stick was a master at it, able more than once to turn what started out as a casual conversation with a stranger about fishing, or art, or some equally mundane subject, into interest in Dad's dream, and then enthusiasm and confidence, and eventually a major sale. At Southern Shores, however, a lot more was needed, because there was so little to show the prospect, and that's when the artist in Frank Stick came into play. I suppose Dad must have drawn on the same talent in selling real estate that he had employed as a commercial illustrator in the first quarter of the century when more than six hundred of his oil paintings had been published and widely distributed as calendars, magazine covers, and illustrations. There must have been a special, reserved spot in his mind, a sort of mental studio, where he could envision what the final painting would look like long before putting paint to canvas. At Southern Shores in the late 1940s, using words instead of the tools of the artist, he was able to enthrall listeners with his mind pictures of what the community would some day look like.

There was yet another element. This came into play once the prospect, with Dad's help, had picked out a special lot, and the discussion had turned to the kind of cottage that would be uniquely suited to the location and terrain of that particular site. He would then sit down with pencil and paper, and based on what he had learned about the people he was dealing with, he would come up with beautiful sketches of their dream home. Even this was not enough, however, for more often than not the prospects were more concerned with what the final cost of the house would be than they were with what they would have to pay for the lot. Building materials, especially seasoned wood products, were hard to come by in that period of national adjustment just after the end of World War II, and there wasn't a builder on the beach willing to give a contract price on a house. If you wanted something built, it was cost-plus or nothing.

Dad changed all that by offering his prospects a fixed price for the whole shebang: the lot, site preparation, driveway construction, and the house, right down to the screens on the porch. How was he able to do that? Simple! As he had on *Millionaire's Row* in the 1930s, he became a builder. He put together a team of local carpenters, most of whom doubled as masons and painters, and hired Ronald E. Parker of Colington as head carpenter and job superintendent. Then he introduced a completely new cottage style for the Outer Banks, radically different from the old unpainted and shingled Nags Head beach cottages with wrap-around porches, or the more colorful Cape Cod style beach homes at *Millionaire's Row*. What he came up with was flat-top structures of varying sizes and shapes, using concrete blocks as the primary building material. Their low profiles fitted in with the seaside dune landscape instead of dominating it. The flexibility of design made it



possible later to add bedroom wings, family room wings, or garages with varying roof elevations, and in the process adding to instead of detracting from the appearance. Costs could be kept down by leaving the interior side of block walls as they were, with nothing added but a coat of paint; and using native white cedar (juniper) paneling for partitions, often single-wall construction with the studs left exposed on the back side.

With his fixed prices and revolutionary house design, Dad had found the way to realize his Southern Shores dream.



#### Part 4 - Southern Shores in 1948

The necessity for Dad to take over the sales operations at Southern Shores could not have come at a worse time. For several years he and Mother had closed up their oceanfront home in Kill Devil Hills and headed south for the coldest winter months. At first they went only as far as Waverly Mills, in the South Carolina low country. Next, they spent a winter at San Carlos Bay on the lower west coast of Florida. Finally, they settled down at Key West, where they rented a little cottage with the use of a backyard shed as Dad's studio thrown in at no extra cost.

Each winter Dad seemed to become more and more enthusiastic about the resumption of his long dormant career as an artist. While at Waverly Mills he met the noted sculptress Anne Hyatt Huntington, who remembered Frank Stick's early 20<sup>th</sup> century art work and encouraged him to get back to it again. His only serious attempt at sculpture, "Indian on Bucking Horse," as well as a watercolor sketch for a later oil titled "Pintails," were results of this association with Mrs. Huntington, who hung the sketch in the museum at Brookgreen Gardens, which she and her husband were then creating. In 1944, at San Carlos Bay, and still using oil on canvas, the medium with which he had been so successful previously, he did a major painting of three hunting dogs on point, which many considered among his finest works. Finally, at Key West, he began experimenting with the use of a palette knife for small oil paintings of palm trees, then turned to water colors, with which he continued to paint for the rest of his life.\*

Dad was enough of a realist to know that there was no way he could possibly handle the Southern Shores planning, development, lot sales, and house construction all by himself. At Key West in the winter of 1947-1948 he had long conversations with his favorite fishing buddy, Bill Coppage, about the task that confronted him back in North Carolina. Bill Coppage was semi-retired, and it was almost inevitable before the winter ended that the two would make arrangements for Bill to move to North Carolina and become Dad's partner in the venture at Southern Shores.

Meanwhile, having spent the winter trying to write a novel in Jamaica, I returned to the states by way of Florida, with no way of knowing that my life as a vagabond writer would come to an abrupt end less than two weeks later. It all started when Anne Fletcher, the woman with whom I boarded in Montego Bay, kept talking about the young Canadian woman who had spent several years teaching school there before moving to Miami where she was the Director of Health and Physical Education at the Miami YWCA. Anne was so convinced Phyllis Stapells and I would get along that she insisted I look her up when I flew back to Miami. For all of Anne's matchmaking, she could not possibly have thought that on our second date Phyllis and I would be engaged to marry. It was then, with my reserve funds largely depleted and new responsibilities on the horizon, that I agreed to join Dad and Bill Coppage in the Southern Shores activity.

Back at Kitty Hawk that spring, the three of us went to work with gusto. Using the business name "Kitty Hawk Enterprises, we operated in partnership rather than

\* All of the art works mentioned above were donated by the Frank Stick heirs to the State Department of Cultural Resources in 1986, and are permanently housed at the Outer Banks History Center in Manteo.



corporate form, with Dad at the helm and Bill and me as his apprentices. The basic arrangement was for Bill to take over the office management while I assisted Dad in the planning, development, and house construction activities. All of us took turns in the sales end of the business.

As a professional historian, looking back half a century later, I now realize that there was a subtle metamorphosis taking place then on the ancient land we called Southern Shores. This was a natural process quite apart from the man-made changes we were undertaking, and in fact was more the result of what mankind had stopped doing than what was actually being done. For a better understanding, here's a flashback at earlier Southern Shores history:

In 1856, a man named Edmund Ruffin, a distinguished author and editor of works on agronomy and later one of those reputed to have fired the first shot in the Civil War, made an extensive tour of the North Carolina Outer Banks. His wide-ranging observations were published in book form by the North Carolina State Geologist in 1861 under the title Agricultural, Geological and Descriptive Sketches of Lower North Carolina, and the Adjacent Similar Lands.

On the trip down the coast from Virginia, Ruffin finally arrived at a place where he said,

The sandreef is penetrated by Guinguy's creek, running parallel with the ocean-beach and about a mile distant, and which makes a secure and deep harbor for sea vessels. The land between the creek and the sound is a peninsula of the ordinary sand-reef formation and soil. This and the adjacent land reaching to the ocean is owned by Mr. Gallop, who is the cultivator of more surface than all the other proprietors put together, south of Knott's Island. Though his land is of the usual loose blowing sand, it produces crops of 2,000 to 2,500 bushels of corn.

Ruffin had reached what is now Southern Shores and Martin's Point, where he remained for some time as the guest of Mr. Gallop.

Ruffin provided the first known description of the Southern Shores area, with a bit of history thrown in:

The greatest evil and obstruction to profitable cultivation here is the blowing away of the sandy soil, where the surface is exposed to the violent winds, and the spreading or heaping it over other ground. A part of Mr. Gallop's land, which he formerly knew when under good forest growth, since he has cleared and cultivated it, has been blown off to depths varying from two to five feet. This has exposed several considerable mounds of old oyster shells, formerly accumulated near the Indian huts, which were covered and entirely hidden by the soil when the forest was first cleared off.

His writings show Ruffin to have been both observant and inquisitive:

Across the creek from this peninsula, (on which Mr. Gallop resides with a large family), the reef proper is about a mile wide. In crossing it, I was surprised to find at first so good and large forest growth on what was evidently a soil formed originally by the sand blown by the wind. The land is high, and the surface very broken and irregular, so as to be compared in shape to a miniature resemblance of





a mountainous country. The only trees of considerable size were loblolly pines, the only species seen in all this sandy land. . . There were oaks and other trees of smaller size, and healthy growth. I was informed that live-oaks, large enough for ship timber had been formerly cut down here, for that use.

As he walked east through this loblolly forest, crossing his miniature mountains and valleys, Ruffin finally emerged into a different kind of world:

About midway to the present beach the surface changes suddenly to the more recent and naked soil, forming still higher hills, though not the highest of all the reef. These hills are of loose sand, generally fine, but in some parts coarse, and with still larger fragments of shells, brought to such high elevations as to indicate prodigious power of the winds that brought them to such heights. There is rarely seen so much of vegetable growth as a stunted weed on this sand, and in one lower basin only enough of vegetation lives to show a slight tint of green. But formerly this present waste was covered by a forest, in part of cedars, and many of them of large sizes, of which the dead remains are still standing or lying over the surface. The trees must have been killed by being covered by new accumulations of sand, which in later time was blown farther inland, and so again left exposed such trees as remained rotted during the long interval since they were buried.

Ruffin's mention of the remnants of dead cedars that had been covered over by the migratory sand hills and then uncovered by the wind at a later time could well have been those described by the explorers sent to the Outer Banks by Sir Walter Raleigh in 1584, who found here what they described as "The highest and reddest Cedars of the world." \* There can be only speculation as to when those massive cedar trees were covered by the sand blown from the beach, but it had to be at a time when there was so little vegetative covering on the open beach that the windblown sand was unimpeded until it reached the eastern edge of the forest. That, in turn, could have been as late as the colonial period when much of the Outer Banks became an open range for livestock, and the majestic live oaks were being cut down and shipped away for use in ship construction.

By the early part of this century, large areas of ocean beach on the North Banks had been so denuded by the overgrazing of the livestock and destruction of forest growth that, for example, only an occasional blade of grass disturbs the view of the landscape north of Kill Devil Hill in the numerous photographs taken by and of the Wright Brothers between 1900 and 1903. That's the way it remained until the mid 1930s when the North Carolina General Assembly passed legislation, proposed and promoted by Frank Stick, to do away with the use of large areas of the Outer Banks land as open range.

Gradually, after the cattle, horses, sheep and hogs had been removed, the vegetative process resumed. Isolated clumps of native beach grass began to appear first;

\*The map titled "The Arrival of the Englishmen in America," published in London in Thomas Hariot's *A Brief and True Report of the New Found Land of Virginia* shows a small boatload of Sir Walter's explorers approaching Roanoke Island from an inlet through the Outer Banks named "Trinity Harbor," approximately where Southern Shores is located.



then came little sprigs of bushes later to become yaupon or wax myrtle, and finally, interspersed throughout the bald beach were tiny seedlings, grown high enough by 1948 to be identified as members of the red cedar, live oak, holly, and dogwood families. These were among the very same species that had flourished there centuries earlier, leading to the unanswered question of whether the seeds of those specific bushes and trees had remained buried in a dormant state for all that time, somehow emerging not only alive but healthy enough to sire a reborn forest, or whether new kernels of life had been deposited more recently on the coast by birds, or by the action of the wind or the sea, or both.

Southern Shores, in 1948, was strictly an oceanfront community. The old soundside road to Duck was still in use, and most of the interior part of the property bought from Townsend was forest, traversed by heavily wooded sand ridges running north to south. But the development plan for Southern Shores was limited to the ocean beach between the sea and the sand ridge. There was no market for soundfront, bayfront, or interior lots on the Outer Banks in 1948.



### Part 5 - Kitty Hawk Enterprises

It was not long before Dad's decision to take over all phases of the Southern Shores development, and to bring Bill Coppage and me into the fold, began to pay off. The sale of lots picked up dramatically. So did house construction, and soon Kitty Hawk Enterprises had reached the point where we were preparing plans for the dream home of a purchaser one day, even as we were getting started on construction of another, and putting the finishing touches on a third. Out on the job site, I was beginning to get the feel of the intricacies of construction, and of how much difference little details made in the finished product. We were using sand off the beach to make mortar for laying block, for example, and it couldn't just be any sand. It had to be sharp, not rounded, if you were to come up with a bond that would last. Back in the office, watching Dad as he strained his eyes to draw detailed plans, I offered to help and wound up taking an on-the-job course in draftsmanship. It all seemed to have paid off when I managed to sell a pair of lots to a couple from Williamsburg, Francis and Germaine Haserot, then, with Dad's help, designed a large cottage for them and supervised the construction of the building.

Though Kitty Hawk Enterprises was engaged primarily in lot sales and house construction, both Bill Coppage and I spent considerable time working with Dad on matters concerning the overall development of Southern Shores. Soon after Ocean Boulevard was built, for example, there had been a period of prolonged rainfall, and the back sides of a number of the west side lots were submerged. Dad had devised the answer for that, bringing in a dragline to dig ponds in the lowest areas, and a small bulldozer to spread the spoil material over the rest of it. By the time I became involved a year or so later, however, water plants and weeds were flourishing in the shallow fringes of the ponds, threatening in time to engulf them. Once more Frank Stick found the answer, partly because of his role as an avid fisherman and self-trained ichthyologist. He sent me up to Perry Fish Farms near Windsor, Virginia, where they loaded the back of my station wagon with water-filled containers holding dozens of small fish known as Israeli Carp, whose primary diet consisted of the same kind of vegetative growth that was threatening the man-made ponds. It was not long before the Israeli Carp had grown to adult size and most of the plants and weeds had been cropped down almost to the bottom. Meanwhile, Dad and Bill and other residents of the new community were stocking the ponds with largemouth bass and other fresh water game fish they caught in Currituck Sound and its tributaries.

The natural oceanfront dune line throughout Southern Shores was for the most part well established, with a wide, sloping beach extending from the dune to the ocean. There were places, however, where vehicular traffic had destroyed the vegetation, and the wind had further eroded the dune. It became necessary, therefore, to prevent access to the beach by beach buggies or other vehicles except at the extreme northern end of the development, where a ramp was provided. In these bare spaces, Dad not only planted sprigs of beach grass, he resumed a habit he had formed years before at Kill Devil Hills, stripping by hand the frond-like seeds of the sea oats, then carrying them in his pockets until he had a chance to spread them on a bare spot. Mother was the one who had to remember to empty the residue of sea oats from the pockets of Dad's shirts before putting them in the laundry, or from the pockets of his jackets before having them dry cleaned.

One problem that had to be addressed early in the development of Southern Shores was the fact that there were two oceanfront tracts that had not been included in the Townsend purchase. One of these posed no immediate problem, for it was located two and a half miles north of the area being developed initially. It consisted of approximately three hundred feet of oceanfrontage on which the decommissioned Paul Gameiels Hill Coast Guard Station was located, both the land and the old station building having passed into private ownership when sold as government surplus. Years later, this property was acquired by trade with the owner, and today is part of the ocean beach in Sea Crest Village. The other tract, however, posed an immediate problem, for it was located in the southernmost part of the property that was laid out as Section One of Southern Shores. The early integration of this property into the development plan was arranged without difficulty with the owner, Bill Perry of Chapel Hill, who by coincidence had been my guidance counselor the year I attended the university there. Perry simply deeded his little piece of land to the partnership and received in exchange a larger lot extending from Ocean Boulevard to the ocean, but subject to the new Southern Shores covenants covering all lots in that block.

Questions have been raised on a number of occasions by people who, like Perry, were early purchasers of Southern Shores property, as to why their deeds were signed by John B. McMullan and N. Elton Aydlett, with no mention of Frank Stick, the originator and leader of the project. The answer is that John and Elton, the two Elizabeth City attorneys, held title to the property as "straws" or trustees, thus relieving Dad and the two other Aydlett brothers of having to sign every deed or other legal document the McMullan and Aydlett law firm prepared for the business.

The original price of one hundred foot oceanfront parcels in Southern Shores was two thousand dollars, and you could take your pick of the fifty building sites in Section One. Few of the early purchasers paid the full two thousand dollars, however, because there was a discount if you agreed to build your cottage in a specified period of time, and another if you paid cash. Financing was available on all lots, with a minimal down payment.

Bill Coppage handled the bookkeeping for Kitty Hawk Enterprises, and having owned his own business for a number of years before retirement, was experienced in cost accounting. Each of the three principals drew a regular salary check, and though business was good, there wasn't much money for any of us beyond our regular draws. We were proud of what we were doing at Southern Shores, especially so in view of the disastrous start by the Elizabeth City realty firm the year before. We took pride also in helping to begin the fulfillment of Dad's dream for his new Outer Banks community, a dream I had put in written form when he had asked me in the very beginning to write the copy for the first Southern Shores promotional brochure. Dad had provided a full-page line drawing for the cove, dominated by a large question mark, and I had picked up the theme on page one with the following:

How would you go about developing the finest ocean front resort on the Atlantic coast?

That's a problem which has been stumping men with dreams and vision since the first vacationers began making an annual trek to the seacoast way back when the country was in its infancy.

It's a problem that's taking up a lot of our time right now because we've been dreaming and planning, too, planning for a beach to which men and women will turn and say, "That's the place where I'd like to live."

Maybe you aren't interested. Maybe you're part of the multitude of people content to spend vacation time in a building without character, pushed up against other buildings with even less character. Maybe you like to have your bedroom facing a dance hall, with the blare of trumpets and drums coming through your open window until dawn, drowning out the sound of the sea. Maybe you like having a filling station in your back yard and a fish house across the street and a beer joint next door. If that's what you want, then forget about our plans, because there's nothing we can say to interest you.

But if you're the other kind. If you have thought at times of spending your summers in a resort where the business districts are completely separated from the residential areas; where everybody has enough room to feel free in, and neighbors are required to build a respectable distance apart; where the main consideration in construction is not how much it will cost (for drab and ugly buildings cost as much and sometimes more than attractive ones) but rather, does it please the eye and conform to the surroundings, and is it built for easy and sensible living; and where, possibly above all else, you and your neighbors have a feeling of pride in the whole community as well as in your individual homes? If that's the kind of person you are, then maybe you can help us with our plans.

This introduction to the sales booklet was followed by five more pages describing both the natural and man-made attributes of Southern Shores and its proximity to areas of historic and scenic interest. The favorable reaction of prospects to this brochure encouraged me to write a second one, six by nine inches in size, as was the first, and again with Dad's "?" illustration on the first page, with the title in large type: "Is Ocean Front Property a Sound Investment?"

I repeated the same question in the beginning of my text, and then offered the following answer:

People who ask that question need only to take a quick look at any map of the United States for the answer. If that map were divided into one acre units, and a strip put on the real estate market one acre in width extending from coast to coast, it would contain something in the neighborhood of 71,676 units, each 208 feet long and 208 feet wide. Of this number, 71,674 would be inland property. The remaining two acres would be oceanfrontage; one on the Atlantic coast, the other on the Pacific coast. Consider that a great many people living on those 71,674 inland acres are interested in spending their vacation time at the sea coast (authorities estimate it at better than fifty per cent) and the conclusion is obvious: **THERE JUST ISN'T ENOUGH OCEAN FRONTAGE TO GO AROUND.**

Most of my life before this experience with Southern Shores and Kitty Hawk Enterprises had been centered around writing. A job summary would have begun with my weekly column "Nags Head News & Notes" in the Elizabeth City Independent when I was fifteen; editor of my high school newspaper, and Dare County bureau manager for the Elizabeth City Daily Advance the next year; then reporter on The Daily Tar Heel in college; managing editor of The Nags Tale in 1938; editor of The Seashore News in 1939; reporter on the Raleigh Times later that same year; then assistant to MBS commentator Fulton Lewis, Jr. in Washington; four years as a combat correspondent in the U.S. Marine Corps; all culminating in my post-war job as associate editor of the American Legion Magazine. I had left the Legion magazine in the spring of 1947 so I could return to Dare County and take a crack at freelance writing, but with results anything but encouraging, I had put a cover over my typewriter and agreed to help Dad at Southern Shores. The trouble was that the Kitty Hawk Enterprises arrangement was not working out. With the novel I had started in Jamaica only half finished, I yearned for a resumption of my research and writing. On top of that, there was growing disagreement and tension between Dad and me over our differing business philosophies, and this carried over also into the relationship between my wife and my parents. Almost simultaneously, Bill Coppage's son Billy died in their new Southern Shores home, and Bill's enthusiasm for our project waned noticeably. By mutual consent, we broke up the partnership, with Bill returning to Key West while I began a new career that was to last for several years, making a living out of real estate activities carried on from my Kill Devil Hills home, and, with encouragement from my wife, periodically returning to my writing whenever I built up a little financial stake. As for Dad, he continued his Southern Shores activities with the help of two long-time friends, one working with him in real estate and the other in house construction. A new era was beginning in Southern Shores.



### Part 6 - The New Frank Stick Team

Though Southern Shores was owned by the Stick, McMullan and Aydlett partnership, it was really the Stick, Lawrence, and Gray team that transformed the raw development into a living community. Frank Stick was the head of this new team, but the others made lasting contributions, and each of the three continued his affiliation with Southern Shores until the time of his death, which came first to Curt Gray in 1961, to Frank Stick in 1966, and finally to Harry Lawrence in 1976. A lot has already been written about Frank Stick, who was a year older than Harry Lawrence and seventeen years older than Curt Gray, but no history of Southern Shores would be complete without biographical sketches of Harry and Curt, both of whom figured so prominently in the growth of the community.

#### Harry Lawrence

Charles Henry Lawrence was born in Blenheim, Ontario, Canada and moved to Minnesota as a young man. He began his career as an engineer with a mining company on the Mesabi iron range before going out on his own as a dredging contractor. When work became slack, he joined another Minnesota contractor in taking a dredging job near New Bern, North Carolina, and moved his family there in 1924. In a taped interview half a century later, when Harry was eighty-nine years old but still possessed of a sharp mind and contagious wit, he told me how he first happened to come to Dare County, and recounted some of his experiences:

By the time the job near New Bern was finished, Harry owned two expensive dipper dredges but was out of work, so he scouted tidewater Carolina for potential jobs. He soon learned that Metropolitan Life Insurance Company had recently taken over a vast tract of more than a hundred and fifty thousand acres on the mainland of Dare County and had employed a crew of laborers to dig a canal and build a road west from Stumpy Point to Lake Worth, a distance of less than two miles, for a contemplated homesteading project. Harry soon convinced the company's representatives that he could do the job cheaper, faster, and better with one of his dipper dredges, and was hired by Met Life to complete the job. Met Life's project at Lake Worth proved successful for a while, especially in growing a special kind of blueberry, and soon Stumpy Point blueberries became known all along the east coast as the largest and best tasting blueberries that could be found anywhere.

Before he finished the Lake Worth project, however, Harry realized that he would soon have a ninety foot long dipper dredge up a creek at Stumpy Point with no work for it. That's when he made contact in the county seat at Manteo with Washington Franklin Baum, chairman of the Dare County Board of Commissioners. Upstairs in the family quarters above the Baum waterfront store, Mrs. Baum had some extra rooms and took in boarders, and Harry joined those staying there when he was in Dare County. He and Wash Baum soon became close friends, but it was impossible for them or anybody else to know that in a short time these two would join forces in bringing poor and isolated Dare County into the 20<sup>th</sup> century.

It all started when Baum told Harry that people in Stumpy Point, then one of the largest communities in the county, were pressuring the commissioners to build a road from Stumpy Point to Engelhard, thus connecting Dare with the rest of North Carolina. It happened that Long Shoal River, the dividing line between Dare and Hyde counties, was approximately midway between the two communities, so Baum and his fellow commissioners tried to convince their Hyde counterparts to join with Dare and pay half the cost of a proposed road, but the Engelhard people could see no benefit for them. It was then that the Dare County commissioners, two of whom were from the mainland, decided to start the project on their own, issuing fifty thousand dollars of coupon bonds to pay for the road as far south as Long Shoal River. Once again, Harry was able to put his dipper dredge to work.

It wasn't long, however, before he encountered a huge pocket of mucky goo that was as much as twelve to fourteen feet deep, and Harry had to change the route from the straight line he had envisioned to a much more circuitous one closer to the sandy shore of Pamlico Sound. The result was that they ran out of money before ever reaching Long Shoal river. But never worry! Wash Baum convinced his board to issue an additional seventy thousand dollars in county bonds, not just to complete the dead end road to Long Shoal River, but to build another one from Manns Harbor to Stumpy Point.

Harry had his dredge disassembled and moved it to Manns Harbor. Soon after beginning the construction of the road south from Manns Harbor, when his dredge had dug a canal about two miles from the beginning point, he ran into the same problem he had encountered on the first job, a massive bog of deep muck. Harry realized that there wasn't enough money left from the seventy thousand dollar bond issue to get through the muck and complete the road to Stumpy Point, so he and Wash Baum weighed the alternatives. If they couldn't complete a road from Manns Harbor to Stumpy Point, they reasoned, why not head west instead of south and use the remaining money to build a shorter road to East Lake. They made the change without broadcasting the fact, and for years thereafter, people driving a couple of miles out of Manns Harbor would come to a dead end where they were forced to make a right angle turn toward East Lake. In laying out the road, Harry had only some Met Life maps and a compass. Using only the compass, he set a straight course to where he thought he would end up at East Lake. He hired a crew of men to clear the right of way, setting three stakes in a row and telling the men to continue to back sight on those stakes, regularly transferring the back one to the front as they moved westward. It was prohibition time, and East Lake had developed a reputation for moonshining, producing a local product that became famous throughout eastern North Carolina as East Lake corn whiskey. Harry gave additional instructions to the man heading up the clearing crew, "If you happen to come across a still along the way, pick me up a couple of jugs of white lightning."

After that, Harry had to go to the southern Carolina coast where he had his other dredge working, and when he returned to Manteo found a letter from the crew leader. As Harry recounted to me in our 1974 interview, the letter said:

Dear Mr. Lawrence. When do you expect to come here? I wish you'd come because I've got that which you asked me to get. We'll probably be through here pretty soon, and I wish you'd come, cause I've got that which you asked me to get, and I don't know what to do with that which you asked me to get.

It turned out, Harry said, that the man had fifteen gallons of first quality East Lake whiskey.

With a road that went fourteen miles south from Stumpy Point and then ended at the Hyde County line, and another that started south from Manns Harbor then abruptly turned west only to end up short of East Lake because the seventy thousand dollars had run out, lesser men would have given up, but not Harry Lawrence and Wash Baum. The chairman got his board of county commissioners to float yet another bond issue, this one for thirty thousand dollars, to finish the road to East Lake. However, nobody seemed interested in buying the bonds at face value, so Harry finally agreed to take the thirty thousand dollar bonds as payment in full for finishing the road from Manns Harbor to East Lake, "That's where I made my big mistake," Harry said in his interview. He ended up selling two of the bonds to a Kitty Hawk merchant for thirty cents on the dollar, and traded two more to an aggressive car dealer for a big Lincoln automobile he didn't need. He would have done well to invest in even more cars, for the looming depression rendered the remaining bonds practically worthless.

It turned out that connecting the communities on the Dare mainland with each other and with the outside world was only part of Washington Franklin Baum's dream for his long isolated county. It was equally important, he felt, to connect Roanoke Island with the beach as the first step in providing a vehicular route to the north. The Baum and Lawrence team went to Raleigh for help, but got a cold reception from the highway officials in the state capital. In my 1958 book *The Outer Banks of North Carolina*, I recounted what the two men told me about Baum's dream.

One of the highway engineers told us we might as well return to Dare County and forget it. He said it would be fifty years or more before there'd ever be bridges across Roanoke Sound and Currituck Sound and a road along the beach at Kitty Hawk and Nags Head.

They did return to Dare County, but Wash Baum refused to forget it, for a definite plan of action had taken shape in his mind.

Since the state wouldn't help us, then I figured we had to get the job started ourselves, but I felt sure if we got the first link built, the bridge across Roanoke Sound, then sooner or later the state would have to come in and help out on the road up the beach and a second bridge across Currituck Sound, so Harry Lawrence and I went all over Roanoke Sound taking soundings from a skiff, and we picked out the best place for the bridge.

In his 1974 interview, Harry told me that he made a map of the proposed causeway route from Roanoke Sound to the main road between Manteo and Wanchese, and then drew detailed plans for a bridge, "before anybody knew anything about it." But questions arose.

"People were wondering what we were doing. . . digging a canal there, and we said it would make a good place to have a harbor for boats."

The wooden bridge Harry designed for the Roanoke Sound crossing was four thousand, nine hundred feet long. Using the plans Harry had prepared, Baum was able to convince the other board members that they should issue still more bonds, the new ones to be retired with the money collected as a one dollar per car toll on the bridge, and, according to Harry, bringing the total of Dare County bonds to five hundred fifty thousand dollars. The reaction this time was immediate. R. Bruce Etheridge, Manteo banker and long-time political leader, told me in a 1950s interview that he heard someone in the bank tell about the bond issue action the commissioners had just taken, and rushed out of the bank, headed for the courthouse. He met Wash Baum coming out.

"Wash," he said to him, "What in hell are you trying to do, ruin us?"

This was the view shared by other who couldn't see the justification for building a bridge that connected a muddy dirt road on the Roanoke Island side with a sand trail on the beach side.

Later, R. Bruce Etheridge told me he just "couldn't see what was going to happen on the beach. Wash Baum put that bridge across there," he said, "and a lot of people thought he was crazy, but the results have proven him out."

They certainly did. The success of the Roanoke Sound Bridge, (now called the Washington Baum Bridge), which opened in 1928, led a group of Elizabeth City businessmen to buy a large ocean to sound tract north of Kitty Hawk, which included what is now all of Southern Shores plus Kitty Hawk Beach, Sea Scape, and Kitty Hawk woods, and to build their own toll bridge across lower Currituck Sound from Point Harbor as a means of opening up their proposed beach development. The Wright Memorial Bridge Company finished its wooden bridge in time to open it for traffic in late 1930. It was inevitable, then, that the state would have to connect the two bridges, and their new beach highway, known as the Virginia Dare Trail, was completed in 1931. It had been only four years since Wash Baum and Harry Lawrence took soundings from a skiff in Roanoke Sound to determine the best location for Baum's dream bridge.

With the depression at hand, Harry Lawrence could find no more work for his dipper dredges, and he had to leave both of them, at the end of the canals he had last dug, to rust and rot as reminders of what had taken place. Already a close friendship had developed between Harry Lawrence and another of Mrs. Wash Baum's occasional boarders, Frank Stick. In order to survive the depression, Frank Stick was trying to find buyers for the property he had bought on the Outer Banks in the 1920s, while Harry had acquired a dragline and was building ponds and an access channel to a new hunting club located south of the Roanoke Island Bridge causeway. The Goosewing Club was owned by a man named Jule Day, who also converted an old farmhouse at Skyco on Roanoke Island to a modern guest facility for wives and children of the men who came to Goosewing to hunt. Skyco Lodge was a showcase with a stable of horses, peacocks wandering around the yard, a couple of monkeys in a cage, its own Delco electric system, and an oriental pond complete with a Japanese bridge built by Harry Lawrence. But Jules Day went into bankruptcy early in the depression, and, no longer able to maintain his Dare club and lodge, he rented Goosewing to Harry Lawrence and Skyco Lodge to Frank Stick. The two friends worked closely together during the early 1930s, with Frank Stick assembling clubhouse properties on the lower banks for wealthy northerners and Harry Lawrence bringing in his draglines to build duck ponds and access channels.

By the late 1930s, Harry was working primarily in South Carolina, one of his major jobs being the construction of ponds for the Huntington's at Brookgreen Garden. With the outbreak of the war, and no more prospects for roads, clubs or duck ponds on the Outer Banks, Frank Stick contracted to clear the right of way for the power line between two major Marine Corps installations then under construction, Camp LeJeune and Cherry Point, the bid actually being made for him by his best friend, Harry Lawrence, who was a licensed contractor authorized to bid on government jobs. Meanwhile, Harry's draglines, by then consisting of several of different sizes, were allowed to work only on wartime government projects, and in time were commandeered by the government. At the same time, Frank Stick was building government single-family residences in tidewater Virginia. By the end of the war, with no equipment and thus no work, Harry moved to Kitty Hawk and began building houses for Southern Shores lot purchasers who wanted more conventional structures than the flat-tops Frank Stick was building. In time, however, he got out of the construction work and went to work helping his best friend develop and sell Southern Shores property.

Curt Gray

Joseph Curtis Gray was born in 1901 in Kinakeet, the village just north of Cape Hatteras now known as Avon, and spent his boyhood years there. As soon as he was old enough to join the military service, he took the traditional step for which Hatteras Island was famous, signing up with the United States Coast Guard. One hitch was enough for Curt Gray, however, so he settled down in the tidewater area of Virginia and got a job in the Ford plant. In the early 1930s, with the Great Depression in full swing, he returned home to Kinnakeet and soon was hired as a supervisor in the federal government's WPA program.

There had been one major change on the Outer Banks since the time when Curt had signed on as a Guardsman. Back then there had been little between the villages on the north end of Hatteras Island other than mile after mile of barren beach on the ocean side, an isolated Coast Guard station every seven miles or so, and an occasional stand of wind-bent and stunted live oaks, yaupon, and holly. These isolated patches of slightly higher land near the sound were known as hummocks, and from Currituck to Ocracoke they had been chosen, or were being chosen, as the sites for hunting clubs usually owned by wealthy northerners. In a period when times were about as bad as they can get, the clubs were welcomed by most Outer Bankers, and especially by those who were able to sell the club people beach and marsh land that nobody else wanted. In addition, decent paying jobs were available not only while the clubs were being built, but jobs of a more permanent nature once they were finished and in use.

Two of the newer clubs were located between Avon and Buxton in the early 1930s, and were owned by the Phipps brothers, John and Henry, of the Pittsburgh steel family. The John Phipps club was located a short distance south of Kinnakeet, and the Henry Phipps club was closer to Buxton. It was not long before Curt Gray, married and with four young children, was employed as caretaker of Henry Phipps' Buxton Club, a job that included everything from hiring the maids and kitchen staff for the clubhouse, to lining up and supervising a team of qualified hunting guides in season. The Gray family lived in the little caretakers' house. With just two bedrooms, it was crowded when the Phipps and their guests were occupying the clubhouse, so it was not unusual for Curt and his wife Minnie to send the two oldest girls, Lucille and Norma, into the village to stay with relatives. In the off season, some of the children usually stayed in the vacant quarters for the kitchen help in the clubhouse.

Curt Gray knew Frank Stick, who had lined up sizable holdings for the Phipps brothers, including Cape Hatteras itself, and who served as their Outer Banks contact man, and it was there, at the Buxton Club that he got to know Harry Lawrence, who built extensive duck ponds and access channels for both clubs. Curt probably could have stayed right there for as long as he wanted had it not been for the Great Atlantic Hurricane of 1944, one of the last major hurricanes to hit the North American mainland before the weather people started giving them individual names.

It should be understood that the Buxton Club was one of the few on the Outer Banks that was not located on one of the soundside hummocks, and in fact was situated on what could only be described as the lowest, flattest, and narrowest spot on Hatteras Island.\* Because of this, when Harry Lawrence was digging duck ponds and the boat

channel for the club, it was decided to protect the site from the ravages of the sea by surrounding it on all but the sound side with a massive U-shaped sand dike averaging eight to ten feet in height and twenty to thirty feet in width on its east-west legs extending back from the sound shore, but at least double that size for more than a quarter of a mile along the ocean side.

The clubhouse was located in the southwestern corner of the complex, a hundred feet or so from the sound. In addition to the great room, or living room, large dining room, kitchen, pantry and quarters for the kitchen staff, it had four large bedrooms, each with a soundside view and its own fireplace. Curt's caretaker house was located two or three hundred feet north of the clubhouse, with the living room across the west side, dining room and kitchen on the northeast side, and the two bedrooms and bath on the southeast side. There was a small building housing the Delco plant west of the house.

The boat harbor leading to Pamlico Sound was a couple of hundred feet north of Curt's place, and extended a considerable distance beyond his house in the direction of the oceanfront dike. Along the south side of the harbor was a wide dock leading to a large building that contained a two car garage, storage facilities, and the cold storage room in which the game could be stored. Even further east, at the end of the channel, was the boathouse which provided shelter for, among other craft, the club's largest boat, the *Migratory*. And, oh yes, on the north side of the boat channel was a large chicken and turkey coop.

On the morning of September 14, 1944, Curt and Minnie, together with their sixteen year old son Billy and fourteen year old youngest daughter Marjorie, were the only people at the Buxton Club. Radio weather reports the night before had indicated that there was a hurricane heading up from the Caribbean. When they awakened that morning, the wind gusts were causing the house to shake and the timbers to squeak, even as torrents of rain pelted the house. In an interview more than thirty years later, Billy Gray and Marjorie Gray Martin recounted their harrowing experiences of that day.

"The wind was from the east, I mean storming, and raining like mad," Billy said in the 1977 interview, "We went out and got what turkeys and chickens we could and put them in the Chicken house." He could see that "the sea tide was coming around each side of the dike," forming deep gullies as the water poured into the sound. Then the whole family, soaking wet from the driving rain, went back inside the house and put on dry clothes, just waiting for the storm to let up. "Suddenly," Billy said, "it got so calm and the sun came out so pretty you wouldn't believe it." Thinking the storm was over, they went outside and started picking up debris around the yard. Marjorie said one of the strange things was that she couldn't see any water in the sound, the powerful winds having pushed it across Pamlico Sound toward the mainland. Then, as suddenly as the winds had died out, they came back again, but this time from the west instead of the east, pushing that

\*In the course of later research, I learned that the site of the Buxton Club had been known as far back as Colonial times as "the haulover," a section of beach so narrow and low that boats could be hauled across, from sound to ocean or from ocean to sound. In addition, an examination of before and after aerial photographs following the 1962 Ash Wednesday Storm, showed that the Buxton Club site was the exact location of the Ash Wednesday Storm Inlet that cut Hatteras Island in two.

mountain of water against the soundside of Hatteras Island. Curt herded the family inside the house, but almost immediately the water, with tidal wave force, was pushing against the door on the west side of the building. Curt tried to hold his shoulder against the door, but the waves pushed it open, knocking him down. When he got up, he headed for the kitchen, the final place of refuge. The others joined them, but by then they were standing in deep water. A kerosene refrigerator was floating around, as was a kerosene hot water heater, and the kerosene was getting in their eyes. Soon the water in the kitchen was so deep that they had to climb up on the kitchen counter. Curt was bemoaning the fact that he had three or four hundred dollars in a wallet in the bedroom, though there was no way to get to it. Minnie spotted her favorite pitcher and wanted to hold it above the water, but by then there were other problems.

"Something started breaking up in the ceiling," Billy said, "and pieces of sheathing started falling. My father pulled enough of it down so he could get up into the attic. Then he stomped down on it hard, kicking the rest of it out." One by one, Curt pulled Minnie, Marjorie, then Billy up through the hole in the ceiling to apparent safety in the attic, but then things quickly got even worse. The house, washed off its block foundation, started floating away, but was held back by the chimney. Marjorie described it as the house "pulling away at the corners," with the most horrible creaking noises. She later said being trapped there in the attic as the house started breaking apart was the most frightening part of the ordeal. She almost felt a sense of relief when the chimney finally gave way, leaving a big hole in the roof. This made it possible for Curt to crawl through that hole to the roof. "He pulled Mama and Marjie up there," Billy said, but before he could get his hands on Billy, "the roof just sort of flattened out, and I went right up with a gust of water."

With the four of them on the roof, Curt and Billy held hands, "we had Mama and Marjie in between us," Billy said, and then the floating house got caught on a telephone pole and swung around, at which point, "the roof split and blew over, and I was on the piece that blew over. I went through a floor or something. I have a scar here now from it. When I came up, I felt under that floor and there was nothing but nails, and I couldn't find a way out." Finally, however, he was able to crawl up on another piece. Meanwhile, Marjorie remembered, the roof, "had broken up into several pieces, and for a time we were all separated, except that I was on a piece with my mother at all times."

Curt was able to join his wife and daughter on their section of the roof, and as Billy's piece floated by, tried to grab his hand, but failed, so Billy jumped into the water and managed to swim over to the bigger section, where, miraculously, all four family members were together again. They went by the boathouse, which was tearing up, and saw that the *Migratory* had floated up to the roof. The little building housing the Delco plant seemed to be still intact according to Marjorie, though all she could see was the top of the roof. There was so much spray and driving rain, they couldn't see the clubhouse, but if they had been able to, they probably wouldn't have seen anything but debris.

Finally, their section of roof floated up to the west edge of the oceanfront dike. The water impounded by the massive obstruction was so high they could look over the top, and, Billy said, they were surprised that all they could see was, "white foam blowing back out to sea." They were safe at last, but far from comfortable. "Marjorie didn't have any clothes on," according to Billy, and all he had left of the white trousers and T shirt he had started out with was, "one sleeve and shoulder of the T shirt." Obviously, the thing



they all needed most was dry clothes, and as if by divine intervention, the old *Migratory*, having floated free of the rapidly disintegrating boathouse, soon lodged on the massive dike nearby, still intact, cabin and all, with plenty of dry hunting jackets and other clothing for everybody.

Both Billy and Marjorie estimated that it had been less than an hour from the time the eye of the hurricane passed by and the leading edge of the massive wave of Pamlico Sound water first reached the caretaker's house until they were all aboard the *Migratory*, dressed in dry clothes and safe and sound. Later in the afternoon, a Coast Guard crew from Cape Hatteras station appeared in their DUKW, one of the amphibious vehicles developed for World War II use. The Coast Guardsmen took them first to the Big Kinnakeet station, which had suffered extensive damage, and then on to the village of Kinnakeet, also "protected" by a horseshoe shaped dike, but smaller than the one at the Buxton Club. Even so, when the storm surge encountered the dike, so much water was impounded that most of the Kinnakeet houses had been washed off their foundations, and a number were destroyed.

If by now you are wondering what all this has to do with the history of Southern Shores, the answer is that Curt Gray would never have become involved with Frank Stick's post-war development at Kitty Hawk had he not lost his home and his job in the Great Atlantic Hurricane of 1944.

The Henry Phipps family abandoned the Buxton Club after the devastating storm, and eventually donated the club property together with their Cape Hatteras land as the nucleus of the country's first national seashore recreational area, the Cape Hatteras National Seashore. They gave Curt the *Migratory*, and anything else he could salvage from the great piles of debris spreading back from the oceanfront dike. Billy helped his Dad remove the salvageable lumber, which they hauled back to the village and stored in the big yard next to Curt's brother Willie's home. For longer than Billy likes to remember, his main job after that was pulling the nails from the pieces of lumber, especially the beautiful juniper paneling that had been used throughout the interior of the clubhouse. Curt remained in close touch with Frank Stick, the coordinator of the arrangements with the Phipps family, and in time moved to Kill Devil Hills where he and Minnie and Marjorie, (Billy had enlisted in the Coast Guard by then), stayed in a cottage owned by mutual friends, and Curt became involved in a succession of Frank Stick projects.

Before enlisting in the Marine Corps in 1942, I had bought some lots on the west side of the Virginia Dare Trail just north of the Croatan Hotel, and throughout my wartime experiences I dreamed of someday having my own little home, bachelor's quarters, I called it, on those lots. My chance came, of all places, on the western Pacific island of Peleliu in the Palau group in the fall of 1944, when I was stuck there for several months after the fighting had stopped. There was little to do, and gambling proved to be an easy way to pass the time, highlighted by a big crap game each payday. Month after month, when I got my eighty dollars, I put twenty of it in that crap game. Finally, just before being transferred, I hit a lucky streak and pretty well cleaned out the game, sending a thousand dollars of winnings in hundred dollar money orders, back home to my bank. By the time I was discharged from the Marines with the land paid for and the thousand dollars in the bank, I was able to borrow the balance needed for my dream house. Dad designed it for me, a story and a half Cape Cod structure, with everything I had asked him to put in it:

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A large living room from front to back with a cathedral ceiling and exposed beams in the ceiling, and a fireplace at the south end; a small kitchen, bedroom and bathroom taking up the rest of the first floor; and upstairs a loft which was to be my study, overlooking the living room. Using lumber from the Buxton Club, Curt Gray built that house for me, with Dad available at all times to offer guidance, while I worked at my magazine job in New York. I visited there not long ago, and the juniper paneling is as pretty now as it was when the house was built in 1946, or when it was first installed in the Buxton Club. By the time my Kill Devil Hills house was finished, using framing material and other lumber from Curt's salvage yard, Frank Stick and Curt Gray embarked on another venture, this time converting an old house on the southeast corner of the intersection of the main road and Moore Shore Road in Kitty Hawk village into a home for Curt and his family, and by the time that was done, they had built a cement block plant on the north side of Kitty Hawk Main Road just as it starts to dip into the village. The site of the block plant, shielded by a grove of ancient live oak trees, is where Billy Gray and his wife Carmen, both now retired, have lived for a number of years. Many of the earlier houses at Southern Shores, especially the flat top ones, were built with the blocks Curt made there using sharp beach sand. Curt must have made them well, for in 1962, the ferocious waves generated by the Ash Wednesday Storm took down both the east and west walls of several of them, and the roofs remained, supported only by the north and south block walls. Later these cottages were repaired, and remain as valuable examples of early Outer Banks oceanfront real estate.

With the dissolution of the Kitty Hawk Enterprises partnership, and with Harry Lawrence already ensconced as a fixture in the Southern Shores real estate office, it was inevitable that Curt Gray would team up with Frank Stick in the construction end of the development business, calling their company Kitty Hawk Development Company.

Thus was the Southern Shores team of Frank Stick, Harry Lawrence, and Curt Gray born, many years after the three had been involved with the Buxton Club.

### Part 7 - The Kitty Hawk Land Company

By 1951 a change had taken place in the composition of the Stick-McMullen-Aydlett partnership that owned the Southern Shores development. Cyrus C. Aydlett had bought out the one-twelfth interest owned by his brother, Journey, with the result that Cyrus and his brother Elton each owned one-sixth, while Frank Stick and John B. McMullen still retained one-third each.

The Aydlett brothers were successful Elizabeth City businessmen. Cyrus was a Realtor and the operator of a loan company, and he and Elton were investors in a variety of business ventures. Elton was a man of sufficient means to have been able, in 1945 when the United Nations was being formed, to spend twenty-five thousand dollars for a collection of stamps representing each of the original UN nations, which, he explained about fifteen years later, were still stored in a safe deposit box at his bank because he would have had to take a loss if he had sold them.

It was only logical that the other members of the Stick-McMullen-Aydlett partnership: Frank Stick who knew little about finance and cared less; and John McMullen, still concentrating on his law practice following World War II military service, relied heavily on Cy and Elton Aydlett when it came to business matters. By 1951 there were important business matters to be taken care of, for by then Southern Shores was a money-making business and the partners were facing the prospect of increasingly large income taxes. In order to take advantage of capital gain taxes, they decided to incorporate.

Kitty Hawk Land Company was the name the partners chose for their new corporation. One of the first things they did was to elect Frank Stick president, with John McMullen as vice president and Cyrus Aydlett secretary-treasurer. They divided the company stock so that each of them retained the same interest in the corporation as in the partnership. Then, with incorporation papers in hand and officers elected, the next step was for Kitty Hawk Land Company to buy Southern Shores from the partnership. A local CPA helped make the arrangements for the deal; the law firm of McMullen and Aydlett took care of the legal end. One of the interesting aspects of the arrangement was that no money changed hands, for Kitty Hawk Land Company existed only on paper and had no money. Instead, the partners received stock in the new company, all of the shares issued by the new company in fact, the total price being six hundred thousand dollars, with no specified interest, and minimum annual payments of fifteen thousand dollars.

Frank Stick left the intricacies of the deal to his partners. As a man who paid no attention to the stock market because he never had any cash with which to buy stocks, and as one so little attuned to financial matters that he thought the money put up by the Aydletts for the purchase and initial development of Southern Shores was their investment in the project, when in fact it was a loan (which had been paid back in full by 1951) he readily participated in the change from a partnership to a corporation. The six hundred thousand dollar price for what remained of the property they had bought five years earlier for thirty thousand, probably seemed to him a monetary remuneration for his obviously successful development of Southern Shores. I don't know that, for I never asked him, but I did ask

John how they came up with the six hundred thousand dollar price. It was, he said, all he and the Aydletts thought the owners could ever get out of Southern Shores, and all of it would be taxed at the lower capital gains rate. There is no indication that any of them, my Dad, my brother-in-law, the Aydletts, or even the CPA, had ever heard or understood the meaning of the term *collapsible corporation*.

For the next three years the newly incorporated Kitty Hawk Land Company prospered. With engineering help from Harry Lawrence, Frank Stick extended Ocean Boulevard to the north until three miles of oceanfrontage had been developed, leaving only one more mile for later use. The first hill lots were put on the market with the construction of Skyline Road, which meandered north from the office site for a third of a mile or so, before turning east to connect with Ocean Boulevard. Already, the state had built the long-awaited road to Duck, tying in with Ocean Boulevard at about the midway point in Southern Shores, and Kitty Hawk Land Company put in approximately one third of a mile of new road west of an parallel with the state highway to Duck. They named this short stretch "Dune Road." Most of these newer roads had been built using mixed-in-place asphalt rather than plant mix asphalt. Even this was not the end, for though the soundside area of Southern Shores was accessible only via the old abandoned Duck Road I had traveled so often in my stripped down Airflow DeSoto as a teenager, or by jeep trail from the beach area, Frank Stick and Harry Lawrence laid out more than a mile of soundside lots. There was no road, just jeep tracks. As in the beach area, the layout called for fifty foot lots, to be sold in pairs, and with all lot corners marked with wooden stakes.

Overall, Southern Shores sales were so brisk, that by 1954 most of the oceanfront lots along the three miles had been sold, and a sizable number on the west side of Ocean Boulevard as well. The Skyline Road area had proven very popular, with an unobstructed view of the ocean from so many of the lots, and a number of the sites in the Dune Road area had been sold also, though largely to purchasers for investment rather than immediate use. Even on the soundside, despite the difficulty in access, the modest costs of no-paved-road development were soon recovered. Frank Stick, having accomplished his initial goal, informed his fellow Kitty Hawk Land Company stockholders that he was retiring. He was seventy years old.

From 1954 until 1956, Southern Shores business was handled in Elizabeth City by the Elizabeth City stockholders in the Kitty Hawk Land Company. With plenty of lots, and a wide variety of lots, on the market, there was no further effort at development or improvement. Harry Lawrence manned the office pretty much by himself, waiting for people to come in and buy lots. Curt Gray, having taken over the operation of the Kitty Hawk Land Development Company, was kept busy building cottages and homes, most of them for people who had bought their lots earlier. Money was still coming into the Elizabeth City office of the Land Company, but most of it was in the form of payments due from prior sales. The lack of efforts to expand the development or to make improvements to previously developed areas, plus the absence of Frank Stick or anyone else in a managerial position on site resulted in sales declining to the point where they were less than one third of what they had been the last year Frank Stick was in charge. It

was at that point that I was approached by my brother-in-law John McMullen, speaking for himself and the Aydlett brothers about the possibility of my taking over the management of the Southern Shores development.

**The Town of Southern Shores**  
by  
David Stick

# The Town of Southern Shores

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# THE TOWN OF SOUTHERN SHORES

by  
David Stick

## Part 1 - Background

The first major step toward self government for the residents of Southern Shores was taken in October, 1976, when I signed, along with President Nelson Bortz of the Southern Shores Civic Association, an agreement transferring all of the common areas in the community from KHLC to the association. It came just in time, too for the Stick, McMullan and Aydlett families were in the final stages of negotiation for the sale of their Kitty Hawk Land Company stock to Walter Davis – a sale that was consummated in early December.

Under terms of the October agreement, the Civic Association acquired the company's rights to some twenty miles of hard surfaced roads; the large network of lagoons, waterways, canals and channels KHLC had constructed; the oceanfront beaches in Seacrest Village and highway-to-beach access strips throughout the other three miles of oceanfrontage; the soundside marina, other docking areas, and soundside beach; Hillcrest Overlook; the proposed "village green" on Duck Woods Drive; and a number of other park areas. There were four special provisions in the agreement. The first one excluded the roads and open areas within Chicahawk, which had already been transferred to the Chicahawk property owners organizations; the second gave the association the right to acquire title to the area I had set aside as a cemetery north of the Duck Woods clubhouse, providing the transfer was accomplished prior to December 31, 1977; the third gave full control of the architectural review process to the association on or after January 1, 1979, but no later than December 31, 1992; and the fourth was a provision assuring site clearance from the top of Hillcrest Overlook.

The sale of the Kitty Hawk Land Company stock December 13, 1976, effectively marked the date of my retirement, for I had already disposed of my bookshop, my stock in Outer Banks Contractors and Southern Shores Realty Company, and all other business interests. Walter Davis had formed a new company to take title, which he called DCH Incorporated. Though he retained the controlling interest, his managing partner was James E. Harrington, former manager of the Pinehurst golf resort, former secretary of the North Carolina Department of Natural and Economic Resources, and already a partner with Davis in a company called Cambridge Properties, with which they had taken over the ownership and development of Kildaire Farms in Cary. (In addition, they subsequently purchased the Bald Head Island properties at Cape Fear.) A young man named Whit Morrow was employed as on-site manager at Southern Shores, and later Mickey Hayes – now president of Kitty Hawk Land Company – was brought in as sales manager.

Friends, including Walter Davis, had encouraged me to retain some involvement in business, but my interests lay elsewhere, and I felt I had enough remaining assets for a comfortable, though far from wealthy retirement. Much of my time was already being devoted to the implementation of the controversial state law known as CAMA through my position as an original member and first vice chairman of the Coastal Resources Commission, and my reappointment by Governor Holzhauser, July 13, 1976, as a member

and as the new chairman of the commission. That in itself was almost a full time non-paying job, but then there was the massive task of organizing my voluminous library in the six-thousand six hundred square foot home I had built at Southern Shores, while at the same time doing some preliminary research and planning for a succession of books, the first of which, *North Carolina Lighthouses*, was published in 1980, to be followed in 1981 by a book of my father's fish paintings, *An Artist's Catch - Watercolors by Frank Stick*. There was neither the time nor the desire for money-making business activities, though I might have thought differently had I known that I was soon to embark on a totally unrealistic course which resulted in my giving away more than half of my limited assets.

For the first two years following retirement, I paid little more attention than the average homeowner to what was going on in Southern Shores, though occasionally Davis, Harrington, or Morrow would contact me for information about something that had happened in the past, as did the people heading up the civic association. I can remember going to only a single Southern Shores meeting during that period, and that one was to make a speech to the civic association in my capacity as chairman of the Coastal Resources Commission, just one more of dozens of speeches I was called on to make throughout the coastal area from Virginia to South Carolina.

Though the transfer of the common properties from the Kitty Hawk Land Company to the civic association was the first major step in my long-time dream of self government for the citizens of Southern Shores, there was almost universal opposition among the citizenry toward my suggestion that it was time to take the final step: the incorporation of Southern Shores as a municipality. Instead, the civic association had chosen to fulfill its responsibilities for maintaining streets and improving parks and other common properties by raising the money needed through voluntary contributions from property owners, with volunteer committees handling as much of the actual work as possible. The schedule of voluntary assessments ranged from one hundred dollars annually for the owners of permanent homes, to fifty dollars for those with seasonal cottages, and twenty-five dollars for unimproved lot owners. A majority of the residents came through with checks, and there was considerable interest and pride in serving on volunteer work crews. In fact, the Southern Shores "Pot Hole Gang," consisting primarily of elderly retirees engaged in repairing the roads, gained considerable publicity in the process, but when one of the pot holers suffered a broken leg on the job, there were some second thoughts. As for the money, each year there was a noticeable decline in the number of people sending in their voluntary contributions.

A long range development committee released the results of its year-long study at the meeting of the civic association, July 10, 1978. This blue ribbon committee chaired by Pete Peterson with Harold Via and Mac Nowlin as the other members, dealt extensively with the question of how to maintain the network of Southern Shores roads, presenting three alternatives:

1. State maintenance of the roads - with all other services by the SSCA and the county,
2. An effort to persuade the general assembly to authorize unincorporated communities to tax themselves for road maintenance through a special tax district - other services to be provided by the SSCA and the county.

3. Incorporation as a municipality - with the SSCA and the county continuing to provide some services.

In their report, Peterson, Via, and Nowlin effectively disposed of the first two alternatives with the following findings:

The study committee regards state maintenance of Southern Shores roads as undesirable because the secondary roads council of the state would not agree to preserve the scenic nature of the trails. It is their policy to cut down all trees in the right-of-way ( 60 foot swath along Dogwood Trail,) in the belief that the shade hastens the deterioration of the asphalt. Moreover, the state would take over only a portion of the road system. Some trails have too few residents per mile to qualify; others do not meet state specifications.

Formation of a special tax district for road maintenance is not now authorized by state law, and would be contrary to the prevailing policy. Those consulted by the study committee believed that an effort to get such an authorization from the general assembly would be unproductive.

Still, the study committee emphasized that it was not making "a pitch for or against incorporation." Rather, it had "concentrated on compiling the facts about incorporation as a municipality which are necessary to set forth the costs and problems attending the creation of a town of Southern Shores." Primary emphasis, both in the report delivered at the July 10, 1978, civic association meeting and in a six page "Fact Sheet Concerning the Incorporation of southern Shores," which was distributed to all Southern Shores property owners in September, was on the question of how much more it would cost taxpayers if a town were formed.

The basic county-wide tax rate in 1978 was forty-nine cents for each one hundred dollars of taxable valuation, for which the county provided a long list of services. Among the most expensive of these were: operation of the schools; the sheriff's county-wide police force; public health programs; social services; courts and jails; animal control; planning, etc., etc., etc. In addition to the forty-nine cent basic rate, Southern Shores property owners already paid a special seven cent tax for fire protection and a second special tax of thirteen cents for trash and garbage pick up, bringing the total 1978 tax bill in southern Shores to sixty-nine cents per one hundred dollars of valuation.

In addition to the forty-nine cent county tax, the seven cent fire tax, and the thirteen cent sanitary tax, the committee estimated that the town would need to budget eighty-four thousand dollars in its first year of operation. Exactly half of this would be for maintenance of roads and park areas, and a good part of the remainder for taking over three functions previously handled by the county: police, planning, and a variety of inspection duties. The good news, however, was that an estimated forty-six thousand of the eighty-four thousand would come from revenue sources outside of the town, mostly in the form of State Powell Bill funds allocated to municipalities for road work, and sales taxes and franchise taxes which were currently going to the county. Only the remaining thirty-eight thousand would have to be paid through property taxes, and the estimate was that this would call for a twelve cent tax levy on each one hundred dollars of valuation.

Incorporation as a town would therefore result in a property tax increase from sixty-nine to eighty-one cents, but there would be numerous advantages. The number one

reason for incorporation, of course, was that it would provide for proper maintenance of Southern Shores roads with the state paying a sizable part of the cost, thus eliminating the unreliable and inadequate volunteer assessment procedure. It would also make possible the establishment of the community's own police department, instead of having to rely on the county. But there was more, as listed in the fact sheet sent to property owners:

It will allow us to control our own destiny; for example, Kill Devil Hills could not annex us, as they could in time if we don't incorporate. (In North Carolina a town can annex an adjoining area - not necessarily contiguous - without a vote of the residents of the annexed area.) Secondly, as a municipality we could enact and control our own zoning ordinances - at this time our zoning can be altered without our consent. Further, as a municipality we could speak with more authority in the county and in the state. . . . Lastly, we could be a part of a powerful coalition, the North Carolina League of Municipalities.

The presentations by the Long-Range Development Committee alerted many property owners to potential problems they had never thought of before. As a result, there was agreement among all elements - lot owners and cottage owners as well as permanent residents - that they should take advantage of the 1963 act authorizing the incorporation of the Town of Southern Shores as soon as possible.

The vote at the September 11, 1978, meeting of the Southern Shores Civic Association was recorded as one hundred in favor of incorporation and four abstentions. On October 2, 1978, petitions requesting the county commissioners to implement the 1963 incorporation act were forwarded to the county attorney for verification. The petitions were signed by ninety per cent of the resident freeholders, though the act required only sixty per cent; and by thirty-two per cent of all freeholders - with late mail deliveries subsequently bringing the total to forty per cent - though the act required only fifteen per cent.

At long last, Southern Shores was on the road to complete self government! Or was it?

## Part 2 - OBRA Gets Involved

As soon as the word was out that the Southern Shores Civic Association was circulating petitions calling for the incorporation of the Town of Southern Shores, a small group of men initiated proceedings to forestall the incorporation. There were only nine of them, none residents of Southern Shores, and none even owners of property in Southern Shores. Who, then, were these nine men, and why were they so opposed to the incorporation of the town?

The up front answer is that they constituted a majority of the directors in attendance at the September, 1978 meeting of the board of directors of the Outer Banks Recreation Association, the non-profit organization that owned and operated the Duck Woods Golf Club, pool, tennis courts, and clubhouse. OBRA had come into being a decade earlier as the result of a widespread community effort to secure family recreational facilities for residents of Roanoke Island, the developing Dare Beaches, and the lower Currituck peninsula. In an outpouring of cooperative effort, the people of the three diverse areas, Dare Countians and Currituckers, natives and newcomers, had banded together to establish a recreation center for the expanded community, crossing over economic, political, social, and geographic boundaries in the process. The land was donated by the Kitty Hawk Land Company; the facilities were financed with a loan from the Farmers Home Administration.

Unfortunately, the action by the nine directors represented a return to the kind of sectionalism and prejudice that the organizers thought they had eliminated. The voting record that night seemed to point up a continuing resentment by a small number of local people over the intrusion of outsiders. The OBRA board of directors consisted of twenty-seven members, but only fifteen had shown up for the September meeting, making it possible for the nine, led by Manteo attorney Wallace Gray, to push through their carefully planned anti-incorporation vote. Three of the nine dissidents were from Manteo, two were from Currituck, two from Hatteras Island, and one each from Colington and Nags Head. With the exception of the director from Nags Head, whose wife was a native of Currituck, there were none from the Dare beaches area, from Kill Devil Hills, Kitty Hawk, or Southern Shores, where the majority of the members lived. It was a classic example of old-time Outer Bank politics at work.

In a complaint filed in superior court on behalf of OBRA by the Raleigh law firm of Maupin, Taylor and Ellis, a temporary restraining order was sought to enjoin the Dare County Commissioners from adopting the resolution that would have automatically created the Town of Southern Shores. The complaint claimed that OBRA's property would be "subjected to municipal taxation and municipal statutes and regulations totally unrelated to the operation of plaintiff's golf course." The figure of nine hundred twenty-one dollars and eleven cents was cited as the estimated amount OBRA would have to pay in town taxes in the first year of the new town's existence. The judge was asked to redraw the boundaries of the proposed two thousand eight hundred acre town, eliminating OBRA's two hundred ninety acres and thus creating a non-municipal enclave within the confines of the municipality.

Though it had been less than two years since my retirement, I suddenly found myself right in the middle of this horrific mess. In fact, my involvement had begun before the

intervention of the Gray-led-nine, when the leaders of the civic association realized that the names of five Southern Shores residents, to serve as the initial mayor and town council of the town, would have to be included in the petitions they were to submit to the county commissioners. There were a number of distinguished and able individuals in the community, including several who had held positions of responsibility in the federal government. Few had been long-time residents of North Carolina before moving to Southern Shores, however, and I was the only one of the whole bunch who appeared to have had any prior involvement with state or local government. As a former chairman of the Dare County Board of Commissioners and of the North Carolina Coastal Resources Commission, and as the developer of Southern Shores for two decades, I was approached by Kern Pitts, chairman of the civic association, who said the members of the organization would like to have me serve as the first mayor of the town.

Kern Pitts and I had a lengthy discussion, and I was pleased with the answers he gave to most of the questions I asked. The four town council members were to be Nelson Bortz, former US Assistant Secretary of Labor; Helen Hill Miller, distinguished author; Pete Peterson, one of the nation's leading authorities on atomic energy; and Harold Via, a retired Air Force Colonel and leader in the incorporation movement. The basic goals of the organizers were: (1) The proper maintenance of the more than twenty miles of roads in Southern Shore; (2) Local control over future planning; and (3) the ability of the community to have its own police protection. But that's where the absolute minimal government advocates in the civic association and I clashed, for Pitts said what they had in mind was a town marshal instead of a regular police department. I failed to see how it would be possible to have a nineteenth century Dodge City type marshal in late twentieth century Southern Shores, and added that it seemed to me you would need a police force early on consisting of five men, just to maintain twenty-four hour surveillance. When it was established that we would work toward that goal from the outset, I agreed to serve as mayor to help get the town started, but only until a successor could be selected at the next election in the fall of 1979. So the names of Stick, Bortz, Miller, Peterson, and Via were included in the petitions submitted to the county commissioners, with formal approval scheduled for January 2, 1979 following a mandatory ninety day waiting period. Then the OBRA nine went to work.

My involvement in the matter went much deeper than the fact that I was to be the mayor of the new town. I had arranged in 1963 for passage of the original act authorizing the incorporation of the town; had devised the plan for financing OBRA in the late 1960s, and convinced my associates in the Kitty Hawk Land Company to donate the necessary land; had called Southern Shores property owners together in 1970 as the first move in the formation of what became their civic association; and when OBRA was on the verge of bankruptcy in the early 1970s, had been drafted as president and served two terms in order to lead the organization back to solvency. Now, here in 1978, the community I had spent a good part of my life developing, and the recreation facility I had been so involved with, were engaged in an absurd legal battle. It didn't take much for the civic association attorney, Norman Shearin, to convince me to make a detailed statement, in the form of an affidavit, refuting many of the claims made by the Raleigh attorneys on behalf of Gray and his associates. As the potential mayor, I declined public comment, being quoted in *Norfolk*

*Virginian Pilot* article dated January 3, 1979, with what was probably the shortest statement of my career: "I have a non-status at this point."

After the judge granted a temporary restraining order preventing the county commissioners from approving the establishment of the new town, the next step was for a number of us, on both sides, to attend a hearing on a permanent restraining order which was held in the Pamlico County Courthouse at Bayboro.

Later, those heading up the civic association and OBRA and their attorneys sat down formally and worked out the rough outline of an agreement to be submitted to the directors of both organizations January 7, 1979. It was purported to be an agreement between OBRA, SSCA, and the non-existent town "new Town of Southern Shores." Here is the copy preserved in the minutes of the OBRA meeting that night:

PROPOSED SETTLEMENT CONSIDERATIONS BETWEEN OBRA,  
SOUTHERN SHORES CIVIC ASS. AND NEW TOWN OF SOUTHERN  
SHORES

1. ROAD MAINTENANCE:

OBRA will be responsible for maintenance of the road from parking lot to US 158 as follows: 100% in 1979; 90% in 1980; 80% in 1981; 70% in 1982; 60% in 1983 and 50% thereafter. The maximum amount which OBRA will be responsible for during 1979, 1980, and 1981 is \$1,000 for any one year.

2. ROAD IMPROVEMENTS (Capital):

OBRA will be responsible for 50% of the capital improvements of the road as it exists today, but that 50% will be cranked into a use formula based upon improvements of lots along Dogwood Trail. (Year 1979 will be used as a constant and as development occurs OBRA's liability will be decreased.)

3. ZONING:

OBRA recognizes it will be subject to statutory provisions for town zoning. Basically, a town can adopt ordinances by which it can zone all lands within one mile from its town limits.

4. SERVICES:

If OBRA desires any services from the Town of Southern Shores, it may contract for the same with the town upon whatever terms can be agreed upon.

5. LEGAL FEES AND COSTS:

OBRA agrees to pay to Civic Association up to \$7500 for the legal fees and costs for its intervention and defense in the lawsuit entitled: OBRA vs. DARE COUNTY.

6. OBRA and Southern Shores Civic Association agree that attorneys for both sides will work together to produce a bill to the N.C. General Assembly amending the 1963 act whereby OBRA's lands will be excluded from the boundaries of the new Town of Southern Shores, and also amending the act to make it in conformity with the N.C.G.S. Chapter 160-A, and also making the act effective immediately upon ratification.

7. OBRA agrees and wishes to make a loan to the Town of Southern Shores in amount of \$10,000 for one year at 6% interest. Security for the same to be worked out, if possible.

Attorneys for both sides will work together as soon as possible to frame a written agreement of the above.

Both sides agree that upon ratification of the amended act by the legislature, the lawsuit by OBRA against Dare County will be dismissed.

There was heated discussion the night of January 7<sup>th</sup> among the sixteen OBRA directors who had answered the president's call for a special board meeting to consider the negotiated settlement. An early motion to drop the suit, pay the accumulated fees, and let the club become a part of the town of Southern Shores ended in an eight to eight tie, and therefore did not pass. A later motion to approve the negotiated agreement passed, also with three members abstaining. That same day the agreement was also approved by the SSCA board of directors.

What was the final result of OBRA interference in the process of incorporating the Town of Southern Shores? First off, though few OBRA members were aware of it, OBRA had to revise its 1979 budget, in the process eliminating some much needed improvements to the golf course, because the combined legal fees for both sides and other miscellaneous expenses related to the lawsuit, all paid for by OBRA, amounted to more than \$15,000. Most importantly, OBRA soon decided to forget the carefully crafted agreement and be included within the boundaries of the town when it was learned that it would have to come up with \$20,000 for repaving the road from U.S. 158 if it still wanted to maintain its autonomy. Ever since then, the OBRA facilities have been an integral part of the Town of Southern Shores, receiving for its town taxes the full benefits of town financed road maintenance, police protection, and a number of other services.



### Part 3 - Southern Shores Becomes a Municipality

Swearing in ceremonies for the five officers of the new town were held in the auditorium of the Kitty Hawk Elementary School April 1, 1979, in conjunction with a special meeting of the Southern Shores Civic Association. Members of the Civic Association were out in force, welcoming an array of distinguished invited guests from other government entities, and providing refreshments following the brief ceremony. As the first mayor, it was my responsibility to make a speech, and I had made a special effort to keep it short and concise so that it took me only a few minutes to read the entire text of the prepared remarks. Here's what I said:

It is especially appropriate that the ceremony activating the Town of Southern Shores should be held in conjunction with a meeting of the Southern Shores Civic Association, for the civic association is the parent of this newborn municipal being, and as such is fully justified in claiming at least partial credit for the accomplishments of its offspring. At the same time, however, it has a parental obligation to continue providing guidance and assistance during the growth process, to keep a watchful eye on the child's development, and even to smack its hands or backside on those occasions when it appears to get out of line.

Further, because such a large proportion of Southern Shores property owners are non-residents, an active civic association is the logical vehicle by which they can be kept fully informed.

The common denominator among all freeholders of Southern Shores, resident and non-resident alike, appears to be a desire for minimal government. Specifically, this translates into minimal regulation, minimal formalities, and especially minimal taxation. Hopefully, there is full realization that the extent of government, and thus the level of the taxation which finances government, is in direct ratio to the demands of the citizenry for services; and that those who seek minimal government must be content with a modest level of services.

Some here today will note the irony in my taking office as the first mayor of yet another little town in an area already burdened with too many little towns, for I have long advocated the consolidation of municipal services along the northern beaches of Dare County. Yet I feel strongly that the incorporation of Southern Shores, bringing with it realization of self government for the people of this growing community, is a progressive step in that direction. A strong and viable local government in Southern Shores will be better able to work with the elected officials of Kill Devil Hills, Nags Head, and the county in a concerted effort to recognize and find solutions to a growing list of area-wide problems of common concern to all.

I am convinced that Nelson Bortz, Helen Miller, Arthur Peterson, and Harold Via, with whom I will share the initial responsibility for directing the affairs of the Town of Southern Shores, feel as I do that the best government is the least possible government, and that the most responsive government is that which is closest to the individual citizen, and if any of us tends to forget that basic precept, I am confident someone will quickly remind us.

We who take office today have an obligation to conduct our meetings, and thus your business, in the open light and not in the darkness of locked rooms. We must respond to the needs and desires of the community as a whole, even on those occasions when such a course may be in conflict with the desires of individuals who are part of the community. We must listen as carefully to those of our constituents who speak softly and infrequently, as we do to those whose voices are loud and dominant. Above all else, if we are to be successful in

maintaining a low level of town government, we must join with our fellow citizens in accomplishing, ourselves, a wide variety of tasks for which most towns tax their residents and pay others to do the work:

Among those attending the swearing in ceremonies were Tommy Gray, chairman of the Dare County Board of Commissioners; Lowell Perry, Mayor of the town of Kill Devil Hills; and Don Bryan, mayor of the town of Nags Head. All three were personal friends with whom I had worked on a variety of projects in the past, and it seemed an appropriate time for the four of us to have an informal discussion about an idea I had been considering. I invited each of them, and their wives, to come over to my house in Southern Shores when the ceremonies were finished. When all had arrived, I took them down to my recreation room, and in the ensuing discussion told them I thought that we had a unique opportunity to bring the county and the municipalities together in a concerted effort to identify and seek solutions to area problems. Specifically, I suggested that the four Dare County mayors – including the mayor of Manteo – and the chairman of the board of commissioners, schedule an informal breakfast meeting once each month for that purpose. They were all receptive, and the next month the first of what became known as the mayors' meetings was held at the Ramada Inn in south Nags Head. It is my understanding that they are still being held, nearly two decades later.

Though the movement to incorporate Southern Shores had dragged on for considerably more than half a year, all of a sudden we were moving at a fast clip:

March 1, 1979 - The amended bill incorporating the town of Southern Shores was signed into law, automatically creating the town as of that date.

April 1, 1979 - Swearing-in ceremonies for mayor and town council

April 3, 1979 - First meeting of the Southern Shores Town Council is called to order in the Southern Shores fire station at ten am.

On the surface we appeared to be rolling, but, in fact, it seemed that nobody in Raleigh had ever bothered to take care of a number of problems faced by new towns. We had no town hall. We had no town employees. We had no town ordinances. Most crucial of all, we had no money. Further, we not only had to come up with what was called a "bobtail" budget to carry the new town through the three remaining months of the 1979 fiscal year, but before July 1 we had to prepare, hold public hearings on, and adopt another regular budget for the 1980 fiscal year.

Well in advance of taking office, I had asked each of the town council members to gather material on different facets of these problems, supplementing a considerable amount of research I had done on my own. The results of this preparation are evident in the minutes of that first meeting:

MAYOR PRO TEMPORE

Nelson Bortz was elected Mayor Pro Tempore. [4 Yes votes; Bortz did not vote.]

TOWN CLERK

Katherine F. Kenan was named acting town clerk. [5 Yes votes]

In addition, the mayor named Bortz, with assistance from Miller, to interview applicants for the permanent position of town clerk and finance officer

TOWN ATTORNEY

Thomas L. White was named town attorney. [5 Yes votes]

TOWN AUDITOR

The firm of Edgar Johnson, CPA, was chosen as town auditor. [5 Yes votes.]

COUNTY ORDINANCES

All county ordinances had ceased to apply to Southern Shores on the date of the town's incorporation, March 26, 1979. Accordingly, the council adopted the first Southern Shores town ordinance --[#79001] -- continuing in effect all county ordinances which applied to the town. [5 Yes votes]

TRANSITION

The mayor was made the designated representative of the council to work with County Manager Jack Cahoon on the transfer of governmental responsibilities from the county to the town. [4 Yes votes. Stick did not vote.]

FINANCE OFFICER

Councilman Harold F. Via was named temporary finance officer to serve until a permanent town clerk/ finance officer could be hired. [5 Yes votes]

REGULAR MEETING DATES

Nine am on the first Tuesday of each month was set as the regular meeting date of the council. [5 Yes votes]

BUDGET HEARING

A public hearing on the "bobtail" budget was set for ten AM, Tuesday, May 1, in the Southern Shores fire station. [5 Yes votes]

VEPCO POLES

The council voted to oppose the proposal by VEPCO to place sixty-five foot poles along Route 158. [5 Yes votes]

All of these relatively routine matters were taken care of expeditiously, with ample time allowed for comments by several residents of the new town. But what about the immediate problems – a town hall, and money to operate the town? In fact, both had been solved before the meeting. The Kitty Hawk Land Company had offered to let the town

have space in the old KHLC office originally built by Frank Stick in the late 1940s; and the Southern Shores Civic Association had offered a donation of \$5,000 in "start-up money" to the town. With all anticipated matters taken care of in relatively short order, the first meeting of the Southern Shores Town Council was recessed until nine AM, April 23, 1979, at the fire station, following appropriate expressions of appreciation to the civic association for its many services.

The people of Southern Shores finally had their own town.

#### Part 4 - Getting Started

Through past involvement with a number of public and non-profit commissions, councils, boards, and committees, I had learned the importance of teamwork, and at the same time had gained some understanding of what should be done – and what should not be done – in putting together an effective team of workers.

It all begins with the necessity for the person in charge to adopt and adhere to the team concept; and with less than eight months left before the town's first elected mayor would succeed me in that office, I knew this was the way we had to go. I had already made a determined effort to learn as much as I could about the four members of the town council, so that each could be assigned responsibility in the area of town government for which he or she was best qualified, and was most interested.

At the conclusion of the first meeting of the town council, the newly elected mayor pro tem, Nelson Bortz, asked what I wanted him to do. This was a man who, as undersecretary of labor, had been involved with the management of an entire department of the federal government, and the answer to his question came easily. "I want you to run the town, I told him, "so I can concentrate on dealing with the county and other government agencies." And from that day forward, if for example there was something I wanted the town clerk to do, I arranged it through Bortz instead of dealing directly with the clerk.

I spread the rest of the assignments around among the other three. Helen Miller was to work with Bortz on personnel matters, with their first assignment being the drawing up of job specifications, and seeking out and interviewing applicants for the job of town clerk and finance officer. Harold Via and Bortz were to arrange for the orderly transfer of roads from the civic association to the town, with Via also serving as the point man in planning for the early establishment of a town police department. Pete Peterson was to put together information on a proposed building code and on what was required for Southern Shores property owners to qualify for federally backed flood insurance, and Helen Miller was to work with him on drafting a set of appropriate subdivision regulations.

All four of the council members had worked hard for incorporation, and I could see no indication that any of them had been motivated by a desire for personal recognition. On the other hand, I had been involved previously with individuals who seemed to work best and hardest when they received public acknowledgment for their efforts, so I met personally with each of the reporters assigned to cover our meetings and asked them, whenever possible, to attribute their news stories to the town council member most responsible for the matter about which they were writing, and to quote the mayor, and use my name, as infrequently as possible.

Some early results of the team approach were apparent the second time the council met, at the recessed meeting, April 23<sup>rd</sup>. Nelson Bortz reported that he and Helen Miller had interviewed nine applicants for the position of town clerk-finance officer, and had asked three to come back for second interviews. From that list, they recommended the employment of Victoria Jennette Robbins, a permanent resident of Southern Shores, who had agreed if hired to work part time with no fringe benefits for \$4.50 an hour with the estimate being that it would take an average of twenty hours a week to handle the job. The

five council members voted unanimously to employ Mrs. Robbins as the first Southern Shores town clerk and finance officer.

Bortz also reported on a meeting with civic association president Kern Pitts and attorney Norman Shearin, resulting in the preparation by Shearin of the first draft of a document transferring roads from the association to the town. Before a final draft could be prepared, however, a number of questions had to be answered, all of them dealing with whether certain platted roads should be included in the transfer. Among those in question were the streets in Seacrest Village, on all of which "Private Road" signs had been installed; those in Chicahauk; and the ones connecting Ocean Boulevard to the ocean, on which walkways had been constructed. I answered the one about the roads in Seacrest Village, stating that, "the 'Private' signs had been put up some years ago by KHLC as a 'scare' tactic to keep outsiders from tearing down the dunes, parking etc., but the Seacrest roads have no special legal status, and the privacy of the roads in Seacrest could not be legally enforced." All agreed that these should be turned over to the town. I then suggested that the document be redrawn, "so that it clearly states what streets the town is taking over and what streets it is not taking over," and I suggested that the only ones not turned over to the town should be the walkways from the paved roads to the beach, those in or leading to common areas, a few limited access trails, and those in Chicahauk - "unless the Chicahauk association decides to deed the roads to the town."

On another subject, Peterson reported that a surveyor had been employed to measure all of the streets being acquired by the town, and to prepare a town map, since such a map had to be submitted to the state by May 15 in order for the town to qualify for its share of the 1979 Powell Bill funds.

Since four individuals had already made contact with regard to the initial job of town policeman, Bortz and Via were to work up job specifications, as well as equipment needs, and report back to the council at the June meeting so that funds could be allocated for the police department in the budget for the new fiscal year beginning July 1.

The mayor, who had been named at the April 3 meeting as the designated representative of the council in dealing with the county on transition matters, reported on his discussions with County Manager Jack Cahoon, which had resulted in what was described in the April 23 minutes as "tentative accommodations" in the following areas:

#### FIRE DEPARTMENT


The recommendation was that the arrangement in which the Southern Shores volunteer fire department has been part of the Kitty Hawk Fire District should not be changed during FY 1980, except that the town would collect the fire district tax within Southern Shores and turn it over to the board of directors of the Kitty Hawk Fire District, "thus enabling the town to get some credit for future distribution of matching funds."

#### GARBAGE COLLECTION

As with the fire district, the recommendation was that the town collect the tax, and in this case turn it over to the county; but in addition, there should be a determination by FY 1981 budget preparation time the following spring as to

whether the garbage and trash collection activity should remain with the county or be transferred to the town.

ZONING, SUBDIVISION REGULATIONS, BUILDING CODES, & BUILDING INSPECTION



Cahoon and Stick recommended that as soon as possible the town should proceed to develop its own zoning, subdivision regulations, and building codes and inspection with the building code to be given first preference, followed by subdivision regulations and zoning. They further recommended that as soon as possible after July 1, 1979, the town should have an effective building code and a building inspector, so that building permits could be issued locally. However, they added, the issuance of CAMA permits should remain with the county, since the ability to issue CAMA permits requires a lot of training. Also, they said, "The county employee issuing CAMA permits is the same person who will issue septic tank permits for all Southern Shores buildings."

TAX BILLING

The report reminded council members that it is the responsibility of counties in North Carolina to come up with the value of each piece of property, and towns have to accept these assessment figures. The town will have to "devise its own tax bill forms and have them printed, then send them to Raleigh for completion, after which they are returned to the town for mailing." In order for the town clerk to have a complete set of all tax abstracts, arrangements will have to be worked out with Linda Midgett in the county tax office.

Council members had been concerned from the outset as to how they could operate a new town with no money, since taxpayers have until the end of the calendar year to pay their property taxes without penalty. The limited operating expenses needed to finish out the 1979 fiscal year, ending June 30<sup>th</sup>, had already been taken care of by the gift of \$5,000 from the Southern Shores Civic Association, and the mayor was able to provide the good news that he had spoken with the major land owners in the town, all of whom had agreed to prepay their fiscal year 1980 taxes in July, 1979.

POLICE PROTECTION

The mayor reported that the sheriff had been out of town, but he had discussed police matters in detail with County Manager Cahoon and the chief deputy. Cahoon recommended that one policeman be put on duty as soon as possible after July 1, 1979, and "because of the time involved in getting delivery of radio equipment, the council should place an order for such equipment as soon as possible."

The mayor also said that once the town had its own police department, "the county would not answer an initial call, but should our policeman get into a situation which he cannot handle by himself, the county would send backup help, as is the case with the other towns in the county - all of which means the town must somehow provide twenty-four hour police protection and should logically employ a

second policeman next winter, or by early spring of 1980 at the latest. The county would understand our situation and gradually transfer the responsibility of police protection, but would expect us to build up our force to at least three policemen during FY 1981." The mayor added that he had arranged a meeting with the sheriff later in the week.

#### EXTRA-TERRITORIAL JURISDICTION

At the request of the mayor, the chairman of the Dare County Board of Commissioners, Tommy Gray, and County Manager Jack Cahoon had joined the meeting for the express purpose of discussing extra-territorial jurisdiction. A serious problem had arisen since the act incorporating the Town of Southern Shores had given the town jurisdiction for a mile beyond its borders despite a provision in the North Carolina General Statutes (G.S. 160A-360(e), "that towns may not exercise zoning privileges if the county already enforces subdivision ordinances, zoning, and building codes - unless the town and county enter into an agreement specifying which entity zones which lands." Since the lands within the one mile limit north and south of Southern Shores are already zoned by the county, an agreement was reached after full, open discussion, and put into motion by Bortz, seconded by Miller, and passed by unanimous vote of the five council members, "that the town would retain full extra-territorial jurisdiction over the Outer Banks Recreation Association property and Martin's Point, but would transfer back to the county their zoning authority and relinquish the town's in the areas south of the center line of Route 158 and north of the Southern Shores' northern boundary."

Thus a potential area of disagreement between the new town and the county was eliminated, and at the same time a number of people in Kitty Hawk Village were relieved to learn that rumors making their way through the community, that the new town was about to annex them, were false - as such rumors usually are.

It had been exactly four weeks since the act incorporating the Town of Southern Shores had become law, and there was general agreement that the new council had made remarkable progress in addressing a number of challenges facing us. But I felt there was still a lot to be done before an elected mayor and town council took office in December.



### Part 5 - The Business of Running a Town

In my earlier capacity as president of the Kitty Hawk Land Company, I had known and worked with each of the four individuals who had been selected by the civic association to serve as members of the initial town council. No neophyte mayor could ask for a more distinguished, able, and dedicated town council with which to work. Two of the four, Helen Miller and Nelson Bortz, were listed in the 1966 *Who's Who in America*, and from discussions with persons close to them, I learned a little bit about the varied careers of each.

Harold Via returned to Southern Shores after a distinguished career in the air force, and soon became an active advocate for incorporation of the town. So did Arthur V. Peterson, who had served on the initial core group that developed the Manhattan Project in World War II, became an authority on atomic energy, and was still serving as a consultant on atomic energy projects throughout the world when he was named to the town council of Southern Shores.

The biography of Nelson Markley Bortz in the 1966 edition of *Who's Who in America* emphasizes his involvement with labor relations over a period of many years, and especially his chairmanship of the Railroad and Airline Wage Board in the early 1950s; his service as assistant secretary of labor from 1959 to 1964; and his subsequent term as director of the Bureau of Labor Standards. After he retired to Southern Shores, he was called upon more than once to mediate disputes between railway management and labor. He was seventy-one when the Southern Shores was incorporated as a town.

Helen Hill Miller, by any standard, was the best known of the five individuals chosen to get the new town started. She was seventy-nine, and approaching her July 4<sup>th</sup> eightieth birthday when she agreed to serve on the governing board of the new town. Her *Who's Who* biography contains considerable detail on her educational background, travels throughout the world, and service as a correspondent and contributor to such widely divergent publications as the *London Economist*, *Newsweek*, and *The New Republic*. She was widely known as a lecturer, and was considered an authority on Greek architecture. In 1955 to 1956 she served as president of the Women's National Press Association. She was author or co-author of numerous books, the latest of which are listed in the 1966 edition of *Who's Who* as: *Greece; The Case for Liberty*; and *The Western Colonies of Greece*. An indication of her prodigious literary output was the fact that all three of these had been published in 1965.

Soon after we took office, Helen confided to me that she had made a serious mistake in agreeing, back in the late winter of 1979, to serve as a member of the new town board. Earlier she had made an application to participate in an extensive and grueling hands-on tour of China, but had been turned down because no one more than seventy-five years of age was deemed physically capable of holding up under the trials of the long journey. The people setting that arbitrary rule, however, had underestimated the determination of Helen Hill Miller, and the extent of support she would have from distinguished sources. Only after taking office was she informed that in her case the age restriction had been removed, and she was eligible to participate in the China expedition.

absence of several months from the area." At the June 5, 1979, meeting, the council named Don Wheaton, Jr. to replace her.

As a means of keeping the people of Southern Shores informed on what their town officials were doing, I had initiated a procedure of issuing periodic reports or summaries of council actions and plans. Actually, the first was my speech as mayor at the time of our induction into office April 1. An early report on the more specific objectives of the council was issued soon after we took office in May, and another, prepared in late June, provided both a cursory review of our first three months of operation, and covered the period up to that time.

Yet another summary, this one titled A Report on the Town of Southern Shores - After Five Months, was issued August 16, 1979, by the mayor and council. It covered two single spaced typewritten pages and is copied below in its entirety.

#### A Report on the Town of Southern Shores - After Five Months

These reports are designed to keep property owners and residents posted on how the new Town of Southern Shores is functioning. The first report, prepared shortly after the town council took office, was, for the most part, a statement of objectives. The second, in late June, provided a cursory review of the first three months of operation and detailed information on the budget adopted for the fiscal year beginning July 1, 1979. This one covers a wide variety of town activities.

HOW THE TOWN COUNCIL FUNCTIONS - Each member of the council has been assigned specific areas for study, gathering all available information on that particular subject, and then reporting to the full council. For example, Harold Via has become the town "expert" on all matters dealing with law enforcement; Don Wheaton's field has been roads; Pete Peterson has been the specialist on building codes and the procedures required for issuance of building permits. Mayor ProTem Nelson Bortz is in charge of office management and administrative matters, leaving May David Stick free to concentrate on liaison with other governmental agencies and general policy matters.

PUBLIC HEARINGS - On certain matters, especially those dealing with budgets and land use, the state law requires a municipality to hold public hearings before taking action. The council has gone a step further by conducting advertised public hearings on matters of major substance. Comments generated at these hearings provide a basis for final determination of matters under consideration by the council.

BUILDING CODE AND BUILDING INSPECTION - A comprehensive ordinance establishing a building inspection department, adopting a building code, and providing for building inspection procedures has been adopted. In addition, a simplified building inspection fee schedule has been developed. Southern Shores resident Charles Hermann has been employed as a part-time building inspector, and, effective September 1, 1979, the building inspection process, previously handled by Dare County, is being assumed by the town. Property owners who plan to build should write Mr. Herman, c/o town office, for information on building code requirements and procedures for obtaining a building permit.

ZONING AND PLANNING - The town has adopted subdivision regulations and a zoning ordinance, basically the same as those administered by the county, which were prepared initially with heavy input from Southern Shores citizens. A planning board has been appointed with Bob Trost as chairman and Mary Alexander, George McIntosh,

prepared initially with heavy input from Southern Shores citizens. A planning board has been appointed with Bob Trost as chairman and Mary Alexander, George McIntosh, Robert Andrews, and Mickey Hayes as members, and with Peter Baranowski as an alternate member. The planning board meets regularly on the first Monday night of each month in the fire station.

An additional ordinance, extending extraterritorial zoning jurisdiction to the OBRA property and Martin's Point, has been adopted. The planning board is developing proposed standards for those areas, and for this purpose, representatives nominated by owners of these two areas and appointed by the county, also sit as part of the planning board.

The council has also applied for a CAMA grant to develop a comprehensive land use plan, which when adopted will clearly state the long-range land use and environmental goals of the community and serve as a guide for state and federal agencies contemplating action that could affect the town.

A board of adjustment has been appointed, consisting of McCarthy Nowlin as chairman, with George Held, Charles Leet, Eleanor Butler, and John Wiley as members, and with Ormond Peterson and Broadway Frazier as alternates.

LAW ENFORCEMENT AND TRAFFIC CONTROLS - Ordinances covering these important matters will be considered at a public hearing at the September 4 meeting of the town council. A committee composed of Harold Via and Nelson Bortz is interviewing applicants for the position of police chief, with hope that the first town officer can assume his duties in October. A used police car is being purchased from the town of Kill Devil Hills. Specific traffic regulations, speed limits, parking limitations, etc., are in the process of development.

ROADS - After a thorough inspection and study of the 21.92 miles of town roads by Don Wheaton and Charles Hermann, a comprehensive roads policy has been accepted in principle by the council. It will divide the town's roads into basic categories (main arteries, neighborhood, etc.) with design and maintenance standards for each.

Spot maintenance in the form of filling pot holes with a cold patch asphalt material is being handled by volunteers from SSCA. Repaving of certain roads and extensive shoulder work are on the schedule this year, primarily with funds from the state's Powell Bill allocations.

REVENUES - The response of property owners to the appeal for prepayment of taxes to provide cash flow needed to operate the new town during the first quarter ( July, August, September ) has been gratifying. More than \$10,000 has been collected. Additional tax income will be needed to get through the second quarter ( October, November, December ). Property owners are urged to pay their town taxes promptly when the tax notice is received in late September or early October.

GARBAGE AND TRASH - With council member Pete Peterson as chairman and Kern Pitts, Helen Morris and Charles Byrne as members, a committee has been appointed to make a thorough study of the garbage and trash collection situation in the town. Suggestions for ways of improving service will be considered before the committee makes its recommendations to the town council. This will assist in the development of town policies, and possibly an ordinance. It will serve as a basis for discussions to be held in the fall with representatives of the county on how to improve the service, and on whether the town should consider taking over the collection duties in the next fiscal year.

TOURIST BUREAU - Nelson Bortz has been appointed to represent Southern Shores on the board of directors of the Dare County Tourist Bureau.

CURRITUCK OUTER BANKS - The town has taken a strong position in urging the state to provide east-west access to the Currituck Banks, maintaining the area as a destination beach, and thereby precluding Southern Shores being a major thoroughfare to our northern neighbors.

PROGRAM OF ACTION.- The council has prepared a tentative action program designed to establish a firm base for the orderly conduct of town business by future town councils. Since elections for all five council seats will be held November 6<sup>th</sup>, and the new town council will take office December 4<sup>th</sup>, the present council hopes to be able to identify and address all major problem areas before the successor board assumes its duties.

THE MAYOR AND TOWN COUNCIL OF SOUTHERN SHORES  
David Stick, Nelson Bortz, Arthur Peterson, Harold Via, Don Wheaton.

August 16, 1979

### Part 6 - Getting Ready for the Transition

The final three months of incumbency for those who had been appointed as members of the initial Southern Shores town council consisted to a large extent of wrapping up loose ends, of addressing potential problems, initiating programs, adopting ordinances, and experimenting with ideas. All members of the council shared the goal of turning over, to those elected to succeed us, a town government in first class working order, with the most obvious bugs already worked out, and with procedures in place for the future orderly management of the town. Largely because of the OBRA fiasco, we had not been sworn in until April 1, 1979, several months later than had been anticipated when I agreed to serve as the first mayor of the town until a new council could be elected. Our successors were to take office December 4, 1979. Eight months and three days hadn't left us any time for dawdling, and fortunately there were no dawdlers among those early council members.

The response to our appeal for the early payment of taxes resulted in our having a balance of more than \$16,000 on hand in August. At the first meeting in September, with a hurricane named David approaching, the council hurriedly adopted, by means of special ordinance, the period from September 14 to October 5 as the time for candidates to file for council seats. Nelson Bortz and Pete Peterson joined me in announcing that they would not be candidates for re-election.

At the September 25, 1979 meeting, the council followed the recommendation of the committee that had interviewed candidates for the town's first chief of police, and hired Danny Wayne Beasley to head up the police force of the new town. Also, on my recommendation, the members voted 5-0 to create a joint task force to study matters of mutual concern to the town council, the residents of the community, and the developer. This task force was to consist of two members of the town council, two representatives from the civic association, and one from Kitty Hawk Land Company. One of the first matters to be addressed was the method for approval of elevation plans, and the issuance of building permits. Harold Via aptly described it as a "harmonious and homogeneous" effort to seek answers to problems and potential problems. For the first time, also, we had some specific population figures with the announcement by Nelson Bortz that tax bills had been mailed to 1,350 property owners, and that the state had found that there were 320 permanent residents in the Town of Southern Shores.

Preliminary actions were taken in October and November on some matters which had been discussed from time to time during the summer and early fall. (1) By unanimous vote, the council adopted an ordinance dealing with "Offenses, Actions, and other Matters Declared inimical to Health, Safety, and Welfare." (2) The matter of adopting guidelines covering dock construction by waterfront property owners was referred to the planning board. (3) Two public hearings were held, one on the control of boat speeds in the lagoons, and the other on adoption of flood control measures to enable property owners to purchase flood insurance. My recollection is that the new little town of Southern Shores was the first local government entity in northeastern North Carolina, county or town, to meet the federal requirements for the issuance of flood insurance.

In my final month as mayor, with Nelson Bortz overseeing activities from the town hall, and other council members wrapping up a variety of committee assignments, I turned

my attention to a backlog of other responsibilities, both public and personal. There was work to be caught up on with regard to my membership on America's Four Hundredth Anniversary Committee, and the organization of the subcommittee I headed. In late November I left for a long-planned family reunion to be held at the home of one of my sons in Florida; consequently, I missed the last of the town council meetings, at which both the boat speed ordinance and the flood control ordinance were adopted. I did take time, however, to prepare a two-page personal memo to the members of the newly formed joint task force, in which I dealt exclusively with the history of efforts to maintain standards for the appearance of houses constructed in Southern Shores.

In the memorandum I began by pointing out that covenants in deeds gave the KHLC exclusive authority for the approval of elevation plans, while sole authority for the issuance of building permits rests with the town, and from a legal standpoint the two are completely separate functions. Here are some excerpts from the report which seem appropriate:

It is to the mutual benefit of KHLC, the town, and SSCA to maintain architectural standards, despite almost constant pressures from property owners and contractors – especially contractors – to lessen the standards or provide variances which would allow boxes on stilts or other structures obviously not in tune with the atmosphere of the community.

Tastes vary, and in the case of architecture it is almost inevitable that some people will not like what is built, regardless of who designs it or who approves it. Thus, the responsibility for plan approval is an unenviable task.

Since the town cannot become involved in aesthetics . . . a logical goal would seem to be for the developer and the people of the community, through SSCA, to work closely together in maintaining architectural standards, and for the town to support the architectural review process to whatever degree it is legally able to do so.

There have been tremendous changes since the first house was constructed in Southern Shores in the 1940s, changes in design, construction techniques, life styles, the economy, etc. As these changes took place, the developer's policy with regard to architecture changed too, though not to the extent that it was explicitly articulated in writing. The policy called for different standards in different parts of the community, and there was a general understanding of the various standards – such as cottages on the open beach vs. permanent homes in the woods, or larger buildings on the oceanfront than were required on the west side of the highway.

Having thus reviewed the general approach to plan approval that I had developed over the period of two decades when I was developing the Southern Shores community, I then made some suggestions for future action. I began by pointing out that "there is always the opportunity to experiment with new architectural approaches and standards when the first few houses are built in a new area, and listed several newly developed areas in the town where this could be done. I added that I had found, in the unenviable job of enforcing the covenants covering approval of elevation plans, that it had helped considerably to have the architect and the citizens committee review a variety of plans, including those provided by companies doing business in the area and others from conventional plan books, so that all parties would have an understanding, beforehand, as to what types of structures would or would not be considered for approval in different parts of the community. I ended the memorandum with the following:

It is essential for the town council and the building inspector to fully support the architectural review process – which at the very least would seem to call for delay in issuing any building permit at least until the building inspector has an opportunity to discuss it with the KHLC architect.

I left for Florida November 23, 1979, and did not return to Southern Shores until well after Harold Via and four newcomers – Kern Pitts, Katherine Kenan, Charles Leet, and John Wiley – were sworn in December 4, 1979, as the first citizens elected to membership on the Southern Shores town council. For several weeks before my departure, however, I concentrated on the preparation of a report for the incoming members of the council covering the general history of town government in North Carolina, the responsibilities of the governing body, and a wide range of matters peculiar to the town and community of Southern Shores. This was a process I had followed on a number of occasions previously at the conclusion of service on some public entity, such as at the time of my retirement in 1962 as chairman of the Dare County Board of Commissioners.

Typically, I guess, I overdid it, for the report ran to thirty-six pages, about the same length as this history of my involvement with the town of Southern Shores. I titled it "*Some Notes for Incoming Members of the Southern Shores Town Council.*" Dated it December 4, 1979, and began with the following introductory note:

Having served as mayor of the town of Southern Shores for the eight months since its incorporation as a municipality, and as the individual responsible for development of the Southern Shores community for two decades prior to that, I feel an obligation to pass on the following comments to those who take office today as the governing body of the town.

Though many of the observations made in the following pages will reflect the thinking of all members of the retiring town council, in no way should this be considered as a consensus document, for the choice of subject matter, the method of presentation, and the specific words used are mine, and though I will attempt to be objective, it is inevitable that my personal views will be reflected, in some instances on questions subject to controversy.

If any member of the incoming council wants amplification on any of the subjects covered, I hope you will not hesitate to call on me.

The report dealt in considerable detail with thirteen different aspects of town government:

1. Council Organization
2. Income
3. Budgeting
4. Roads
5. Law Enforcement
6. Town Clerk/Finance Officer
7. Planning
8. Parking
9. Town Property and Lagoons
10. Joint Task Force
11. Garbage and Trash
12. Animal Control and Bird Sanctuary

### 13. Municipal Facilities

In addition, under the heading of "Other Matters." I went into somewhat less detail on "ABC Store Profits, Town Logo and Seal, Indexing Minutes, Fire Department, Building Inspector, Bike and Walking Trails, Tax Base, Elections, Architectural Review, Sewage, Signs, Entrances, OBRA, Chicahawk Associations, KHLC, Our Neighbors, and Codification."

I'm not sure how many, if any, of the incoming council members actually read the report in its entirety, or whether they just filed it away with the mass of other material with which they were provided. It has been nearly nineteen years since then, and my recollection is that none of the five members actually asked to sit down with me and discuss the report after I returned from Florida. Occasionally, however, when problems arose, I would have a call from Kern Pitts, who was elected mayor, or from one of the other four, about some matter that needed clarification. With the front-page index, I had specifically designed it as a document for easy reference, and since it dealt with the development philosophy behind the creation of the Southern Shores community, and the governmental philosophy of the initial town council, I felt it was important to pass it on to those assuming responsibility for managing the town government. Come to think of it, I still do, and for that reason I am attaching the report as an appendix to this brief history of the establishment of town government in Southern Shores.

David Stick  
March, 1998



SOME NOTES FOR INCOMING MEMBERS  
OF THE SOUTHERN SHORES TOWN COUNCIL

Mayor David Stick, Dec. 4, 1979

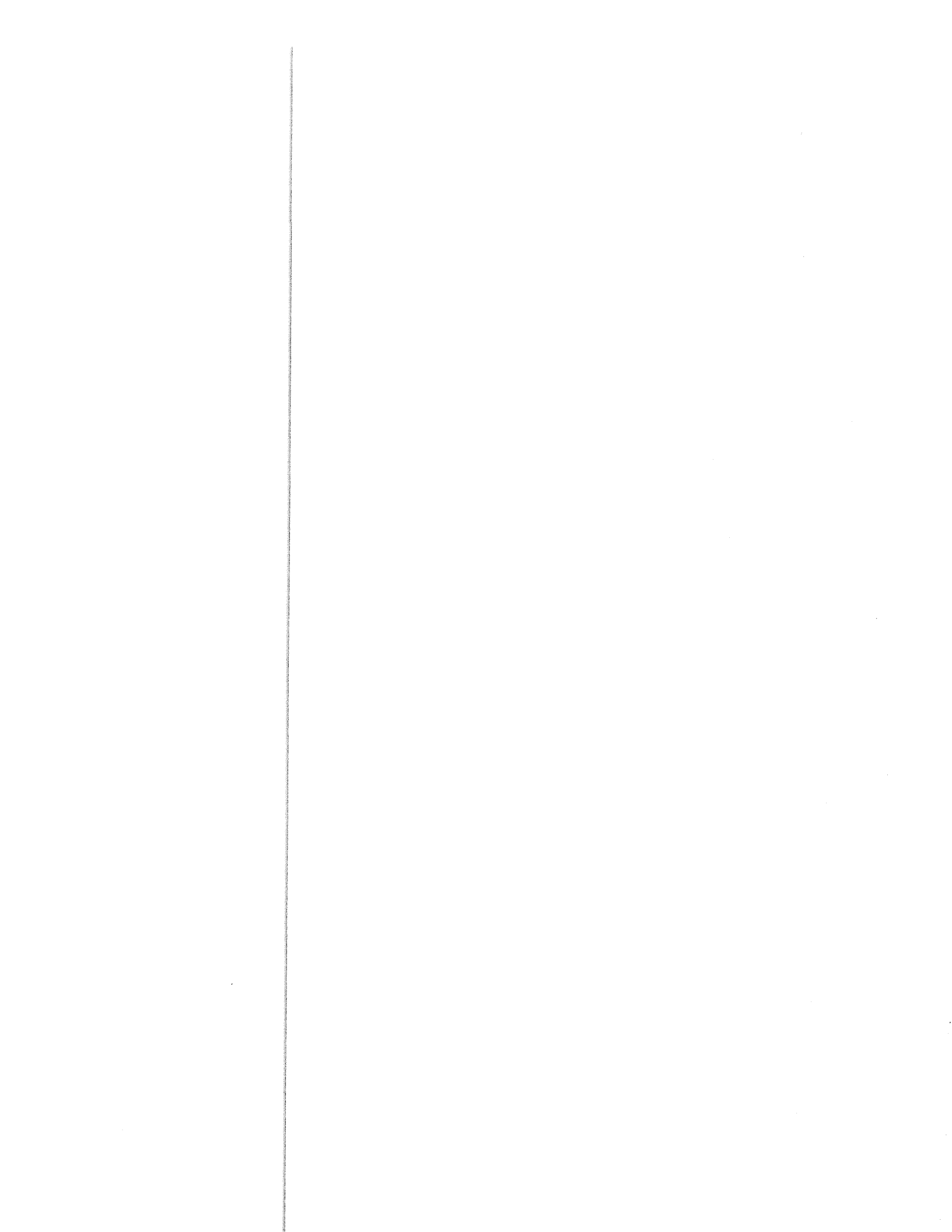
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## COUNCIL ORGANIZATION

Under the Mayor-Council type of government provided for in the Act establishing the Town of Southern Shores the Council members have considerable latitude in determining how they want to function.

They are required to elect a Mayor from among their ranks, and since the Mayor is a Council member they should decide at the outset exactly what functions they want the Mayor to perform.

The initial Council also elected a Mayor Pro tem, and a unique working relationship was established. Because of the necessity of close coordination with other governmental agencies during the formative period the Mayor served in a sort of liaison capacity with beach towns, the county and other governments; while the Mayor Pro tem was given responsibility for general administrative matters. This system has worked well, but primarily because Mayor Pro tem Bortz had extensive experience in administration and was willing to devote an exceptionally large part of his time to day-by-day routine, office management, agenda preparation, committee coordination and other administrative tasks. In effect he became an unpaid Town Administrator.

With most of the groundwork accomplished the new Council may decide to turn over these administrative responsibilities to the Mayor, or to divide them between the Mayor and the Mayor Pro

tem. Either way it is essential for the responsibilities to be defined and understood from the very beginning.

In non-administrative matters the Council can assign a specific area of responsibility to each Council member, making one of them the Commissioner of Public Works, another the Police Commissioner, etc., as is done in the Town of Kill Devil Hills. Our Council chose not to take this route, preferring instead to establish special committees to address specific issues, usually two-member committees with the Mayor designating one of them as chairman. In some other areas a single Council member was requested to gather appropriate information on a given subject and report back to the full Council. An advantage of this system is that all members share equally in decisions and are an integral part of all town functions. A disadvantage is that even minor decisions must await full Council approval.

In this connection it is strongly urged that all Council members study and become familiar with the requirements (and limitations on how public business can be conducted) in the State "Open Meetings" law. A special booklet is available at the town office.

The initial council considered the preparation and adoption of a formal set of administrative procedures, but with the press of more urgent matters the Council operated instead with less formal understandings on such matters as authorization to make contact with the Town Attorney, telephone calls, demands on the Town Clerk's time, etc. Mayor Pro tem Bortz, who made a study of the ordinances in effect in the beach Towns and in the County, has prepared a preliminary draft of such an ordinance to be turned over to the new council for its consideration.

INCOME

There are three major sources of income for the Town:

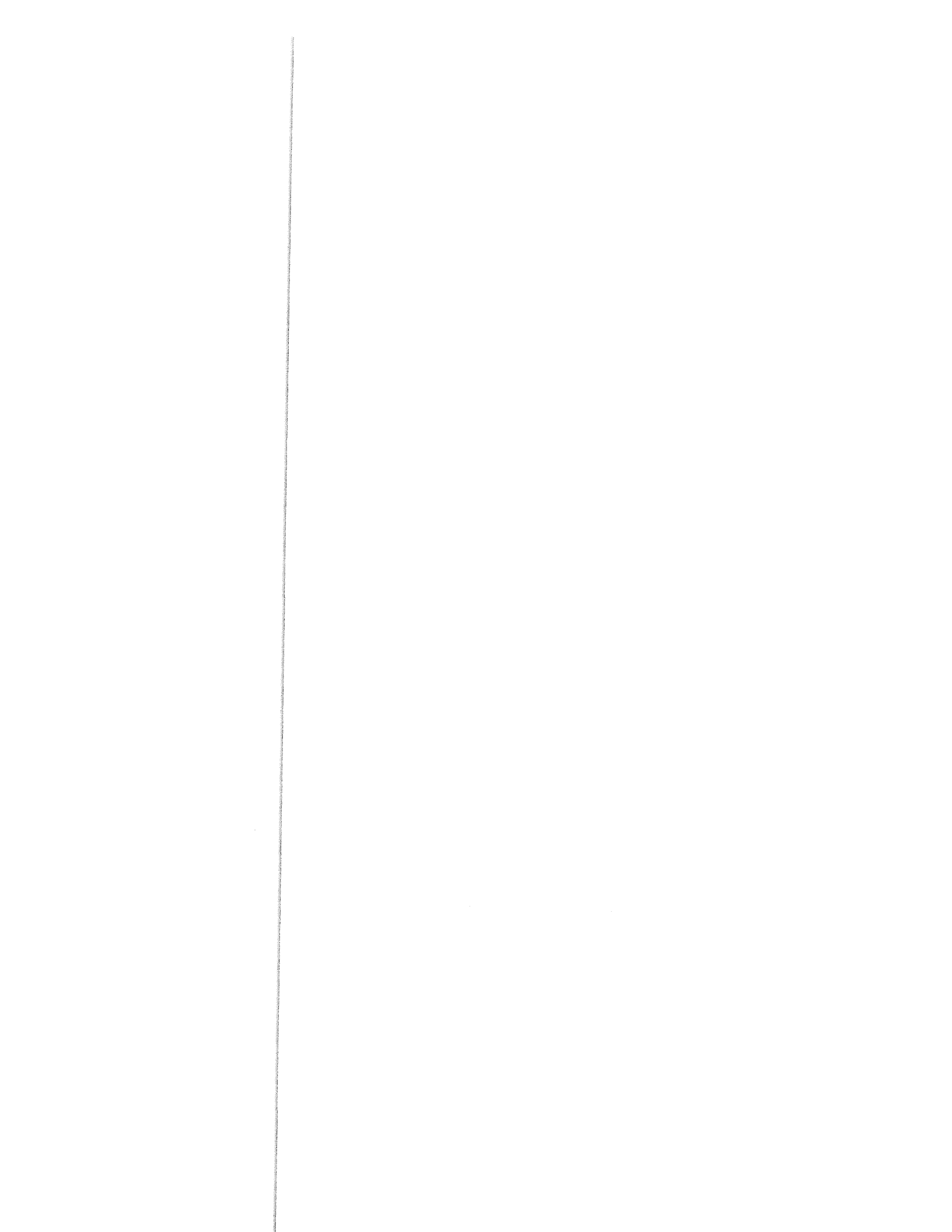
1. The ad valorem tax on property.
2. Refunds for various taxes collected by the State.
3. State Powell Bill funds for road construction and maintenance.

In addition relatively minor amounts can be expected from Federal revenue sharing funds, building permit fees, and interest on savings.

Since decisions by the Town Council in the budget making process help determine the potential income from ad valorem taxes I will deal with this more fully when I get to a discussion of budgeting, and will move on now to the State funds.

In the current fiscal year (July 1, 1979 through June 30, 1980) the anticipated revenue budgeted from State Funds totals approximately \$8,000, and from Powell Bill funds \$15,600. In practice there is a good possibility that the State refunds will be lower, while the actual amount received from Powell Bill road funds was \$19,040, or \$3,440 over the budgeted figure.

Two changes can be anticipated for fiscal year 1981, which begins July 1, 1980. Powell Bill funds will probably be less than the amount received this year, since gasoline tax collections are down. But in one major area there should be considerable additional money available in the coming year. This is the Town's share of the county-wide special 1¢ sales tax, which is based entirely on the Town's ad valorem tax levy for the preceding year. For FY 1981, however, the Town will receive more than

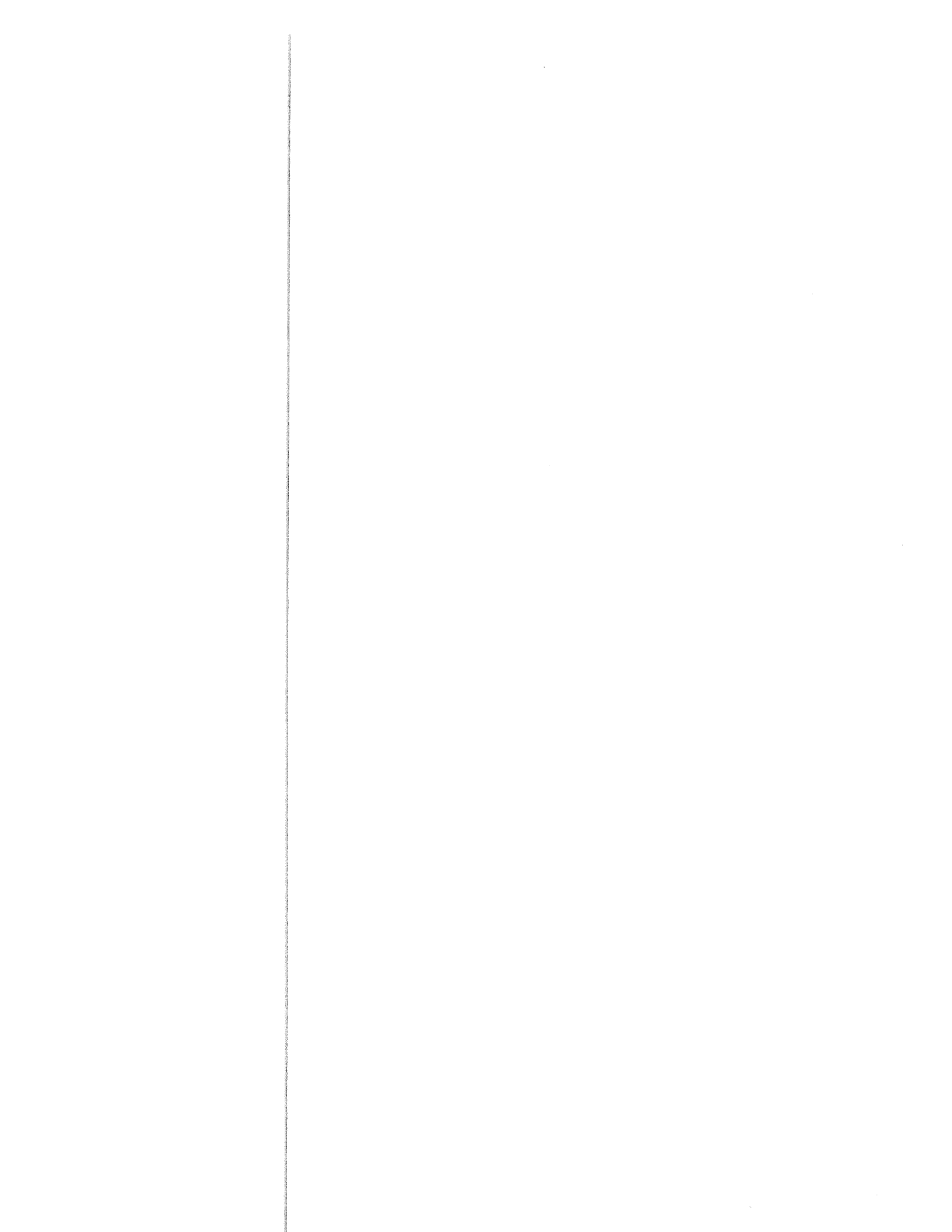


INCOME

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twice the amount we had initially anticipated, since we are given credit not only for our levy of 16¢ for operation of the Town, but also an additional 22¢ for special districts (Sanitation, 15¢ and Fire, 7¢). Thus our distribution will be based on a FY 1980 levy of 38¢ instead of 16¢.

Estimates of the amount of additional money you will have available from this source next year--and it should be emphasized that they are only estimates--range from \$20,000 to \$30,000. Nearly 60% of this, incidentally, is money that would have gone to Dare County in FY 1980 if we had not arranged to serve as collecting agent for the special Fire and Sanitation district taxes.





BUDGETING

Since the initial Council had little factual information available on which to base the budget for the current year, and since several key decisions were made which will affect the budget to be prepared next spring by the incoming Council, it would seem important for each of you to have detailed information in this regard. Please bear with me and I'll do my best to explain the pertinent points.

In preparing its budget a Town Council will normally be supplied with information from the Finance Officer on the amount that was budgeted, the amount that has actually been spent to date, and the estimated total amount that will be spent during the current fiscal year for each line item.

Additionally there should be information on the amount requested by the department heads for each line item, thus making it a fairly simple matter for the Council to come up with a preliminary budget of anticipated expenditures.

The next job, obviously, is to determine where the funds can come from. I would strongly recommend leaving discussion of the ad valorem tax until last and concentrate initially on getting information on the estimated receipts from all sources other than ad valorem taxes, using current year figures and adjusting them on the basis of updated information from the County and State.

The difference between the anticipated expenditures on the one hand, and the anticipated revenue from sources other than

BUDGETING

ad valorem taxes on the other, is therefore the amount that must be raised from the local tax levy.

At the outset the Dare County Tax Supervisor will provide the Town with a figure for the total valuation of property in Southern Shores, both real and personal. We learned that the figure for the current year did not include property owned by the public utilities, and since it was compiled under a crash program initiated by the Tax Supervisor to pull all Southern Shores listings out of the Kitty Hawk District, we were cautious about accepting it at face value. Subsequently we discovered, incidentally, that the OBRA property had been included in the original figure, but as the result of other adjustments the total still came out larger than originally thought.

The actual figure on the valuation of Southern Shores property as of January 1, 1979 (the base date for FY 1980) is \$33,025,016 plus \$994,936 for the two public utilities, making a total valuation of \$34,019,952.

By comparison, the figure we used in compiling the budget was \$31,000,000, which is more than three million dollars below the actual amount, and at the 16¢ per hundred rate it means we have already sent out bills for \$4,831.92 more than we had anticipated. A direct result of this should be the collection during this fiscal year of somewhere between \$3,500 and \$4,500 more than we had figured, thus providing the incoming council with an unexpected cushion.

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Also we deliberately built another cushion into the budget so that our successor council would not go through the process again of begging taxpayers to make voluntary payments in advance so the Town would have operating funds for July, August and September.

Our problem was that we started out with no money. Yours is that State law specifically prohibits a Town from establishing a reserve fund other than for certain capital improvement projects with which Southern Shores is not involved. In checking with other Towns and Counties we found that they engage in a sort of subterfuge in order to make certain that they end the fiscal year with enough extra cash on hand to pay the bills between July 1 and the time in late September when the mailing of the tax bills begins to generate income. To accomplish this they either budget anticipated expenditures at a figure larger than they expect to spend, or they budget anticipated tax receipts at a figure less than they expect to collect, or they combine the two. Once such a process has been in effect for a year it automatically provides a reserve to be carried over. In Southern Shores, since we had no carry-over from the preceding year, we built the whole fund into this first budget.

The system we used was simple. Though we anticipated collecting in excess of 94% of the levy, as has been the case with the other local governments in the area, we deliberately figured our anticipated tax collections at only 80% of the levy. This means if expenditures do not exceed the budgeted amount for the current year and actual tax collections are on a 94% basis,

BUDGETING

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then your Council will have in excess of \$6,000 of extra cash on hand at the end of June to tide you over the lean summer months, plus more than \$4,500 from the unbudgeted three million dollar excess in the taxable valuation mentioned earlier, or in excess of \$10,500 in reserve.

If collections exceed 94% as has been the case in recent years in other area local governments, the amount will be higher. But even if they do not exceed the 94% the remaining 6% of uncollected current year taxes will show up on your audit as a collectible item drawing interest monthly. At least part of these delinquent FY 1980 taxes can be budgeted for collection in FY 1981, and I would strongly recommend an aggressive program of delinquent tax collection as a priority matter of business next year.

One other pleasant note is that you will be able to base your budget on a considerably larger tax valuation than we had this year. On the basis of reports from the building inspector it appears that new construction in Southern Shores in the current year will add approximately three million dollars to the tax base, bringing it up to approximately thirty-six million as of January 1, 1980 not counting the utilities, and thirty-seven million with them included, or six million more than the figure on which we based the current budget; and six million in valuation, at a 16¢ rate raises an additional \$9,600.

I should add one conservative note of caution. Since our budget was based strictly on educated guesses, several line item

BUDGETING

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appropriations will undoubtedly prove inadequate. One of these is equipment for the Police Chief, and others are salary for the Town Clerk, legal fees, printing, advertising, Planning Board, and FICA and other employee benefits. The aggregate of these could exceed the budgeted amounts, including the contingency fund of \$3,150 by as much as four or five thousand dollars, to be partly offset by much greater receipts than anticipated from building inspection fees.

In overall summary, however, you are certain to find that you will have considerably more cash on hand than we had planned for the first months of the next fiscal year, and with no increase in taxes you will have more potential income to budget than was true this year. In fact you should have available for budgeting next year, exclusive of Powell Bill funds, a figure approaching twice the \$50,100 for expenditures we budgeted this year.

Before considering an automatic decrease in the ad valorem tax rate, however, I would caution you to continue being conservative in your estimates; I would urge that you plan to include an increase in the year-end reserve; and I would implore you to give full consideration to other prospective town needs which will be dealt with subsequently in this report.

ROADS

One of the primary reasons for incorporation of Southern Shores was that it provided an equitable vehicle for the continued proper maintenance of the roads. The alternative of retaining roads in private ownership by SSCA and paying for maintenance through voluntary contributions was discarded; as was the other option of turning them over to the State and relinquishing all control over retention of trees and standards of maintenance.

Southern Shores quite possibly may be the only municipality in North Carolina in which all Town roads are paved. (Though an unpaved access to the soundside marina from Sassafras was turned over to the Town by SSCA in error.) In addition, Southern Shores roads in general are in better condition than area roads on the State system, or those in nearby municipalities.

However, many of the roads are even now below the standards some of us would like to see, and all roads deteriorate as each year passes. Consequently the present Council made a detailed road study, with valuable input from Charles Hermann, dividing the roads into three general categories and determining which roads were in most need of repair.

Guided by this approach we have this year repaved the two worst sections of South Dogwood, the worst section of

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East Dogwood, and the badly deteriorated section of Holly, using all of our Powell Bill funds for this purpose. In addition we have budgeted \$5,415 of Genral Fund revenue for other maintenance and mowing.

Hopefully your Council will either agree with the priorities for the next two fiscal years as set out in the plan we adopted, or you will adopt your own two-year plan. In either event there are some pertinent factors to be taken into consideration.

In addition to paving, Powell Bill funds can be spent for maintenance and repair, equipment purchases, and employment of personnel to do repair work. There is a requirement, however, that the specific purposes for Powell Bill expenditures must be detailed in the budget, and the funds must be spent for those purposes only.

The basic decision facing your Council, therefore, is whether to continue the policy of using Powell Bill funds exclusively for paving and thus relying on modest General Fund appropriations and volunteer labor by the "Pot Hole Gang" to take care of maintenance on the bulk of the roads.

My conclusion after completing this short first term as Mayor is that continued reliance on volunteers to handle all maintenance work by hand just will not accomplish the objective. For one thing, only a relative handful of men are involved, with the rest of us in effect getting a free ride from their labor. For another, specialized equipment, not available to the volunteers<sup>is</sup> needed to handle many of the jobs. And finally,

ROADS

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despite dedicated work the small Pot Hole Gang has been unable to keep up with the road patching, especially where extensive repairs are needed, or with keeping the right of way clear of fallen trees and fast growing bushes, and especially with filling in wash-outs and blow-outs in shoulders, for which most the the appropriated money was intended.

There is no question in my mind that outside help, with proper equipment, is needed to handle the bigger maintenance jobs and to remove fallen trees the next time a storm hits. Hiring established contractors to do this type of piece-meal work is very expensive, and in my opinion is not the answer except in unusual or emergency situations.

I strongly recommend that the Council consider the purchase of some basic equipment, thoroughly investigating the possibility of securing surplus State equipment as has been done by the other beach towns. At the minimum a small dump truck is needed, and a small front end loader with a blade. In addition the employment of a single man to operate the equipment and to work with the Pot Hole Gang would in my opinion result over the long haul in postponing the more expensive repaving and in saving money on major repair jobs. Further, with a properly equipped employee it is probable that a reciprocal agreement could be worked out with the other beach towns for the use of some of their specialized equipment when needed.

Obviously, if you are to continue the policy of resurfacing at least some of the worst sections each year, you will have to budget more money for roads than was the case this year, but as



## ROADS

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pointed out earlier the funds will be available. The alternative probably is to postpone necessary work over a period of years and then be forced to go a route already mentioned as a possibility-- the floating of an extensive bond issue for a comprehensive program of repaving.

Another warning should be passed on--this one concerning mowing. There is a signed agreement from the Kitty Hawk Land Company that the total charge for mowing shoulders for this fiscal year will be the amount budgeted, namely \$800. But KHLCO is losing money at that rate and a larger appropriation will no doubt be necessary next year regardless of how the minimal mowing is handled.

Two other points need to be emphasized. In the woods and soundside areas many of the roads were built over swamps with the full realization that they would settle over a period of time. A prime example is the long stretch of Juniper extending north from U.S. 158, which is now excessively bumpy in spots. Resurfacing is not the answer, since the basic bearing surface for most of the length of the street is in very good condition. What is needed is to fill in the holes, and in a few instances cut away the tops of the most pronounced bumps and build up the areas again with a clay base and asphalt surface treatment. This process involves only a fraction of the expenditure needed for resurfacing.

In the beach and hill area another serious condition exists. Often these roads were built in filled areas where there was bare sand. Initial efforts were made to stabilize both the shoulders and the surrounding areas, but unless attended to on a regular annual basis the blow-outs become worse, and the whole problem is intensified by wash-outs resulting from heavy rainfall,

ROADS

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frequently resulting in the edge of the road crumbling away. Regular preventive maintenance, in the form of filling shoulders with sand, hauling in topsoil as a cover, and planting grass (preferably using topsoil with bermuda grass sprigs in it) is essential but has been ignored for the past three years.

The basic idea I have tried to convey is that the \$21,015 budgeted this year for road resurfacing, maintenance and mowing is totally inadequate, and is considerably lower than the amount spent annually for more than a decade by KHLCO, and in recent years by the Southern Shores Civic Association.

LAW ENFORCEMENT

Southern Shores residents have widely divergent views on how the Town should handle law enforcement. Suggestions to date have ranged from maintaining only a single, town-marshal type officer, to eventually having a five-man police force in order to have an officer on duty at all times.

The initial Council has established a police department and adopted basic ordinances providing for police authority. It will be up to your Council in the next two years to chart the long-term course on law enforcement and to review, and where necessary amend, the ordinances we have passed.

I offer the following comments for consideration:

Community Watch - All indications are that an active, organized and successful community watch program could be the key element in deciding whether a full police force is necessary. However, after an enthusiastic initial response several months ago the process of establishing a community watch has languished. Chief Beasley has had extensive experience in working within the framework of a community watch program and it would seem appropriate for the Town Council, SSCA, and the Police Chief to make the inauguration of a community watch program a priority item.

Personnel - In the process of drawing up job specifications and employing Chief Beasley a number of personnel policies were initiated. Consideration was given to adoption of a formal personnel policy covering wage ranges, holidays, annual leave, sick leave, comp. time (and overtime pay), working hours and other related matters as has been done by the County and other

nearby towns, but the matter had to be postponed. With a second police officer scheduled to come on board in the spring, consideration should be given to adopting such a policy.

Cost of living adjustment - A commitment was made to Chief Beasley before his employment that the Town would provide a cost of living adjustment in his pay next year and in succeeding years.

Working Hours - Drastic changes have been made in the working conditions of law enforcement officers in recent years, one of the most noticeable being the institution of a basic 40-hour work week with a maximum of 48 duty hours weekly. This is a far cry from the old procedure in which an officer was on duty for as much as 75 or 80 hours and on call at all other times. Discussions with Chief Beasley on this subject would seem to be in order so that all Council members would understand the limitations on his availability.

Inter-local agreements - Such an agreement exists between Nags Head and Kill Devil Hills, and by verbal understanding between the beach Towns and the County. Our Council is trying to work out such an agreement on a tentative basis as soon as possible, primarily for legal protection when officers are involved in activities outside of their jurisdictions.

The County Commissioners and the Sheriff have agreed to provide back-up service to our police officers. Technically back-up means responding to the request for assistance from an officer on duty, rather than responding to calls when a Town

officer is not on duty. The limited definition of back-up is what the County provides the other Towns. Members of the Board of County Commissioners have made a point of emphasizing that the County would provide, as one Commissioner stated it: "Exactly the same service we provide other towns. No more, and no less."

On the other hand both the Sheriff and the Commissioners have understood that it would take some time for the new Town to reach a point where it could handle basic law enforcement by itself, and both have agreed to continue to provide more assistance, including having deputies respond to Southern Shores emergency calls when our officer is not on duty, during this transition period.

The question, of course, is how long the transition will take. By employing our Police Chief in October and agreeing to put on a second officer before summer the County has been satisfied that we are making reasonable progress toward self-sufficiency in law enforcement. In addition, since our Police Chief is qualified for breathalyzer testing and experienced in drug enforcement and other aspects of law enforcement, we will be in a position to give both the County and nearby Towns some services in return for their back-up. A problem, of course, is that any such cooperative work by Chief Beasley takes time which would normally be spent in police work in Southern Shores.

The Sheriff has been most helpful in providing support to Chief Beasley in the early period of his employment, especially as regards the use of County equipment, and in providing office

space in the Sheriff's sub-station. In addition, we will be tied in with the County 24-hour radio watch in the courthouse in Manteo, with calls for assistance going through the dispatcher there. On a long-term basis, however, I have been involved in discussions with the Mayors of Nags Head and Kill Devil Hills on expanding the existing Nags Head radio dispatching service to cover the entire beach, hopefully leading in time to fully coordinated police activities from Nags Head to Duck. I hope these discussions will be encouraged in the future by the new Town Council.

Paying the Second Policemen - We would not have included in the current budget the employment of a second police officer next spring if we had not been aware that extra non-tax funds would be available for such a purpose in the succeeding fiscal year. These funds, of course, will come from our share of the special 1¢ sales tax. Since it is estimated that it now costs in round figures \$20,000 a year to maintain a qualified and properly equipped police officer--salary, benefits, vehicle, equipment and vehicle operation--the special 1¢ tax revenue should more than cover this item on a continuing basis in future years.

Hopefully, with relatively modest expenditures for repairs, the police car purchased from Kill Devil Hills can provide an appropriate second vehicle for the use of the new policeman; but obviously provisions should be made, either by lease or purchase arrangements, to secure newer vehicles as time goes on.

Harold Via is the acknowledged authority on the subject of law enforcement in Southern Shores and you are fortunate to have him as a carry-over member of the Town Council.

TOWN CLERK AND FINANCE OFFICER

In preparing the current budget calling for a part-time Town Clerk and some minimal paid assistance we were only guessing. It is now obvious that we are dealing with a sufficient amount of work to require at the minimum a full-time Clerk with part-time assistance.

The area in which our calculations were most in error was in bookkeeping. This is divided into two parts, one being maintaining regular daily, weekly and monthly records, a wide variety of them, for the most part required by State law. The second is handling the tax billing, which requires a number of specific steps, each calling for extensive accounting work. As an example, the Town Clerk/Finance Officer is required by law to make deposits of tax payments within 24-hours of their receipt whenever the amount exceeds \$200.

You have several options. (1) Make the Town Clerk/Finance Officer position a full-time job and hire extra help during rush periods. (2) Hire a part-time assistant to the Town Clerk to be available during vacations, etc., and to work at least a couple of half days each week handling basic bookkeeping. (3) Contract with an accounting service, preferably the Town's Auditor, to provide the services of an accountant who would spend specified times in the Town office each week keeping the books up-to-date.

At the time Mrs. Robbins was interviewed for the position of

Town Clerk, she pointed out that her basic experience was not in bookkeeping, but at that time we thought it would be a relatively minor aspect of her assignment. Actually it now takes most of her time. Some sort of new arrangement is therefore necessary.



PLANNING

With control of growth a major matter of concern for many Southern Shores residents the initial Council gave priority to establishing a Planning Board, and a Board of Adjustment, and adopting ordinances covering zoning, subdivision regulations and extraterritorial jurisdiction over the OBRA property and Martin's Point.

The Planning Board is currently at work on a thorough review of the zoning and subdivision regulations, and a study on how best to handle the extraterritoriality, with the goal of coming up with recommendations to the incoming Council.

In addition the Town is undertaking the development of its own CAMA land use plan, with a \$9,000 grant from the State, and has contracted with a firm of planning specialists to work with the Town in preparing the plan. A key to the success of this project is to have widespread involvement of Southern Shores people so that the resultant plan will reflect the needs and desires of the people of the community. Normally this is handled by delegating the responsibility and authority to the Planning Board to undertake the project itself or to form a separate committee for the purpose. It is strongly recommended that the incoming Council arrange an early meeting with the Planning Board in order to determine how the planning project will be handled.

### PARKING

This has been a matter of major concern to many property owners, especially in the oceanfront area. Pete Peterson has done considerable work on the subject and would be an excellent source of detailed background information. Don Wheaton, as chairman of the roads committee, has also made a study of the matter, concluding that it is "the most important problem" not resolved by our Council. He points out that there are three aspects to be considered: parking by outsiders on SSCA property; parking by outsiders on Town streets; and parking by Southern Shores residents, property owners and guests.

One of the most pressing problems occurs on streets opposite the SSCA access walkways to the ocean, such as the eastern extension of East Dogwood. Another is on the "T's" in Sea Crest Village which were specifically designed for those owning back lots in Sea Crest to use for parking when they are going to the beach.

Unfortunately there seems to be no simple solution. Under State law it appears that a Town Council cannot permit parking to select individuals (such as property owners) and deny that privilege to the public. On the other hand some Virginia communities have instituted permit procedures for those owning property in a given area and hopefully this may be legal here. If parking were to be banned altogether in such areas, then any property owner would still have a right to use the SSCA beach and parking

PARKING

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area. On the other hand if parking is permitted there could be requirements for parking on one side of a street only; or the Town could improve the shoulders with topsoil or clay so parking would be entirely off the pavement. Also, since non-owners of Southern Shores property do not have access to the ocean any place in Southern Shores without using the SSCA-owned access routes or walking over private property, it would be possible for SSCA or private owners to bring legal action against trespassers. In addition, since such people have no access the police officers might have justification for charging them with loitering if they leave their cars for an extended period of time.

Frankly, I share Pete Peterson's concern, but at this point I have heard no proposals that would solve the dilemma. Thus we have left a touchy one in your hands.

TOWN PROPERTY & LAGOONS

Three basic problems exist under this general heading.

The first, and the one about which people have become most stirred up, concerns the building of docks on the street rights of way. It applies to a total of 22 lots facing Ginguite Bay on the west and lagoons on the east.

The second is the problem of controlling vegetation on street rights of way throughout the Town, and damage to roads. There have already been instances where property owners cut down beautiful trees on the right of way in front of their houses, and where in the other extreme property owners have planted hedges on the right of way to shield their houses. In the hill areas the problem is one of damage to shoulders in the process of construction, and throughout the Town there is the question of how much of the shoulder to be kept clear for pedestrian traffic versus how much vegetation should be allowed to remain. Finally, in all parts of Town there has been damage to Town-owned pavement in the process of new construction.

The final problem concerns the necessity of keeping lagoons sufficiently open and unobstructed to allow normal boat traffic. This calls for an ordinance controlling the size and type of docks and other obstructions. Even more important it calls for devising a method, in conjunction with SSCA and KHLCO, for cutting back bushes along the banks before they become trees that fall overboard thus blocking the lagoons.

TOWN PROPERTY & LAGOONS

Though people have been aroused on the first issue, it seems to me the other two are much more important and deserve continuing attention from the Town Council.

JOINT TASK FORCE

If Southern Shores is to maintain a low level of government and low taxes the Town Council will need a lot of help, for the Council cannot possibly accomplish that goal on its own.

Specifically, there must be a high degree of participation by the citizens in the form of hard work and sweat of the type provided by the Pot Hole Gang, but much more widespread.

Mention has already been made of the need for more work on road maintenance, clearing away fallen trees and branches, and cutting back vegetation on the road shoulders. It extends to a wide variety of other matters including erecting and replacing signs, eradicating milfoil, keeping streets clear of debris, participating in the Community Watch Program, assisting the Town Clerk with routine clerical duties and many more.

Most important of all, however, is to develop a continuing rapport between the Town Council, the SSCA and the KHLCO so that matters of mutual concern and hazy responsibility can be attended to before they become festering problems. A start in this direction was made September 17th in a meeting between representatives of the Town Council and the SSCA Board of Directors, the result of which was a decision to form a Joint Task Force composed of two members of the Council, two of the SSCA Board, and one representative of KHLCO. My memorandum of that date was prepared, in the absence of minutes, and explains the purpose and scope of the Joint Task Force. I hope new Council members will review that memorandum and support the continued work of the Task Force.

GARBAGE AND TRASH

On this subject the incoming council will be involved in two distinct areas.

The first is to consider an addition to the existing ordinance on nuisances in line with the recommendation of the ad hoc committee composed of Helen Morris, Charley Byrne and Kern Pitts and chaired by Paul Oswald. The excellent report of that committee, much of it based on prior work of Pete Peterson, was submitted to the Town Council on November 8th and provides an excellent guide for the new Council.

The second is the major question of whether the Town should continue contracting with the County for garbage and trash collection, or should either purchase its own equipment or contract with a private firm for this service.

If there is to be a change it should become effective on the first day of the fiscal year, July 1. In addition, in fairness to the County such a decision should be made sufficiently far in advance of that date to enable the County to make major changes in its personnel, equipment and planning for the coming year. Jack Cahoon, County Manager, is most conversant on this subject, and has expressed the hope that he can meet with the incoming Council to discuss the matter in detail prior to the effective date of his resignation as County Manager at the end of December. In view of the cooperation and assistance we have received from the County, and specifically Mr. Cahoon, I hope the new Council will consider this a matter of Town obligation, as do I.

ANIMAL CONTROL & BIRD SANCTUARY

I can warn you at the outset that there is considerable difference in opinion within the Town as to whether and how an animal leash law should be enforced.

Certainly it is an undesirable situation to have dogs chasing wild deer, invading yards, defacing the beach and threatening children. On the other hand in an area such as Southern Shores it would seem desirable for dog owners to be able to take their pets for exercise in remote areas. No doubt, it is a quandry, and I wish you the best of luck.

There has been difficulty in enforcing the county leash law in the past, primarily because the woman in charge of the program has had neither the time nor facilities with which to track down and catch stray animals. Effective enforcement of such a program in Southern Shores would necessitate direct involvement of the Town's police in picking up the animals, and probably an inter-local agreement with Nags Head and Kill Devil Hills on temporary impoundment, since they are now developing a mutual program to provide such facilities.

Don Wheaton studied this matter for our Council. I hope you will contact him for background information in the process of considering the matter.

The other question, of making Southern Shores a bird sanctuary is one the present Council hoped to accomplish. We learned, however, that it is customary to be presented a petition from citizens requesting such action, and as you probably know such a petition has been circulated recently.



MUNICIPAL FACILITIES

The newly incorporated Town of Southern Shores was fortunate in being able to secure temporary office space from KHLCO. When the building inspection program was started KHLCO again came to the rescue, building a small ante-room for the use of the building inspector. And when the Chief of Police was employed Sheriff Frank Cahoon kindly agreed to provide temporary space in his department's sub-station for use by Chief Beasley.

Southern Shores Fire Chief Jim Welch and his associates have been most kind in making available room in the fire station for meetings, which frequently necessitated removing a truck from the building. In addition, a number of citizens responded to the obvious need by lending furniture and equipment to the Town while it was in its embryonic period.

Each of these various arrangements was on a temporary basis, and it will be the responsibility of the new council to begin the search for more permanent facilities and equipment. In this connection Southern Shores is fortunate when compared with Kill Devil Hills at the time of incorporation in 1953 and the beginnings of Nags Head in 1961. The permanent population is larger than was the case in either of those towns at the time of incorporation, and the taxable valuation of Southern Shores today equals approximately the entire taxable valuation of Dare County in the early 1950's.

Beyond those factors Southern Shores has three important

factors going for it that the others did not. First, there is a large, active and involved Civic Association supporting its efforts. Second, a movement has already been begun by the citizens, and more than \$2,500 has already been raised through volunteer donations to the Bob Brown Memorial Fund, for the eventual construction of a municipal center. And, finally, a number of potential sites are available for such a facility, including the so-called Village Green area which was specifically set aside for such a purpose and now belongs to the people of Southern Shores.

Hopefully the new Council will be able to proceed with the development of preliminary plans and drawings for an expansible facility in the near future so that the town's citizens will have a visual concept on which to focus a concentrated fund raising effort to provide for construction of the initial phase of municipal building.

Even if the existing office facilities were adequate it should be borne in mind that they were loaned on a temporary basis; and a decision by the owners to use the building for some other purpose would leave the Town government with no available office space in this residential community.

OTHER MATTERS

A wide variety of other questions deserve consideration by the Town Council. Some have been addressed by those who took office last spring, but were laid on the table, most often because other matters were pressing. Others were on our list but we just never got around to them. Here is a possible listing:

Sharing in A.B.C. Store Profits - A special act of the General Assembly would be required. It has been customary to include new towns in the distribution, and in fact a total of some 13 different laws have been passed dealing specifically with the distribution of these funds. Dave Mizelle, a Southern Shores resident, serves on the three-member A.B.C. Board, and has already expressed interest in helping.

Town Logo and Town Seal - Most municipalities adopt distinctive designs for their official Town seals, sometimes using the same design as a town logo. With so many artists in Town we considered holding a contest for the best design or designs.

Indexing Minutes - We have initiated a project to develop a 3x5 card file index of the Town minutes. Mr. and Mrs. Walter Kee, both former librarians, have agreed to develop the system and prepare the index up to date.

Fire Department - Even since incorporation there have been continuing pressures for Southern Shores to pull out of the

Kitty Hawk Fire Department. We have tabled all such consideration, but hopefully your Council will look into the alternatives in an objective manner. I would suggest a series of meetings with the Fire Department Board, higher ranking Southern Shores firemen, and State officials familiar with such matters.

Building Inspector - In the first two months the Building Inspector has already handled approximately the total volume of permit applications anticipated for the entire year, a fact borne out by receipts during that time almost equalling the total amount budgeted for twelve months.

We are fortunate in having an individual with the qualifications and the devotion to duty of Charles Hermann as our building inspector. He has expressed the opinion that no adjustment should be made in his remuneration during the current fiscal year, but obviously a change should be considered beginning next July.

One other matter should be given consideration with regard to the building inspection program. At the present time the County building inspector is making inspections for CAMA permits in AEC's. ( Areas of Environmental Concern). Logically this should be handled by the Town building inspector, but it calls for considerable involvement in training seminars and workshops before he could be certified. On the other hand, there is a good chance that a sizeable amount of the total cost of operating the building inspection program could be paid for with CAMA grants if the Town handled its own inspections. Preliminary steps have been taken to secure definitive information on the ramifications.

Bike and Walking Trail - We have an excellent opportunity to provide a trail for walkers, joggers and bicyclists on the north side of East Dogwood Trail. This is the only street in town with a 100-foot right of way. By taking the first step of clearing and where necessary leveling, a beautiful trail could evolve with only minimal expense.

Tax Base - In dealing with other local governments it should be understood that many people have the idea that we in Southern Shores are all loaded with money but are seeking a free ride. Poor-mouthing on our part is hard to justify when there is knowledge that our taxable valuation, for example, is more than three times that of the Town of Manteo, which has a tax base of less than 11 million.

Elections - Town elections are conducted under the jurisdiction of the Dare County Board of Elections, but the Town pays a share of the cost. An obvious subject for consideration is the establishment of a Southern Shores voting precinct, separate from Kitty Hawk.

Architectural Review - To insure continued control over the appearance of buildings it would seem appropriate for the Joint Task Force to determine how long the KHLCO architect might be expected to continue exercising this function, and to insure that there is an established and viable alternative if and when KHLCO decides to turn it over to someone else.

Sewage - At our urging the County has agreed to establish a special committee, with membership to include the Mayor and Planning Board chairman from Southern Shores, to serve as an

advisory group to the county authority as plans for an area sewage system progress. Our contention has been that much of the water system fiasco might have been alleviated had such a committee been in operation throughout the life of the county-wide water system project. The overall question of adequacy of waste disposal facilities in the Town will be addressed in the land use plan.

Signs - For years sign vandalism has been a major problem in Southern Shores. The SSCA program to provide street name signs has encountered delays but indications are that the remaining street signs will be in place in the near future. Traffic signs are something else again, and a number of additional ones are needed if there is to be proper enforcement of various Town ordinances. Chief Beasley has prepared a map showing where signs are needed on Town streets. Additional signs are needed to prevent driving and dune destruction in the beach area.

Entrances - For several years there have been discussions, both in SSCA and KHLCO, of providing attractive entrances to Southern Shores at the south end of Dogwood Trail and at the north and south entrances on the Duck Road. During the late summer SSCA and KHLCO were asked by the Mayor to consider the matter and provide suggestions to the Council. Subsequently it has developed that there is a chance to secure funds for entrance planting through the special State license tag program. This has been discussed with State Transportation Commissioner Marc Basnight, who is interested in the possibility.

OBRA - Members of the Council should review the agreement between OBRA and SSCA, and especially the part dealing with OBRA's obligation to participate in the cost of road repairs. Another anticipated problem has already arisen, namely calls for the Southern Shores Police Chief to respond to emergency situations at OBRA. It would seem appropriate this winter for representatives of the Town Council to meet with OBRA officials and clarify the future relationship in these and other areas.

Chicahauk Associations - Chicahauk is an integral part of the Town of Southern Shores. Chicahauk property owners are taxed on the same basis as are residents of the other parts of the Town. But because the Chicahauk property owners, through their two associations, own all roads in their part of Southern Shores, and all open areas within the bounds of Chicahauk, it would appear essential to establish effective liaison between the Town and the Chicahauk associations.

KHLCO - As mentioned previously, there are numerous areas of mutual involvement by the Town and KHLCO, ranging from mowing, to clearing lagoon banks, to securing attractive entrances. The Joint Task Force is scheduled to address these and more, but it is equally important to determine when KHLCO intends to turn over to the town the recently paved Ginguite Trail, and to work out a method for transfer of other roads as they are developed in the future.

Our Neighbors - A good working relationship has been established with the other municipalities on the beach and with the County. Informal contacts have been made with civic leaders

in Kitty Hawk in an effort to preclude an adversary relationship in the event that area becomes a municipality. As an individual I am especially concerned about this and will be available to assist in trying to establish a firm foundation for future good relations with our neighbors, including those to the north.

Codification - It has been necessary for the present Council to consider and adopt ordinances on a piece-meal basis, giving priority to those considered most urgently needed. In this rush process it has been impossible to consolidate the ordinances into a single volume, or to make copies of individual ordinances available to interested citizens. Some sort of codification is needed, as is the availability of copies of the ordinances for purchase. Before undertaking this important task it is recommended that the Town Attorney be consulted.

In concluding this longer-than-planned report, I am certain other matters of pertinence will occur to me as soon as this is retyped for distribution, but the subjects mentioned all seemed deserving of comment and clarification.

David Stick



Southern Shores: Coming of Age, 1956 - 1976

by  
David Stick

# Southern Shores : Coming of Age, 1956 - 1976

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## SOUTHERN SHORES: COMING OF AGE - 1956 - 1976

by  
David Stick

### Part I - - Southern Shores Realty Company

I didn't exactly jump at the opportunity to take over the management of Southern Shores for the Kitty Hawk Land Company. For one thing, I had worked previously for the same group, John, Dad, the Aydlett brothers, and two other investors, as the manager of their St. John Land Company in the U.S. Virgin Islands. At times relations had been strained between me and the two men I had to deal with most often, my father and my brother-in-law. I had been hired to take charge of a variety of activities ranging from building roads and planning a development layout, to restoring several old buildings including the long abandoned Lameshur estate house. The trouble was, on Dad's periodic visits from North Carolina he frequently took employees away from the work I had assigned them and had them do things for him without asking or telling me what he was doing. John McMullen, a highly thought of attorney who sometimes seemed almost to have been born with an aloof attitude, did not hesitate to convey the feeling that he was not at all impressed with the abilities of his young brother-in-law. Consequently, when it came to the Southern Shores offer, I insisted on a clear understanding that once the owners had made policy decisions they would leave me alone to implement them.

There was more. The deal John offered initially, in his capacity as the conduit between the Aydletts and me, emphasized my taking over the promotion and sale of lots. On the side, I was to serve as a sort of resident trouble shooter who would keep them apprised of problems at Southern Shores. This pointed up a marked difference between us on our expectations for Southern Shores. It was obvious that their primary object was to sell as expeditiously as possible the large number of lots still remaining from those Dad had put on the market several years earlier, and to develop and sell the final one mile of oceanfrontage. The remaining interior lands, for the most part a series of alternate ridges and swamps running in a north-south direction and comprising more than half of the property they had bought a decade earlier from Walter J. Townsend, as well as the approximately two and a half miles of mostly marshy frontage on JeanGuite Creek, seemed to be considered more of a liability than an asset. By contrast, I felt that the long-range success of Southern Shores depended on developing the interior areas carefully, with emphasis on leaving as undisturbed as possible the bounties nature had provided. As for the relatively small amount of oceanfrontage remaining, I thought of this more as a means of attracting potential customers for other types of lots, rather than as a primary source of income for the company. This difference between their desire for a quick return, and my belief that there was much greater prospect for profit through careful development of the interior areas, was the basis for another matter I wanted covered in the agreement: If I proved to be right, and further development resulted in the property producing much more than the six hundred thousand dollars they considered the maximum the owners could ever get out of it, then I wanted a share of that additional profit in the form of stock in the Kitty Hawk Land Company.

There was also the matter of my remuneration. They wanted it based strictly on commission, but the offer was for only ten percent, rather than the fifteen percent Dad had received when he was handling sales. If they expected me to take on a number of other on-site responsibilities, I argued, I would need to be in a position to pay salesmen the standard ten percent commission on lot sales, which would leave me with nothing for office help and other expenses, let alone any sort of margin for profit. When it was apparent that they were not going to budge, I decided on a big gamble. Taking advantage of our difference in expectations for the future of Southern Shores, and especially their obvious belief that the true value of the property was represented primarily by the oceanfrontage that remained, I suggested an entirely new approach. I would agree to reduce the commission on oceanfront lots to five percent, I said, if they would pay fifteen percent on everything else, and would also put me on the Kitty Hawk Land Company payroll as manager of the project. I suggested a modest beginning salary of one hundred dollars weekly, which I figured was about the minimum I needed in 1956 to care for my growing family, and they took me up on the offer with no hesitation. If there was ever a perfect business deal, this could have been it, for I'm sure they felt they had come out on top with commissions cut in half on the only property they considered worthwhile, while I had confidence that in the long run I would benefit from the fifteen percent commission on everything else.

John never came up with the written contract that would have formalized the agreements we had reached, but in the late summer of 1956 I went to work for the Kitty Hawk Land Company. At the same time, I arranged with Harry Lawrence to continue his selling activities for me, and I chose the name *Southern Shores Realty Company* for my new sales agency, apparently one of my better decisions, for the company is still in operation under that name more than four decades later.

## Part 2 - Sea Crest Village

From the beginning of my new association with Southern Shores, I found myself spending more time on development activity for the Kitty Hawk Land Company than in sales efforts for Southern Shores Realty Company, leaving the sales end of the business as much as possible in the capable hands of Harry Lawrence.

With permission from the owners, I made arrangements with Godwin and Bell, a landscaping and design firm near Raleigh, to come up with a conceptual layout for the remaining oceanfront property. I told them to come up with a rough layout for all of the property we had left between the state highway to Duck and the oceanfront, a total of more than one hundred and fifty acres. This idea of developing this final oceanfront area as a single entity, with the lots to be laid out on one large, recordable plat and with all of the property covered by the very same covenants, was a radical departure from the piecemeal development plan that had been followed previously, and my new bosses liked it.

The rough plan was unveiled by Mr. Godwin at a day-long meeting in the law offices of McMullan and Aydlett in Elizabeth City on September 26, 1956. No formal minutes of the meeting were kept, but it took me three single spaced typewritten pages to list my notes on the preliminary decisions that were made. At the top of the list was John McMullen's suggestion, since the layout resembled a village within Southern Shores, that we give it a village name, and *Dare Village*, *Dune Village*, *Oceanside Village*, or an Indian name such as *Skyco Village* were considered. We almost seemed to be back a decade earlier when Dad chose the name *Southern Shores* because nobody had come up with anything better, when John finally suggested a name we all liked, *Sea Crest Village*.

Settling on the name was just the beginning. At my insistence, lots were to contain a minimum of sixteen thousand square feet, which was much larger than the last ones Dad had put on the market, and two to three times as large as the average lot being laid out by developers in the area. The old concept of "two lots sold as a pair" was finally done away with. All roads leading from the proposed Duck highway toward the ocean would terminate in some sort of cul-de-sac at the western boundary of the oceanfront lots, and at the end of each street there would be a fifteen foot wide walkway from the cul-de-sac to the beach. There was some preliminary resistance to approving another of my suggestions, this one based on concerns because there had been so much erosion because of recent hurricanes, but the proposal to move the eastern boundary of oceanfront lots back from the high water mark was finally approved. Here is the way I reported the action in my memorandum on the meeting:

It was decided that riparian rights would not be conveyed with the sale of lots closest to the ocean; that the eastern line of such lots would be located between fifty and one hundred feet from the mean high water mark; that a line would be drawn on the plan and plats to designate the "Approximate high water mark," and that the area between the eastern line of the lots and the approximate high water mark would be designated as "Reserved for the use of Southern Shores Property Owners."

There was considerable discussion concerning what to do with land in the vicinity of the decommissioned Paul Gamiels Hill Coast Guard Station, which was approximately in the middle of what was to become Sea Crest Village, and had been acquired via a trade.

The final decision was to set aside approximately two hundred and fifty feet of oceanfrontage where the station was centered "as a primary recreational and park area for the community," with the exact distance to be determined by Mr. Godwin and me in the process of working out the location of one hundred foot wide oceanfront lots.

By the time of my next meeting with the owners on November 6, 1956, the arrangement with Godwin and Bell had been terminated, and I was given full responsibility for coming up with a final plan for Sea Crest Village. The following additional assignments were given me:

David Stick was instructed to arrange for the removal of the fishing shack now located in the Sea Crest Village; to deal with the Southern Shores Citizens Association regarding the utilization of the Coast Guard Station as a community center, providing the association would guarantee that it would provide for improvements and maintenance; to arrange for the completion of the survey of Sea Crest Village; and to arrange with the highway commission for elimination of the flooding situation on the main highway.\*

Porcius Festus Crank, Jr. was a young man living over on the Currituck peninsula who had graduated from college recently with a degree in forestry. With limited work for a forester in lower Currituck, he had turned to a career as a registered surveyor. He had done some work for me at Colington, so I turned to him when I needed someone to do a detailed survey of Sea Crest Village.

A decade earlier, when Dad was planning the initial development of Southern Shores, there was no resident surveyor in the area, and it was had been necessary to bring in surveyors from Hertford or tidewater Virginia, or even a greater distance. My limited prior experience with journeymen surveyors brought in from outside had been discouraging, and I had found the work of some of them fraught with error. In the early days at Southern Shores, no matter how good a job the surveyor performed, there were other problems, including the widespread use of wooden stakes rather than permanent markers, and Dad's rush to get the surveys completed and recorded so that lots could be put on the market. As a result, when errors were found or when Dad's ideas changed, it was necessary to file amended plats. In one early instance this resulted in the filing of an amended plat of an already amended plat. Because of this, I resolved to make certain that the survey of Sea Crest Village was done properly in the beginning, with the goal of making it unnecessary ever to have to make changes or corrections, or file an amended plat.

My instructions to Crank were simple: If you have any question about the accuracy of anything you have done, do it over again. We'll not only pay you for doing it over, but if you're still not completely satisfied, then we'll pay you to do it over and over again until you're sure it's right. One result of this understanding had been that P.F. Crank, Jr. and I have been able, throughout the more than forty years since the Sea Crest Village plat was recorded, to share a feeling of pride in the fact that not only has no amended plat been

\*The Southern Shores Citizens Association was a recently formed informal organization whose members wanted to use the old station building as a youth center. It never took any action, and was subsequently disbanded.

necessary, but so far as I can remember, no one has ever found an error in the plat

.It wasn't easy. Crank was a calm and soft spoken man whose laid back approach tended to serve as a counterbalance to my proclivity toward outbreaks of anger laced with an extensive array of descriptive words and terms I had learned as a sergeant in the Marine Corps. He probably thought that I had deliberately made his assignment doubly hard by insisting that of the fourteen streets leading from the Duck road to the "Tees" at the west end of the oceanfront lots, only two of the streets, the ones at either end, were straight. The other twelve not only had to have curves, they had to have double curves. And because the length of each street varied as the result of curves in the Duck Road, the double curves on each street had to be different from those adjacent to it. That was the first time I had ever heard that there were two kinds of double curve. One kind, which is used in construction of highways, is called a "true curve"; the other almost certainly had to be an "untrue curve," though I can't remember anybody ever referring to it as such. Most developers didn't seem to care whether or not their layouts had true double curves, but I wanted to make certain the person driving on a Sea Crest Village street would encounter the same degree of curvature coming out of a double curve as when entering it. All of mine had to be true curves, and Crank's recorded plat has a lengthy table in the lower left corner providing other surveyors with information on what my dictionary describes as "the ratio of the change in tangent inclination over a given arc to the length of the arc." I'm sure there must have been times when Crank hated me.

Even though the Sea Crest Village streets were curved, we decided that the back lines of each lot had to be straight. This was a process that was further complicated by the topography of the land, which sloped down gradually from the oceanfront to the dune line until reaching a low spot about a quarter of a mile back from the beach and then began rising again before reaching the Duck Road. Rainwater accumulated in these low spots, so I decided to follow the same course Dad had taken in the earlier phases of the development, and convert the lowest areas into lakes. This had been comparatively easy in the southern part of Southern Shores where Ocean Boulevard was located only a couple of hundred feet back from the dune line, and the quarter-mile low spot was west of the western boundary of the west side highway lots. But in Sea Crest Village, these lakes had to be dug within the confines of the village boundaries, their irregular shapes and sizes making Crank's surveying even more difficult.

As the work progressed through the winter and into the late spring of 1957, it was necessary to make a number of other decisions. I located the eastern line of the oceanfront lots one hundred feet back from the high water mark, thus leaving a stretch of oceanfront more than a mile long and a hundred feet wide that was designated as being "Reserved for the exclusive use of Southern Shores Property Owners." In addition, I provided the park and recreational area on which the Paul Gamiels Hill station was located with a strip of land extending back from the Duck Road to the oceanfront beach that was three hundred twelve feet in width between the oceanfront lots, and three hundred fifty feet in width from there back to the state road.

It also seemed to me that the time might come when more than a two lane state road would be needed to serve the area north of Southern Shores, and the sixty foot right of way the state had taken over for the Duck Road would prove to be inadequate. In discussions with state highway department officials, however, including one trip to Raleigh

to meet with the powerful chairman of the commission, no interest was expressed in acquiring additional right of way at that time. So I decided to take the first steps toward doing something myself about this possible future need. At the outset it was necessary to find out how much additional right of way would be necessary in order to come up with two lanes in each direction, with a median strip separating them. I laid this out on a sheet of typing paper, with room for a shoulder and two traffic lanes on each side, plus the median strip between them, and according to my calculations, it came out to a total of one hundred six feet. This meant forty-six more feet would be needed, twenty-three feet on each side of the existing right of way, so I had Crank show on the plat a twenty-three foot wide strip adjacent to the Duck Road between the eastern boundary of the state's sixty foot right of way and the western boundary of the Sea Crest Village lots. Several times since then, people have asked me what the twenty-three foot setback was for, and though nothing has ever been done about implementing my plan, neither has anybody complained about it.

The final phase of the development of Sea Crest Village was the preparation of the set of covenants which were to apply to all lots in the village. In some of the earlier development efforts, covenants written for one lot did not necessarily match those for adjoining lots, and in some instances, even, covenants appeared to have been changed. Preparation of the covenants was a legal matter, handled by John McMullan and Elton Aydlett, and for the most part they agreed to my suggestions. The most important of them, as I remember, was that there should be an additional seventy-five foot setback for any buildings on oceanfront lots, thus providing a total of one hundred seventy-five feet from the high water mark to the easternmost place where a building could be located.

Following approval by the Kitty Hawk Land Company stockholders, the Sea Crest Village plat was filed for record in June, 1957. Looking back, I realize that Crank and I, both so proud of the job we had done, never received rave notices from anybody, but, on the other hand, the criticism was limited also. Early on, I had put some Israeli Carp in the ponds to keep the vegetation cropped down, but I don't think the process was followed by our successors, and later some of the ponds became clogged with grass, weeds, bushes, and even small trees, leading to complaints in recent years. Every once in a while I'm asked by someone why I decided on a numerical listing of street names, from First Avenue to Thirteenth Avenue, instead of using names that were more creative. I've never responded to this criticism, but at times I have felt like saying if the numerical system I used was good enough for the onetime village of Manhattan in New York City, it should be good enough for Sea Crest Village in Southern Shores.

We paved alternate streets in Sea Crest Village in the spring of 1957, First, Third, and Fifth Avenues, and set the price for oceanfront lots at eight thousand dollars. The rest of the price list follows:

1 <sup>st</sup> lots back from oceanfront.	\$2,500.
2 <sup>nd</sup> lots back from oceanfront	\$2,000.
3 <sup>rd</sup> lots back from oceanfront	\$1,500.
4 <sup>th</sup> lots back from oceanfront	\$1,250.
5 <sup>th</sup> lots back from oceanfront	\$1,000.
6 <sup>th</sup> lots back from oceanfront	\$1,000.



Corner lots on Duck Road	\$ 750.
Middle lots on Duck Road	\$ 700.

One of the most difficult tasks I had to face up to after becoming responsible for the promotion and sale of Southern Shores property was convincing super salesman Harry Lawrence to change his selling philosophy. This wasn't just any salesman I was dealing with. This was my father's best friend; the kind, soft spoken gentleman I had known since boyhood as "Uncle Harry," a man so concerned and generous when dealing with others that someone once said , if Harry Lawrence were to become a millionaire, everybody he knew would be rich.

For years, just about everybody coming into the Southern Shores office was inquiring about oceanfront lots, and Harry had the answers for them. A pair of oceanfront lots in beautiful, unspoiled Southern Shores was two or three times as large as the average lot down the beach, yet the Southern Shores lots were priced no higher than most of the competition and a lot less than many. Such a convincing salesman was Harry that a number of people have told me through the years that they entered the Southern Shores office out of curiosity with no thoughts at all of purchasing anything, only to end up buying an oceanfront site from Harry. By the time I came on the scene, however, the situation had changed drastically. Nearly three quarters of Southern Shores' four miles of oceanfrontage had been sold, but because the first question people usually asked was "How much are your oceanfront lots?" that was what Harry was still trying to sell them.

Finally, I took Harry on a tour of the property, pointing out the numerous west side highway lots still unsold, and the hundreds of non-oceanfront lots we were developing in Sea Crest Village, and telling him about my long-range hope of being able to extend the development across the sand ridge and through the forests to Guingite Bay and the sound. We were no longer in the business of selling oceanfrontage, I said. In fact, from then on we would have to use oceanfront lots only as a come-on, to attract people to Southern Shores so we could sell them the non-oceanfront lots we had in abundance. I concluded my lecture, as I did with every salesman I ever hired, by saying, "People coming through the door are dreaming about a Cadillac, but we're a Ford agency."

Did my comments result in Harry's changing his sales technique? No! Even after I pointed out that our commission was only five percent on the oceanfrontage as compared with fifteen percent on everything else, and even after pointing out that most of the sales prospects could not afford the price of oceanfront lots, let alone the cost of building an appropriate and more expensive cottage there, Harry had difficulty changing his approach, for Harry Lawrence was himself a man with Cadillac dreams but a Ford budget. As the oceanfront sales continued and the other sales lagged, I had to make a drastic change. I initiated a quota system in which only ten percent of the remaining oceanfront lots, four of the forty remaining when I started the system, could be sold in any calendar year. The names of prospects interested only in oceanfrontage were put on a waiting list. The quota system was continued until we sold out, nearly two decades later, and in fact was expanded to include other types of lots that were in short supply, with the result that our successors ended up with a complete variety of Southern Shores property.

### Part 3 - Cutting the Dogwood and Pine Trees

My retirement home in Kitty Hawk Village is located in a grove of massive live oak trees, hundreds of years old. On one side, a stand of tall pines nestles up against the fence, and out front the old dogwoods have seemed to grow more luxuriant in each of the nine years I have lived here. My former home, in Southern Shores, was surrounded by pine, hickory, dogwood, persimmon, and a variety of other trees, though the absence of live oaks was probably a contributing factor in my decision to leave there and move down to the shores of Kitty Hawk Bay. A still earlier home, on Colington Island, had even more to offer. It was located in an old forest of live oaks, dogwood, loblolly pines, and other trees especially indigenous to the swamp environment out back, but the most prominent feature of all was the huge tree so close to the front of the house that I had to arrange with the contractor building the house to fashion a noticeable indentation in the eave of the roof so as not to inhibit the growth of the tree, and its possible swaying in time of hurricanes. This is a longleaf pine, said to be the largest in northeastern North Carolina.

Do I like trees? No! I love them.

Why, then, did I arrange for my friend Joe Cox of Greensboro, who advertised his J.J. Cox Company as being a "Dogwood Shuttle Block manufacturer," to set up a little mill and cut all of the old dogwood trees on property I owned or managed for others on Colington Island in the 1950s, and convince my father and his Kitty Hawk Land Company Associates that they should do the same at Southern Shores? Was I not restrained by the angry protests of the garden club ladies and other nature lovers on the beach?

The answer to both questions is that I started out as one of the most vocal of the protesters, telling Joe Cox, when he first broached the subject, that he would have to climb over my dead body before he could cut the first dogwood at Colington or Southern Shores. But Joe kept talking. He maintained that the cutting would enhance the dogwood growth. By cutting the older trees, many of which were long since dormant, the younger trees would have a better chance to flourish, he said, even as the stumps of the old ones sprouted new and eventually more luxuriant growth. Joe Cox was a good salesman, but he failed to convince me. To end the matter once and for all with official proof that he was wrong, I wrote to the U.S. Forest Service, and the North Carolina State forester, repeating the claims being made by this dogwood cutting entrepreneur. To my great surprise, it turned out that Joe was right. Here's what R.W. Graeber, Extension Forester at North Carolina State College, had to say in a paper sent me:

Dogwood, when in bloom, presents a beautiful scene; so does a field of "golden grain." Yet, we don't ask the farmer to refrain from harvesting his crop of wheat; a new crop will take its place next season. The same thing applies to dogwood. It is a crop through which the farmer is able to get some return for his investment in land. Dogwood is a commercial necessity, supplying the wood used in making shuttles for weaving cotton, silk, or rayon. No practical substitute for this wood has been found. Dogwood less than five inches in diameter is not merchantable, therefore, when a crop is harvested, all of the younger and more vigorous trees are left for future crops.

Graeber's clincher was another statement, corroborating the claims made by Joe Cox: "Dogwood seeds freely, and also reproduces from sprouts and root suckers. When one tree is cut, several usually come back in its place."

Though some people still had doubts, within a few years the growth of dogwood in the Southern Shores forest and in the areas Cox had cut on Colington were more luxuriant than ever, and still are. The only exception is what was known then as the Steermark tract, more than five hundred acres on the west end of Big Colington Island, where many of the higher areas covered with dogwood were later bulldozed and hauled away to fill lowlands of what became Colington Harbour.

The final phase of the dogwood cutting operation was completed at Southern Shores in March, 1956, only about six months before I went to work for the Kitty Hawk Land Company. I had no idea that soon I would be involved in a much larger tree cutting venture throughout the forests of Southern Shores.

It began at a meeting of the Southern Shores owners in early February, 1957. Near the end of the meeting, only the second with my new employers, C.C. Aydlett said he had discussed with Kramer Brothers Company, "the possibility of their cutting the pine timber in the woods area of Southern Shores," and that "Mr. Stanley of Kramer Brothers would be down to cruise the woods." The Kramers, prominent residents of Elizabeth City and lifelong friends of the Aydletts and John McMullan, operated a large lumber mill on the outskirts of the town, and the prospect of their clear-cutting my beloved Duck Woods pine forest shocked me. Fortunately, I had recently read an article on selective cutting of timber as opposed to clear cutting, and I made the following comment, as quoted in the minutes of the meeting:

"David Stick suggested, if serious consideration is given to selling the timber in the wooded areas, a registered forester should be employed to cruise the land for the company and to represent the company in seeking bids for the purchase of the timber. He stated that P.F.Crank, Jr., now engaged to survey Sea Crest Village, is a registered forester."

I met with Mr. Stanley and took him on a cursory inspection of the woods, on the basis of which Kramer Brothers offered the Kitty Hawk Land Company nineteen thousand dollars for the timber rights on all of its land holdings, an offer that the company majority decided to hold in abeyance despite the expressed need of the company for cash. That winter and spring, in the process of finishing up the Sea Crest Village survey, I had the opportunity to discuss the matter in detail with Crank, who cruised parts of the forest and informed me that the timber was worth much more than the Kramer offer. I also learned that the selective cutting process would be laborious and costly, for it would be necessary to divide the forest into sections and to cruise each section carefully, and in the progress to mark with paint every tree that was to be cut. I continued to press for selective cutting rather than clear cutting, in which all the marketable trees are cut down, and in a meeting June 8, 1958, the company directors agreed that we should proceed with "thinning out the forest."

Occasionally, I went out with Crank as he marked the trees. He explained that size alone was not a determining factor as to which trees should be cut. Rather, the key question was whether a tree was healthy and still growing, which the forester could

determine by looking at the top branches. Crank had to keep a record of his estimate of the board feet in each tree he marked, and when the job was done, excluding only a couple of isolated ridges in the vicinity of what was later to become Duck Woods Golf Club, he had marked trees that he estimated would produce nearly two million board feet of lumber, 1,826,783 being his exact figure. Crank's work in cruising and marking the timber, and in negotiating a sale with lumber companies cost nearly five thousand dollars, and I feared my job might be on the line, and the forest in jeopardy, if he didn't get an offer comparable to the nineteen thousand offered by Kramer Brothers plus his five thousand dollars. He was instructed to notify prospective bidders of the following conditions of sale:

Cutting shall take place only in the fall, winter, and early spring; . . . would prefer to have it all cut by one company; the cutting should be completed in two years; and everything which has been marked by Mr. Crank should be cut.

The one mandatory element was that there would be no cutting in late spring or summer, in order to lessen the possibility of there being damage to the remaining trees.

High bidder for all the marked timber was Griggs Lumber Company of Point Harbor, the only mill this side of Elizabeth City. The Griggs contract price was \$63,939.41, considerably more than three times what Kramer Brothers had offered for all the trees in the forest. What about Crank's estimate of board feet of lumber in the trees he had marked? As of December 18, 1960, Griggs had cut all of the marked trees and had come up with only 1,742,650 board feet, a shortage of 85,133 board feet, or less than five percent. We then allowed them to cut the larger trees in the two unmarked areas. Everybody was happy, including the stockholders of Kitty Hawk Land Company, which ended up with forty thousand dollars more in the bank than clear cutting would have produced, and a figure higher than the thirty thousand dollars they had paid Walter J. Townsend for all two thousand eight hundred acres that became Southern Shores. Most important of all, the best of the loblolly pine growth in the forest remained, providing hundred of future homeowners with the kind of natural setting they wanted.

#### Part 4 - Developing the Soundside

More than a mile of lots bordering Currituck Sound were laid out in the summer of 1954 by Dad and Harry Lawrence's son David, a registered surveyor. The plats for this new phase of Southern Shores development, recorded in the office of the Register of Deeds in August, showed one hundred and twelve lots, all with parallel side lines and a width of fifty feet each. The only access was by way of the old Duck Road, the same one I had driven on so frequently back in the late 1930s when I took friends on sightseeing trips in my stripped down airflow DeSoto, and the same one that had provided the basic route for travel between Kitty Hawk and Duck for about as long as anyone could remember. The old road paralleled the shore of the sound, but in places was as close as one hundred feet to the high water mark, leaving far too little room for decent soundside lots. The obvious answer to the problem was to move the road farther back from the sound, but it wasn't quite that easy.

What Dad and David Lawrence showed on the recorded plats was a new road right of way, sixty feet in width and averaging more than two hundred feet back from the water, with the designation "Proposed Road." Also shown was another sixty foot right of way designated "Present Road," with two parallel lines in the middle to show the exact location of the car tracks everyone called the old Duck Road. By the time I went to work for the Kitty Hawk Land Company two years later, the only improvements had been rows of wooden stakes marking the lot lines, and enough clearing within the boundaries of the proposed new road to make it passable by jeep, but that was all. It was impossible for anyone to drive anything other than a four wheel drive vehicle or a beach buggy on the proposed road without getting stuck, so people were still traveling on the old road, right through the middle of the soundside lots.

Several pairs of the fifty foot lots had been sold early on, and one oceanfront property owner had built a boathouse on his new soundside property. The only other structures were a pair of jerry-built fishing shacks. So far as I could remember, the 1954 effort had been the first serious attempt to develop property on the soundside since the initial Nags Head soundside community was settled more than a century earlier. That one, at least, had character. This one had fishing shacks.

Soon after taking my new job, I began trying to convince my employers that the soundside development could be resurrected, but there was no interest in spending any more money on the aborted effort, even to the extent of providing marina facilities there. Gradually, however, they began to come around, as shown in the minutes of Kitty Hawk Land Company meetings:

(November 6, 1956) David Stick was informed that the Kitty Hawk Land Company is not interested in providing commercial dock and boat rental facilities on the sound shore; but because such facilities are considered important to the development of the property, a modest lease arrangement will be made if he can arrange for the promotion of a private company to undertake such an operation.

(January 10, 1957) David Stick pointed out that traffic is still using sections of the old Duck Road which pass through lots previously sold, and suggested that the old

road should be barricaded and the newer road patched up to accommodate traffic. It was decided to postpone this until the selling season is underway.

(May 11, 1957) Authorization was given, also, to haul some sand-clay to sandy spots on the road leading from the beach to the soundside, as well as on the new soundside road. Further improvements to the soundside property, as well as the bulldozing of new trails in the woods and other improvements, were held in abeyance.

By summer I had convinced them that it was absolutely necessary to divert traffic from the old road, and I proposed experimenting with a sort of radical approach, but one that might enable us to dig out a small boat harbor on the soundside for the use of all Southern Shores property owners while at the same time providing material with which to stabilize the sand trails:

(July 16, 1957) In stabilizing the soundside road, David Stick was authorized to use material to be dug from the proposed boat harbor if it developed that experiments with this type of material proved satisfactory.

By this time, people with jeeps were already using an alternate route to the soundside which crossed the sandhills and meandered through the woods, eventually joining up with the old Duck Road. This one, now East Dogwood Trail, was the site of my initial experiments with using muck to mix with sand for road stabilization, and observers must have thought we were all crazy. I had made arrangements with Sam Liverman of Colington to move a small dragline to a spot on the soundside south of the platted area where tests had shown the surface muck was three to five feet deep. He had two old dump trucks which he had fitted with airplane tires, and a little bulldozer with which we cleared a trail for the trucks and a base for the dragline. The trucks, filled with black muck, would dump their loads in the middle of the sandy trail, and the bulldozer operator would spread it back and forth until he had a fairly even layer of muck on top of the sand, at which time another man on a farm tractor with discs would mix the sand and muck. People complained that my unique road was dusty when dry and slippery when wet, but they could navigate it in a normal car without getting stuck.

It was almost a year before I could get all five of the Southern Shores owners to accompany me for an on-site inspection:

(June 8, 1958) The work done last fall in improving the road through the woods to the old Duck Road, and in improving the alternate road paralleling the sound on the north end of the soundside area which has been platted off, was inspected. There was general agreement that the experiment whereby muck from marshy areas was dumped on the sand trails, then spread, disked, and graded and planted with wire grass, had proven to be a successful and economic method of stabilizing woods roads for modest traffic. Approval was expressed, also, of the procedure followed by David Stick in taking the muck for this work from an area near the soundside which can be used as a temporary boat harbor.

With regard to the future development of the soundside property, it was agreed that extensive development should be postponed; but it was agreed that some of the remaining lots in the platted area could be put on the market, with the express plan of using income from such sales to improve remaining lots in the platted area, [while] building up a reserve for eventual development of other soundside areas.

Every time I pass by the place where I dug out the muck for the soundside boat harbor, now the Southern Shores marina; or drive on the relocated road that replaced the old Duck Road, now North Dogwood Trail; or pass over the sandhills and through the woods on what is now East Dogwood Trail, I can't help thinking that there ought to be something over there on the Southern Shores soundside with a name like Getsinger or Hanes. Why? Well, sometime after I was authorized by the directors to put a limited number of lots on the market at two thousand five hundred dollars a pair, Colonel Getsinger, or maybe it was Colonel Hanes, dropped by our office and was taken on a tour of Southern Shores by Harry Lawrence. By the time the tour was completed, the colonel was so sold on the Southern Shores soundside that he called the other colonel, his brother-in-law, in Texas, and convinced him to get in on this wonderful land deal. Between them, that day, they bought three pairs of soundside lots for seven thousand, five hundred dollars cash. After that the minutes continued to tell the saga of the soundside:

(October 13, 1958) David Stick was authorized to proceed with improvements on the soundside during the winter, with a cost limitation on such improvements determined by the income from sales of soundside lots since they were placed on the market this summer. He is to go over his plans for improvements with Frank Stick, and if possible with the other directors.

(December 23, 1958) It was decided . . . that no major selling or promotion campaign would be undertaken [on the soundside] this year. Rather, monies already made available for clearing, dredging, surveying, and road improvements in Sections A and B should be expended with the idea of making the platted lots more salable, so that the future proceeds from the sale of these platted lots might be used to finance a more ambitious soundside development plan.

From then on, I was pretty much on my own as far as soundside development activity was concerned, so long as I spent only money that came from the Getsinger and Hanes sale, and other sales of platted lots there. A careful examination of the remaining soundside lots revealed that most of them were unsuited for building purposes because of the existence of numerous small and disconnected swampy areas. In addition, no consideration was given to the topography or character of the land when the property was laid out in fifty foot lots, all with parallel lines. As a result, there were a number of cases where the most desirable building site was on the lot line. In several instances I tried to rectify these conditions by digging channels that led directly to Currituck Sound, and in others dug small landlocked ponds, though most of the channels shoaled up in time and became larger ponds. As much as I hated to do it, in one instance it was necessary to rearrange a number of lines, and I had to file an amended plat.

There was another problem that had to be taken care of as well, this one arising from the fact that in the Great Depression a CCC camp had been located on the soundside.

At that time the Wright Memorial Bridge Company, the owners of all that is now Southern Shores, sold a single small lot to a man who operated a little store there. It was impossible from the deed description to determine the exact place where the store had been located, but I was able to figure out the approximate site with help from a couple of old timers from Duck. Just to be on the safe side, however, I decided to withdraw five lots from the market, and with the approval of the attorneys, set that two hundred fifty feet aside as a soundside beach and picnic area for the use of all Southern Shores property owners. At the meeting of the directors, June 17, 1959, I was authorized to have two picnic table/bench combinations built using long-lasting juniper lumber, the cost coming to eighty-six dollars and five cents.

By late fall of 1959, with all of the work completed on improvements to the remaining lots, there was a surge of new interest in the soundside of Southern Shores. In the first three months after the lots were put back on the market, sales totaled more than twenty thousand dollars, providing the opportunity to move forward with completion of the marina and the initial phases of further development in the area. In addition, in the November 23, 1959 Kitty Hawk Land Company meeting, I was authorized to spend five hundred dollars to finish the relocation of the soundside road, one thousand for "construction of a launching ramp and a small bulkheaded tie-up area at the marina, and ten thousand dollars for construction of a model house near the marina. Construction of this brick house was a means of getting the soundside community started by setting an example with the type of permanent home we wanted there instead of cottages, boat houses, and fish shacks. On the subject of expanding the soundside development, I was authorized to spend not more than one thousand dollars for an initial topographic survey of approximately two thousand feet of frontage on Guinguite Bay south of the marina.

An unusual problem remained in the platted soundside area, though it was several years before I had to address it. A short distance south of the beach and picnic area, and within the sixty foot road right of way was the largest holly tree I had ever seen. Checking with the state forester, I found that it was probably the largest living holly tree in the state. The trouble was, in order to put in a conventional, two way hardsurfaced road in that area, it would be necessary to cut down the holly tree, a prospect over which I fretted for months. Then I had a brainstorm. Instead of putting in a conventional road in that area, I would make it a divided road, expanding the right of way to leave the holly tree in the meandering median strip. When I finally had the paving done, the original old Duck Road provided the location for the southbound traffic lane, while the northbound lane was graded out east of the holly tree. The divided road is still there, but not the mammoth holly. It died several years later, and eventually had to be removed.

As I pressed forward with development of the wooded areas back from the sound, another problem involving trees loomed on the horizon, but on a much larger scale than the fate of a single holly. This was the perplexing question of how to provide electrical power and telephone service to prospective homeowners without destroying the beauty of the forest growth in the process.

As an avid reader with a special interest in current events, I had been following the efforts of some large residential communities to do away with unsightly telephone and power poles by placing utility lines underground. This approach would seem to be a



natural, especially for Virginia Electric and Power Company here on the Outer Banks where they were constantly plagued by blackouts resulting from the accumulation of salt spray on their equipment during northeasters, and from their poles being blown down in hurricanes. But the VEPCO engineers were wary about the idea of going underground with their lines here, and though they didn't come right out and say they wouldn't do it, the prices they proposed charging Kitty Hawk Land Company for underground service were far beyond our means. Norfolk and Carolina Telephone and Telegraph Company, on the other hand, was already experimenting with underground lines, and from the beginning we worked closely together in a plan to go underground throughout the Southern Shores community. With the telephone example, the power company was more cooperative when it came to placing their poles along the back lines of the lots instead of destroying the trees forming canopies over so many of the woodland roads. In time, after numerous consultations, arrangements were finally made with VEPCO for all new lines in Southern Shores to be placed underground, but at a heavy cost to our company. Under the initial agreement worked out with the power company, we would wait until the first house was to be built in a new block, and at that time we would pay cash for the installation to the first house and sign a bond guaranteeing payment for each of the other lots in the block, paying for each one as construction began on a house, with the full balance to be paid from two to four years later. In some instances, the cost per lot was as high as three hundred fifty dollars, which included the final connection to the house, and in several cases, those lots still haven't been built on, though we paid for the hook-up a quarter of a century ago.

Through a friend who had been employed in the Manteo office of VEPCO before being transferred to their western Virginia area, I learned that VEPCO was employing an entirely different approach to providing underground service for its developments in Virginia, but it was not until I appealed to the North Carolina Utilities Commission that VEPCO agreed to provide service for the Kitty Hawk Land Company in the same manner. Beginning in early 1973, our charge for underground power, regardless of the size or location of the new area, was a flat forty-one dollars per lot, with payment due as houses were hooked up, and the balance payable after five years. Under this arrangement, Southern Shores was the first development in the North Carolina Division of Virginia Electric and Power Company, now called North Carolina Power, in which all utilities were placed underground.

There was one remaining problem concerning underground service. I learned from a private engineering consultant that there were international agreements on the placement of underground lines, determining the placement not only of power and telephone lines, but water and sewer lines as well, with the power line on the north and east sides, (I think this was the arrangement, though I can't find anything in writing to back it up), and the telephone lines on the opposite sides, while the water and sewer lines were placed a specified distance beyond them. Only the telephone engineers were aware of this system, with the result that I soon gave up insisting that it be followed.

The final disappointment, after years of discussion with VEPCO and appeals to the Utilities Commission resulting in our becoming the first development in their North Carolina service area going underground, was that our competitors soon learned of the

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forty-one dollar rate arrangement, and we were no longer pioneers in providing underground utilities on the Outer Banks.

### Part 5 - What About All Those Swamps?

Scientists can say what they want about how the massive sand hills and sand ridges along the Outer Banks were formed, and a lot of them seem to be talking these days, but after nearly half a century of being involved in historical research on the subject, it seems to me that the answer is so simple and obvious that scholars just tend to overlook it. My research shows that both the giant hills, such as Kill Devil Hill, and the succession of great sand ridges of which the one extending the length of Southern Shores and Kitty Hawk is an excellent example, were formed at a time in the distant past when the barrier island was low, flat, and devoid of significant vegetation. It was then that sand washed up on the beach was carried inland by the strong northeast winds until trees or some other kinds of obstruction were encountered. As additional sand was blown across the beach, the sand hill grew larger, and if vegetation took hold, another ridge was formed between there and the beach, and maybe still another one later on.

The result of this process in what is now Southern Shores, was the creation of a series of sand ridges, the easternmost only half a mile or so from the ocean, with depressions in between. In time, as forests covered the ridges, fallen leaves and other matter formed humus which accumulated in the valleys between the ridges. Sand is exceptionally permeable, but accumulated humus forms an almost impermeable barrier which holds water, thus, though the bottom of many of the valleys between the Southern Shores sand ridges was well above the level of the sound, rain water was, in time, retained by the layers of humus, and lakes began to form; then more humus washed down from the ridges, filling the lakes, and transforming them into swamps.

How to do something with the miles of swamps was a problem I wrestled with in 1959. This was nearly a decade before I began to learn about the ecology of our coastal environment through membership on the North Carolina Marine Science Council, and later as chairman of the North Carolina Coastal Resources Commission, so in 1959 I could see nothing wrong with the idea of converting swamps into navigable waterways connected with the sound, and in the process creating varied and desirable waterfront lots on the ridges.

My chance to experiment with the idea of digging out the interior swamps came in a meeting of the Kitty Hawk Land Company, November 23, 1959. With the marina nearly completed, the old sand roads finally passable, and the improvements to the platted soundside lots producing a boom in sales, the directors authorized me to spend six thousand dollars for what was described in the minutes as "land reclamation in back of the soundside area."

The first step in this so-called land reclamation project involved digging a canal from the marina to a large swamp east of the old Duck Road. Once the canal was dug, it was necessary to build a bridge so that vehicular traffic could cross over the canal. Using material that had been removed from the original Currituck Sound bridge, (as I remember, the highway people gave it to us because it had been cluttering up their storage yard), Sam Liverman and I designed and built a simple ground level bridge that was high enough to allow the passage of small boats underneath.

Lacking any kind of background in engineering, I then had to sit down and try to figure out how to convert the swamp into a lake and the adjacent land into lots. Because

the middle part of the swamp was especially wide, I began by having the dragline operator take a sort of egg shaped cut in the middle, casting the spoil material on and around a little hummock with vegetation on it. Having thus produced a small lake with an island in the middle, but with a lot of swamp still left on both sides, we took a wide cut with the dragline, casting the spoil material to the side where it could be spread over what was to become the first of what I soon began calling *lagoon lots*, a name that was not exactly one hundred percent accurate, but one that sounded a lot better than *canal lots*. The island out there in the middle of the lake can still be seen from the East Dogwood Trail bridge.

It was a while before we got our six thousand dollar investment back from the sale of the eight lots created between the lake and the old Duck Road. My idea was to sell them for one thousand dollars each as a means of generating interest in the new lagoon development idea. After sales expenses, this would have returned our six thousand dollars, which could be used to develop lots on the east side of the lake, but the idea of not making a profit from this first offering did not sit well with some of my bosses, and the price for each lot was raised to one thousand five hundred dollars, take your pick. No, that isn't exactly right! When I drove them over the area and casually mentioned that nearly half the cost of creating the lots had been spent on one particular building site because it was part of the original swamp and required extensive fill material, I remember one of the Aydletts expressing the opinion that that particular lot should be priced higher because he objected to selling anything for less than it cost, even though that lot was not as desirable as the others.

For the next few years, most of my time was devoted to expanding the network of lagoons and opening up a variety of wooded homesites, most with water frontage and some with their own private boatslips. I was able to do this only because of one man: Bill Fletcher.

Like so many other people who have been captivated by the Outer Banks, Bill and Dot Fletcher had vacationed here before deciding to make a permanent move in the early 1950s. Bill was the editor of a weekly newspaper in a small Delaware town when the decision was made, and because he had to find some way to make a living in his new home, he bought a little restaurant on the west side of the beach road in Kitty Hawk. As the proprietor, chef, dishwasher, waiter, cashier, and handyman, Bill was up early every morning, feeding breakfast to a clientele of local workers, fishermen, and tourists who sat at the long counter that dominated the restaurant. I began eating there on occasion, but it didn't take long to size Bill up as a man, almost always grumpy, and hardly ever cracking a smile, who seemed to hate the restaurant business in general and his own establishment in particular. As a one-time newspaperman, I could understand better than most his lack of enthusiasm about making a meagre living slaving over a hot stove, and in one of my visits I broached the idea of a possible change in his line of work.

Soon after starting Southern Shores Realty Company, I had employed a personable and attractive Kitty Hawk woman named Minnie Lee Toler to help Harry in the office. It was not long before there was an obvious need for a third person there, a salesman who could fill in for Harry and at the same time take over the management of the office. In addition to my increasing workload in the field, planning and overseeing Southern Shores development, I had also been elected to the Dare County Board of Commissioners, so my own office time was limited, and I needed more help. When I offered the job to Bill

Fletcher, it didn't take him long to close up the restaurant and join Harry, Minnie Lee, and me at Southern Shores Realty. Regardless of anything else, and Bill ended up owning Southern Shores Realty before I retired, he underwent a sort of metamorphosis that was apparent to all of us working with him. Gradually, the grumpy restaurateur became an often jovial and enthusiastic member of the Southern Shores team. It took him a while to get the feel of the real estate business and make his first sale, but in time he became an excellent salesman and practitioner of the kind of low-pressure salesmanship that I insisted on, while at the same time relieving me of the office work with which I had been saddled. Whatever of my efforts were successful in ensuing years, whether as chairman of the Dare County Board of Commissioners or in other positions of public trust, or in continuing the development of Southern Shores, they were made possible only because I knew that Bill Fletcher was there in the office efficiently running the business.

Even after the owners of the Kitty Hawk Land Company began supporting my efforts to develop the interior wooded areas of Southern Shores, it took more than fifteen years to finish the job, a period in which there were major changes in the ownership of the KHLIC stock and in my relationship to the company. The changes began with the death of John McMullen in 1960, and the necessity of my assuming family responsibility for the financial affairs of my sister, Charlotte, who inherited his one-third interest in the company. With the retirement of my father, I was the only family member involved with Southern Shores, and the working conditions became so intolerable that on two occasions I simply quit. The Aydletts had reluctantly agreed before John's death to an increase in my annual salary from five thousand to six thousand dollars, but had refused to let me acquire any of their stock in the company as had been verbally agreed upon in the negotiations handled by John. That agreement had called for my acquisition of ten percent of the stock over a period of ten years if my management activities proved successful, but after several years the Aydletts flatly refused to dispose of any of theirs. I remember sitting in a meeting with both of them one day when the matter came up, asking them to explain why they would rather have thirty-three and a third percent of the stock in a company that wasn't going anyplace when I was hired, instead of thirty percent of the new revitalized company that appeared on the verge of making a lot of money under my management. They had no answer. It was just that they had held a third of the stock from the beginning, and they wanted to keep it that way.

When I walked out of Elton's Elizabeth City office that day, I made the decision to quit. The Aydlett's weren't swayed with my announcement, but Dad and Charlotte were so concerned that they offered to give me enough of their stock to equal the ten percent I had been promised. With these new assurances of confidence and support, I stayed on the job despite the Aydletts.

New problems were encountered and new knowledge gained each time I began an expansion of the lagoon system. All of the swamps extended in the same direction, from north to south, but the width, depth, and composition of each differed extensively. Some were relatively shallow, with the accumulated humus quite mucky, as had been the case when digging out the marina near the open water of Ginguite Bay. Others were deeper, and often filled with large stumps and the remnants of trees, long dead. Wherever possible, I tried to build the roads on high ground back from the swamp so there would be a row of lots between the road and the lagoon. In some cases, such as the Yaupon Trail area a

short distance north of the marina, it was necessary to build the road over one-time swamp in order to retain the narrow ridge adjacent to Ginguite Bay for especially desirable building sites. In one instance, when a situation was encountered where there were two narrow swamps close to each other, I turned one into a lagoon and filled the other with the material from the first, then put the road (later named Juniper Trail) down the middle of it. I did this even with the realization that road repairs would undoubtedly be needed more frequently there than on more conventional streets, with the weight of trucks and other traffic causing potholes to form as the mucky humus was pressed down around the buried stumps and trees.

With many as five different swamp systems, all running roughly parallel in a north and south direction, there was the question also of whether they could be, or should be, connected. If connected, they would become part of the network of navigable lagoons; if not, they would remain as small landlocked lakes. My early decision, so long as the process remained economically feasible, was to connect the former swamps by cutting through the sand ridges that separated them. Instead of digging a number of small canals through the sand ridges, as I had done with the canal connecting with the marina and a couple of others, I decided a better course would be to dig one major canal, a straight shot from open water on the west near Guingite Creek through each of several ridges, as far east as it was possible to dig to a depth of eight feet, with the goal of maintaining a navigational depth of six feet, which had been my goal throughout construction of the other lagoons. The first cut in this primary canal, located just north of what is now Fairway Drive, was a major undertaking, calling for construction of a ninety foot bridge.

Fortunately, throughout my involvement in the development of Southern Shores, I was able to call on people who could provide guidance about matters with which I had no experience whatsoever. Often, in the early days, the advice and help came from my father, or from Harry Lawrence. As work progressed, I found myself frequently seeking the council of Curt Gray, Sam Liverman or Bill Fletcher, and later, Sam Beacham and Norm Perry or my nephew Brock McMullan who came up from Florida to work with me for several years. Then there were people like Jimmy Norris, a friend with the bridge division of the state highway and public works commission, who sent me plans for the kind of ninety foot bridges the state was building on its highways, and gave me wonderful guidance on how to build one just like it over the major east-west canal where it was crossed by South Dogwood Trail.

The bridge was made of pre-cast, reinforced concrete, assembled in the Charlotte area and hauled to the Southern Shores site by truck. Success in its construction was as dependent on the experience of the crane operator who put in the pilings on which the bridge was to rest, as it was on the materials. There was, I learned, only one such qualified crane operator in northeastern North Carolina, one of the family of Waff brothers operating out of Edenton. I called one of the brothers I already knew, who got his bridge specialist brother on his intercom. He said he wouldn't be able to do the job at Southern Shores for half a year or more. I asked what the charge would have been if he had been able to handle the job, and then asked him to tell his brother that I would pay twice that much if he would come down and build the bridge within a few weeks. Immediately, my bridge had priority status.

The main problem in putting such a bridge together, I learned, was that each piling had to be located in just the right position, so when the trucks pulled in from Charlotte, each of the long, pre-cast stringers could be lifted off by the crane operator and placed on top of pilings located exactly where they should be. I'm glad I hired Waff Brothers to do the job instead of another contractor who showed up in my office wearing a baseball cap placed sideways on his head, for the bridge installation proceeded without a flaw. Not only that, but the cost of the bridge sections, including even the railings, plus the pilings and their installation, came to only eighteen thousand dollars, and it is still there, a quarter of a century later, handling the traffic as well as ever.

With the completion of the main east-west canal, one of the big problems remaining was what to do with a number of isolated swamps to the east of the area I had been developing, and closer to U.S. 158. Extending the lagoon system farther south of the main canal was not possible, because we had already offered to donate the land between there and the state highway to the Outer Banks Recreation Association (OBRA), a non-profit organization formed by area leaders to secure a golf course and other related recreational facilities for the community.

The decision I finally made was to build a new access canal nearly two miles long from the main east-west canal south all the way to U.S. 158, making it possible to feed off from this to the more eastern swamps. In time, when this canal had been extended to the state highway right of way, I built a basin adjacent to the road, and located the new Kitty Hawk Land Company office building on a bluff behind the basin.

In order to reach that final network of swamps, it was necessary to dig another east-west canal at the south end of what is now Chicahawk, which is crossed by Juniper Trail. From there I was able to move both north and south, gradually converting the remaining swamps into navigable lagoons, except for one.

Early residents of Southern Shores had discovered a beautiful cypress swamp considerably less than a mile back from the ocean. It was really more a series of little lakes than a swamp, and Dad and the others had stocked it with bass they had caught in Ginguite Creek and Currituck Sound. Covering an area of several acres, it was landlocked, with high forest covered sand ridges on the west, north, and east sides. There was a little skiff in one of the ponds, but those who knew about this place and its majestic cypress trees and atmosphere of tranquillity tended to keep secret its whereabouts, and apparently still do.

In earlier development activity, I had built a haul road across the extreme southern end of the swamp, to enable earth moving equipment to haul sand from the ridge east of there to low lagoon lots in the interior. But, as I extended the big lagoon through what is now Chicahawk, ever closer to the cypress swamp, I began to have second thoughts, so I shut down the dragline and employed a consulting firm out of Wilmington headed by a friend named Dave Adams, a respected coastal geologist and environmental authority, to make a study of the cypress swamp and the surrounding area in order to give me a definitive answer to one question: Would it be possible to maintain a thirteen acre cypress swamp right smack in the middle of a large residential community?

Dave Adams' answer was "Yes," with certain caveats. The first was that there could be no disturbance of the land on the wooded hills around the pond, and specifically no construction of buildings. The second was that the whole area be set aside, through

legal documentation, as a preserve. The third was that I should fill in several hundred yards of expensive canal that had already been dug, thus terminating the closest lagoon a half mile or so away, just south of where the Chicahauk tennis courts are now located.

By that time I was in the position of being able to follow my own best judgment in such matters. Following the death of my father in 1966 and my sister in 1969, I had become co-trustee of the Frank Stick and Charlotte McMullen trusts, and had thus had stock control, though I can never remember exercising that control. So the cypress swamp was retained and protected from development, and the last time I was over there, it seemed to me there was more vegetation and certainly much less open water, but the majestic cypress trees were as beautiful and as undisturbed as ever.



### Part 6 - Community Facilities

If I were asked to state in a single phrase the overall philosophy that guided Dad's activities during his eight years of the Southern Shores start-up period, and my subsequent twenty years of development responsibility, it would probably be this: Both of us wanted to create a cosmopolitan community in which anyone, regardless of social status, education, or degree of wealth, would be proud to live.

By laying out building sites that were two or three times the size of those in developments down the beach; by adopting covenants that called for building setbacks from roads and from the property of neighbors; and by separating residential and commercial areas, he made a fine start. A provision calling for review of proposed building plans by the company's architect, (initially, this was Dad, but in later years I inherited the job and had to call on others for help), came about as close as anyone could dare to legislating aesthetics. When he built the first hillside road, Skyline, he left an open space of nearly three hundred feet east of the road at the crest, partly, I suppose, because the dropoff was so precipitous that it would have been difficult to provide driveway access to houses, but mostly because it provided people with a magnificent view of the ocean and beach. He created man-made lakes and stocked them with fish in low areas back of the west side highway lots; and when planning the initial mile of soundside lots, he set aside two access strips, one fifty feet in width and the other sixty feet, from the new road to the water.

In my first effort at development, Sea Crest Village, I went much farther, setting aside a one hundred foot wide strip above the high water mark the full mile-plus length of Sea Crest Village and a three hundred foot strip from the beach back to the state road for the use of all Southern Shores property owners. The second of these was motivated in part by the fact that the decommissioned Paul Gamiels Hill Coast Guard Station was located in the middle of the three hundred feet; and the first by a desire to try to lessen the possibility of the kind of storm induced carnage experienced along the rest of the North Carolina coast a few years earlier by the disastrous hurricanes named Connie, Diane, and Hazel. The establishment of both of these dedicated areas was fully approved by my new employers, giving me, I suppose, more encouragement to provide the future residents of Southern Shores with additional dedicated sites for their use and enjoyment.

The soundside marina was a major step forward in making it possible for the owners of property in Southern Shores to share in the use of different types of areas throughout the community to which access would otherwise have been denied them. The soundside beach was another one, as was the land on both sides of the entrance to Duck Woods Drive from U.S. 158, which I intended as a sort of village green where community facilities could be located, though I decided later not to use it for that purpose. Of all of the dedicated sites, however, the one I was probably most proud of was what I named Hillcrest Overlook, and it was the result of unanticipated circumstances, beginning with the construction of what everybody in the office called *Harry's Hump*.

By the late 1960s, Harry Lawrence, in his eighties and as mentally alert as ever, began to experience great difficulty in walking, so I had a clay driveway built on the highest lot developed up to that time on the west side of Hillcrest Drive, making it possible for Harry to take his sales prospects there and provide them, while sitting in his car, with an exceptional panoramic view of Southern Shores from the Atlantic Ocean on the east to Currituck Sound on the west. This was Harry's Hump, but Harry was such a super salesman that before long he had sold not only other lots in that area, but what was undoubtedly the most desirable of them all, Harry's Hump itself.

At that time I was already planning an extension of Hillcrest Drive to the north, and was planning to run it east of what I learned from friends in Kitty Hawk whose fathers had been stationed at Paul Gamiels Hill Coast Guard Station, was what remained of Paul Gamiels Hill, one of the large migratory sand hills for which the coast was noted. Paul Gamiels Hill was by far the largest sand hill in Southern Shores, towering over the adjoining sand ridge. As was the case with all the others, it had been formed by the strong northeasters blowing sand up the gradual slope on that side, and dropping it to the southwest, in the process engulfing living trees in the forest. Its configuration was different from most of the great sand hills, however, in that the south side, just below the crest, dropped off into a deep cleft between the hill and the adjacent sand ridge.

The day I first climbed to the top of Paul Gamiels Hill, I was the beneficiary of the most magnificent view of my entire Southern Shores experience. Not only could I see the entire Southern Shores oceanfront and the beach beyond, but there was an equally inspiring view to the west, including Currituck Sound, the Currituck peninsula, and even the huge blimp base at Elizabeth City, looming in the distance. What a crime, I thought, to deprive others of that view, ending up with Paul Gamiels Hill owned by a single wealthy individual, or even two or three if it could somehow be subdivided. No! I had found a new Harry's Hump. All that remained was to figure out some way for him, and others, to drive to the top.

Within a few days I had a large earthmoving machine hauling sand from the area at the base of the hill to the crevice on the south side. Each time the machine dumped a load, a bulldozer would push the sand into the hole, but at the end of the first day we didn't seem to have made any appreciable progress. The second day, at about noon, the two operators were taking a lunch break when I checked on the progress they were making, and one of them finally asked me what I was trying to do there. I explained that the three of us, the bulldozer operator, the tjlsjolkh;l operator, and I were building a road to the top of the hill, and that intended to widen it out enough at the crest so that there would be room on each side of the road to provide space for people to park their cars and enjoy the beautiful view. Years later, one of the operators confessed to me that as soon as I was out of listening range they turned to each other, and almost in unison said exactly the same thing. Loosely translated it was: "That's the craziest damn thing I ever heard of!"

When it was completed, however, nobody could fail to understand that this was Hillcrest Overlook. Attractive signs proclaiming that fact were installed on both sides as the road started up the hill. A raised divider separated the traffic lanes. For the entire length, from bottom to top and down again, there was a curbing to keep gawking drivers from running off the road. And to maintain the park appearance and the view, the shoulder was kept mowed and the larger growth both east and west of the overlook was kept

trimmed down. I continued this maintenance schedule until 1976, when the KHLC was sold and I retired. Even then, however, I thought I had arranged for the overlook to be maintained in perpetuity, by specifically including a provision to that effect in the agreement between the land company and the civic association, which was signed by the presidents of both organizations just before the sale of the property. But except for enabling Harry Lawrence to have a new and even higher "Harry's Hump," where he could take his sales prospects, it was all a waste. Those who drive over that elevated section of Hillcrest Drive as this is written in the summer of 1997, must wonder why it is there, for the growth of trees and bushes on both sides of the roadway is so dense that all of the wonderful view I experienced three decades ago is obliterated. There is no overlook on Hillcrest Overlook.

The process of neglect started at about the same time that someone decided to plant pine seedlings east of the hill in an area I had set aside from development with the thought that it might someday be utilized as a small outdoor Theatre, where spectators could sit on the side of the hill, as in an amphitheater. The elimination of the Hillcrest site as an overlook was completed with the failure of the Town of Southern Shores, or the Southern Shores Civic Association, which share control of the site, to keep the vegetative growth on top sufficiently cleared for people to continue seeing in all directions. The seedlings are now trees, further obstructing the view, and I can only express sorrow that the majority of the present day residents of Southern Shores not only have never seen the view from the top of Hillcrest Overlook, but probably don't even know it's there.

Even as I was building the paved road over Paul Gamiels Hill, work was in progress on what was by far the largest community facility in Southern Shores. Initially intended to cover approximately two hundred fifty acres of land donated by the Kitty Hawk Land Company, it ended up with closer to three hundred, and through the years what was planned as a multifaceted recreational facility for all of the people of northern Dare County and southern Currituck, has become a private country club. This, of course, was what we called OBRA, the Outer Banks Recreation Association, with its Duck Woods Golf Club (the first golf course on the Outer Banks), community swimming pool (the first on the Outer Banks), and tennis courts (the first on the Outer Banks). The initial membership fee for the non-profit organization was one hundred fifty dollars. Today, the comparable "initiation fee" for those able to join the same facility, now the Duck Woods Country Club, is six thousand dollars.

This was not the first golf course proposed for Southern Shores. In the early 1950s, the Elizabeth City stockholders in the KHLC, together with Buck Sykes of the newly built Sea Ranch Hotel in Southern Shores, and Billy McDowell of Elizabeth City announced that they were forming a non-profit organization called "Kitty Hawk Golf and Country Club," to build an eighteen hole golf course in Southern Shores just north of U.S. 158. Since it never got to the formal action stage, there is no mention of the project in the early minutes of the KHLC, and by the time I became the manager of Southern Shores in 1956, the golf course project was dead.

In 1962, following the Ash Wednesday Storm, a group which had been promoting construction of a convention center with an attached Out Banks museum, had turned its attention to trying to get a golf course in the Dare Beaches area. Those of us in the organization known as the SOBs, of which I was president, thought we had a site in the

Nags Head Woods area; then another at what later became Wright Shores in Kill Devil Hills, but by the early spring of 1964, the prospects for bringing golf to the Outer Banks did not seem very good.

In two earlier papers in this series, Convention Center and Museum, Inc. (1960-1963), and Duck Woods Golf Club and OBRA (1964-1971), I have dealt in detail on the organization of OBRA and its early operation. The following quotation from the opening chapter of my history of Duck Woods and OBRA, tells the story about as concisely as I can phrase it:

Each year after I became manager of the KHLC in 1956, I included construction of a golf course as a priority item in the long range planning for the Southern Shores development. But by 1964, none of these efforts had gotten off the ground.

That spring the subject of golf courses came up in a conversation with C. Jackson Luper, a Rocky Mount CPA, and he mentioned doing the tax work for a non-profit organization that was building a rural golf course with financing from the Farmers Home Administration.

The Board of Directors of the KHLC met soon after that in Elizabeth City, and in my report I urged the other directors to make a decision; either build a golf course or forget about it. Though all of the board members agreed that a golf course would be a wonderful asset for the Southern Shores development, there was no support for my proposal to borrow money and build one.

At that point I asked what their reaction would be to donating the requisite acreage to a non-profit local organization for construction of a golf course, and told them of the efforts of the old Convention Center group, and of my conversation with Jack Luper concerning golf course financing by the FHA. The unanimous decision of the board was to check out the Luper information, and, if it held up, to offer up to two hundred fifty acres to the non-profit group. At that point we took a break so board member Cyrus Aydlett and I could visit the FHA office for information.

The manager of the Elizabeth City office of the FHA confirmed that FHA loans were available in rural areas for construction of community recreational facilities, including golf courses. But he pointed out that Dare County was in another FHA district, with headquarters at Swan Quarter in Hyde County. Cy Aydlett and I reported back to the other directors, who agreed that I should go to Swan Quarter that afternoon.

Philip House, the FHA man in Swan Quarter, was just about to close up his office for the day when I finally reached there that afternoon, but he was kind enough to provide me with detailed information on the requirements and procedures for securing a golf course loan. House felt our group would qualify, and thus encouraged, I headed home after a memorable day in which I had taken the circuitous route from Kitty Hawk to Elizabeth City, to Swan Quarter, and back to Kitty Hawk again, and had come away at last with a firm plan for an Outer Banks golf course.

The next morning, March 6, 1964, I had my secretary send letters, all typed originals on Convention Center and Museum letterheads, to the nine remaining SOB's. Here's what the letter said:

CONVENTION CENTER AND MUSEUM, INC.  
Kill Devil Hills, N. C.  
March 6, 1964

URGENT—CONFIDENTIAL

I have made preliminary contacts leading to the following arrangements:

1. Donation, without cost, of all lands needed for an 18 hole golf course.
2. Complete financing of an 18 hole golf course facility, with up to 40 years to pay at 5% interest, and without the necessity of personal endorsements.

Accordingly, I am calling a meeting of the Directors of the Convention Center at the Carolinian Hotel, at 8 p.m., Monday, March 9, and am taking the liberty of inviting the members of the special Chamber of Commerce committee to meet with us.

DAVID STICK

Two of the SOBs were out of town and could not be reached, but all of the others showed up. We met from 8:30 until midnight, made plans to form a new non-profit corporation tentatively called the Outer Banks Golf Club, elected Julian Oneto as chairman, and set up committees to gather information on a number of aspects of the project. Because of a possible conflict of interest, I declined to serve as an officer or director of the proposed organization, but agreed to work with the steering committee, which turned out to involve night meetings averaging nearly one a week for more than a year.

Suffice it to say that the effort was successful, despite a number of unanticipated pitfalls that are enumerated in my history of Duck Woods Golf Club and the Outer Banks Recreation Association. Long before there was a golf course or clubhouse, special membership meetings of OBRA proved to be anticipated social affairs as well, as people from different parts of the beach, lower Currituck County, Roanoke Island, and even some from as far away as Hatteras, joined forces in this community effort.

As far as the KHLC was concerned, I was the only stockholder or representative who ever attended an OBRA meeting or took part in its activities, though after the course was open, Cyrus Aydlett did take golf lessons through a course offered by College of the Albemarle rather than with the Duck Woods golf professional. Construction on the course and related facilities was begun in May, 1967, and on June 8, 1969, the Duck Woods Golf Club was formally dedicated. Again, a quotation from my OBRA history seems appropriate:

Long before construction of the Duck Woods Golf Course was completed, it was obvious that OBRA was grossly under funded. Those of us who had come up with the final FHA loan figure of \$390,000 with the help of FHA personnel, architect Ellis Maples, and local contractors were as far off as we had been with the original figure of \$200,000 in 1964. Half a million dollars for construction would have been a more realistic figure; and even that would have left nothing for

contingencies, mortgage payments, or start-up money for the operation of the golf course.

Throughout the construction period and into the early operation of the facility, I had no involvement with OBRA or Duck Woods. For one thing, I didn't know how to play golf. For another, I was spending considerable time on civic activities, primarily as the president of a statewide movement known as North Carolinians for Better Libraries, in addition to my responsibilities with KHLC, Southern Shores Realty Company, and other business ventures. But in early 1971 I was approached by several people involved with Duck Woods who said OBRA was on the verge of bankruptcy and had not made its 1970 payment to FHA. Because the two hundred ninety acres donated by KHLC would be auctioned off by FHA if the project failed, they felt I had more reason than anyone else to step in and try to save it. Specifically, they said, if I would agree to election to the board of directors at the annual meeting February 10, 1971, they would make sure that I was mad president.

My narrative history of Duck Woods and OBRA contains details of the steps I had to take during the course of my two terms as president of OBRA in order to get the facility back on a sound financial basis. It began with my guaranteeing all creditors that I would be personally responsible for their bills, providing they would allow us as much time as possible to pay them off. It was also necessary for me to make similar guarantees, including signing personal notes, in order to buy such essential equipment as twenty new golf cars to replace the ten old used Pargo's that comprised the Duck Wood fleet; to buy a specially designed riding mower for the greens which had been mowed previously by a yard-type push mower; and a golf course fairway mower as replacement for the farm tractor/mower that had been used since Duck Woods had opened for business. The revitalization could not have been accomplished without the Kitty Hawk Land Company providing the funds to hire contractors to bring up to acceptable standards a number of elements of the golf course that had not been completed under the original contract. Finally, there would be no golf course there today had it not been for the work of a number of dedicated individuals led by Bill Fletcher, whose volunteer efforts resulted in more than doubling the dues paying membership and a resurgence of interest in and support for OBRA.

### Part 7 - Management Changes

The deaths of John B. McMullan in 1960, Frank Stick in 1966, and Charlotte Stick McMullan in 1969, resulted in major changes in the KHLC. Elton and Cyrus Aydlett, between them, still owned one third of the stock. The remainder, except for the shares Dad and Charlotte had transferred to me as an inducement for me to remain with the company, were jointly held by the trust department of Planters National Bank and me as co-trustees of both the Frank Stick Trust and the Charlotte Stick McMullan Trust. On the board of directors, however, two of the three members, Elton and Cy, represented the Aydlett one-third interest, while I was the only one left to represent the Stick-McMullan two-thirds. To remedy this inequity, we added the trust officer of the bank, Hugh Horton, to the board, an action that seemed to intensify the high degree of antagonism between Elton Aydlett and me. This had become an ongoing problem that I am sure was made worse by the fact that I was suffering at that time from what was later diagnosed as hypoglycemia with my attendant outbursts of temper. There were no serious problems between Cy Aydlett and me. He was running the Elizabeth City office for the company, handling the bills, collections, and other financial matters, and he and I were able to work well together. But from the time of my initial employment, his older brother, Elton, had seemed reluctant to approve just about any plan or program I advocated, and his frequent complaints that he wasn't getting as much money as he should from the company were often more than my temper could stand, even after I began taking a tranquilizer before every meeting with him.

There was, in addition, the matter of the KHLC's income taxes; or, rather, the fact that we weren't paying any, though by 1968 our annual sales had passed the half million dollar mark. The local accountant employed to prepare the company's taxes said we were not required to pay corporate taxes since we were operating as a Sub-Chapter "S" corporation. Also, he said, we showed little profit because of the high initial cost (the six hundred thousand dollars paid by KHLC for Southern Shores), plus development and operating expenses. My lack of knowledge of tax law and accounting practices made it difficult for me to comprehend the first of these reasons, and the second one just didn't make sense to me, so I persisted in questioning the way we were handling taxes. Hugh Horton joined me, stating that we could no longer qualify as a Sub-Chapter "S" corporation since part of the stock was held by trusts, though again, the local accountants insisted there was no problem.

Finally, in a memorandum to the Aydletts and House dated October 13, 1969, which I labeled URGENT and PERSONAL, I called for a total re-examination of our accounting practices, pointing out that the cost factor per lot of future sales would be much lower than in the past. Already in 1969, I said, we had placed on the market "something like two million dollars worth of lots while increasing our land and improvement costs by only a few hundred thousand." When this failed to produce results, I decided to seek the opinion of an outside specialist, a tax attorney.

The only tax attorney anyone could direct me to in northeastern North Carolina at that time was Frank P. Meadows, Jr., of the firm of Biggs, Meadows and Batts in Rocky Mount. I made contact with Meadows by telephone, told him enough about my

concerns for him to ask me to put together a file of background material, and arranged for a conference in his office January 28, 1970.

The first meeting with Frank Meadows was a shocker for me. In addition to the concerns that had prompted me to employ him, it appeared that the KHLC had been so poorly organized, and its accounting and tax matters so poorly handled, that the company and its stockholders could be in serious trouble with the Internal Revenue Service.

Meadows promised to have a preliminary written report ready for me after he had time to go through the mass of material I left with him, and could confer also with the trust department of Planters Bank. I discussed this with Hugh Horton before leaving Rocky Mount, and on my return to Kitty Hawk, I informed the Aydlotts by telephone of the action I had taken and the preliminary information I had received from Frank Meadows. They agreed that the KHLC board of directors should meet with Mr. Meadows in Rocky Mount the morning of February 19, 1970. Horton made arrangements for the meeting to be held in the board room of Planters Bank, and Meadows provided each of us with a copy of a six-page, comprehensive letter addressed to me, and then discussed his findings in such detail that the meeting lasted for most of the day.

Among his more pertinent findings were the following:

1. For a number of years, KHLC had been operating improperly as a Sub-Chapter "S" corporation.
2. Since 1951, KHLC had been what the Internal Revenue Service describes as a "collapsible corporation," whose stockholders cannot qualify for capital gains treatment. Any one of five errors at the time of incorporation could result in a corporation being "collapsible." Those handling the incorporation of KHLC had made all five errors.

Meadows had summed up his findings concisely at the end of the February 19, 1970 letter to me:

I am sure that this letter is most unsatisfactory in that rather than giving you proposed solutions it has predominantly been devoted to raising additional questions. We will be glad to explore all or part of our opinions as stated above, and look forward to the possibilities of being of service to you.

Before leaving Rocky Mount that day, the Aydlotts and Horton agreed that Frank Meadows should be employed by the KHLC to direct us in whatever steps were necessary to get out of our financial mess, and that his billings to the company should be retroactive to the time of my first telephone call to him.

A first step was the employment of a new accounting firm in Elizabeth City. Speight Burrus, CPA, was to go through the company's books under the direction of Meadows, and Burrus, in turn, assigned most of the more routine work to a young CPA named Jack Adams, who had just joined his firm. This was expensive work, but by the time it was done Meadows had submitted a mass of papers to IRS, in effect admitting that



the KHLC had made serious errors, and at the same time filing amended tax returns accompanied by appropriate payments for prior years.

When Speight Burrus was employed to gather the material that Frank Meadows needed in order to straighten out our tax problems, the company also made arrangements for Burrus to serve as the CPA for KHLC. In addition, he was to undertake an in-depth management study of our operations. Some changes had taken place even before that. Hugh Horton had left Planters Bank, and his replacement, John Egnot, took his seat on our board of directors. At the same time, Brock McMullan, a primary beneficiary of the McMullan Trust, was added to the board, flying up from Florida for our quarterly meetings, expenses paid. At the suggestion of Planters Bank, directors began receiving one hundred dollars plus travel expenses for each meeting attended. It was slow going, but we were gradually beginning to operate as a company with extensive assets and ever-growing income and profits.

Though the original Southern Shores office had been expanded, it wasn't large enough for sales operations, and I had to work out of separate quarters at the old Sea Ranch Hotel, which we had acquired following the Ash Wednesday Storm, and had renamed the Southern Shores Motor Lodge. We had employed Norman Perry as the field superintendent, supervising development work and maintenance, and Betty Forbes as my part-time secretary with one third of her salary initially paid by North Carolina Books, one of the businesses I had become involved with in the early 1960s as a hedge if conditions at KHLC reached a point, as they did on two occasions, when the situation became so intolerable that I simply up and quit. With the employment of an Elizabeth City architect named Ed Pugh, who met with a committee of Southern Shores residents on a monthly basis, I was finally relieved of the responsibility for approving the elevation plans for new houses, a job I had never felt qualified for.

The Burrus management study highlighted some significant matters. In order to lessen the internal problems, I had arranged for Elton to be president of the corporation following the death of Frank Stick, but Burrus pointed out that his only function appeared to be presiding at board meetings, while "the vice president and general manager carries the major responsibilities for attaining the objectives of the corporation, developing and sub-dividing Southern Shores." The report stated, "the success of the corporation has been astounding," and added, "the potential of the corporation is even more astounding." With this in mind, Burrus recommended the development of a management team, headed by a president to function as the corporation's chief executive officer, with the addition of a vice president for legal affairs, a second vice president for financial affairs, and still another full-time employee who would serve as contracting officer. Of equal importance, the Burrus report pointed out the difficulty in operating a corporation of that size when it was so fragmented that its financial activities were handled from an office in Elizabeth City, its legal activities from another office in Elizabeth City, and the rest of it divided between the Southern Shores office and the residence of the vice president and general manager.

The last of these problems was already being taken care of through an agreement negotiated between KHLC and Southern Shores Realty Company. For obvious reasons, I refrained from participating in any way, but the land company would make available to the realty company, land facing U.S. 158 on which the realty company would build

appropriate offices for both companies. As for the management team recommendations, Cy Aydlett continued to handle the finances from his Elizabeth City office; an attorney was employed to "assist" Elton Aydlett with the preparation of deeds and contracts; Alex Biggs of Biggs, Meadows and Batts undertook the matter of straightening out a number of title problems resulting from the filing of amended plats and inaccurate surveys in the late 1940s and early 1950s; and in time I was elected president and chief executive officer, with Elton still presiding at board meetings with the title, and pay, of chairman of the board. Finally, Brock McMullan moved from Florida to Kitty Hawk and was employed as my assistant, relieving me of a number of other responsibilities, and Joyce Stone became my full time secretary.

Even as these changes were taking place within the KHLC, the management of Southern Shores Realty was being transformed as well. Though Linda Keller of Kitty Hawk had been employed for several years to supervise the activities of cleaning crews for our expanding list of rental cottages, it was not until the completion of the new Southern Shores office that the company was able to establish its own cottage maintenance division, with Charlie Byrne of Point Harbor supervising the rental management department. Meanwhile, Ida Mae Able was given primary responsibility by Bill Fletcher for handling rentals. The big change, however, resulted from the boom in the early 1970s which produced so much work for local contractors that it was difficult to find responsible contractors to build houses for those buying lots in Southern Shores, and even if you could line up a builder, practically nobody in the construction business would give a contract price for the whole job, almost all of the work being done instead on a cost-plus basis. Bill Fletcher and I were in agreement that the time had come for Southern Shores Realty Company to get into the house construction business.

Julian Oneto, the first mayor of the town of Nag's Head, and a close friend for many years when he was part owner and co-manager of the Carolinian Hotel, found himself with nothing to do when the Carolinian was sold. So he joined Bill Fletcher, Harry Lawrence and me at Southern Shores Realty, heading up the new construction division and serving on the sales staff as well. By then, I had practically nothing to do with the day by day operation of the company, so it seemed a good time to change it from a proprietorship to a corporation. I sold Bill, Harry, and Julian fifteen percent of the stock for fifteen thousand dollars each, retaining fifty-five percent for myself. We employed Claron Carawan, an experienced carpenter, as the on-job superintendent of the new construction division, and Buddy Midgett of Manteo as draftsman to assist clients with the preparation of their house plans.

As president of Both Southern Shores Realty Company and KHLC, I had reached the point where I seemed to be in the driver's seat. Development activity was progressing much as I had hoped it would, business was booming, and I was surrounded by co-workers who knew their jobs and were handling them with competency. Finally, I was able to sit back and tell other people employed by KHLC what to do, instead of having to do it myself, and Bill Fletcher was in a comparable situation in his management of Southern Shores Realty. From a personal standpoint, I was finally drawing from KHLC a salary commensurate with my responsibilities, as were both Aydletts, and for the first time I was making money out of Southern Shores Realty in the form of a small salary. Though I didn't have any money, the future seemed so bright that I borrowed the money to build a

six thousand, six hundred square foot home where I had ample room to store and eventually to organize my large research library and where I could also display the hundreds of Dad's paintings owned by the Frank Stick Trust. This was soon after my marriage had ended in legal separation, and I had converted my former library at the Colington home into an apartment which Phyllis was able to rent out or lend to friends with whom she was compatible. I continued my public activities, in 1974 accepting appointment to the initial Coastal Resources Commission, which had been created to implement the newly passed Coastal Area Management Act, serving first as vice chairman, and later as chairman.

## Part 8 - Getting the Residents Involved

Within a few years of the time the first cottage owners began spending the summers at Southern Shores, there were complaints about the lack of organized recreational facilities for children. When several parents got together and approached us about using the old Paul Gamiels Hill Coast Guard Station for youth activities, we went one step further, offering to convert the building into a community clubhouse providing the people would take over the maintenance and operation. Nothing came of that offer, but in 1963 we took a giant step toward self government by arranging for passage by the General Assembly of an act authorizing the future incorporation of a Town of Southern Shores when and if that was the desire of the citizenry. Specifically the incorporation could be triggered by the submission to the county commissioners of petitions signed by sixty percent of the permanent residents, or fifteen percent of all property owners. Again, however, there was a total lack of expressed interest.

Finally, with the growth of the community resulting in my spending more and more time dealing with the problems and concerns of individuals, often frivolous or repetitions, I invited all permanent residents to meet with me at the Southern Shores Motor Lodge the evening of May 7, 1970. Helen Hill Miller, the renowned author, long-time Southern Shores resident, and years later a member of the initial Southern Shores Town Council, explained why I called that meeting.\*

### TOWARD SELF-GOVERNMENT

Until the spring of 1970, the KHLC had been cast in an 18<sup>th</sup> century role as the government of Southern Shores. Its directors were, in effect, the Lords Proprietors of the colony, and Stick was (reluctantly) the all-powerful colonial Governor, regulating, administering all governmental and development concerns, however trivial, even adjudicating differences between individuals. The property owners, for their part, were wholly dependent upon the land company for these services. Each dealt individually with the land company. There was little sense of community.

David Stick's purpose in calling a meeting of residents that took place on May 7, 1970, was to repeat with emphasis a suggestion he had made at various times before, that the time had come for the property owners to begin a transition from dependence to community self-government. There was no dissent. Nobody was dissatisfied with the management efforts of the Kitty Hawk Land Company, but those at the meeting saw the justice of Stick's request.

Admiral Robert B. Brown supervised the discussion which followed: what form should community government take? McCarthy Nowlin recommended minimal government, through a "New England town meeting," with a standing committee to call periodic assemblies of property owners and to act on their behalf between meetings. This found immediate favor, probably because it offered a gradual approach to self-government, opportunity for widening participation, and avoidance of wearying routines of more formally organized communities.

Before the May 7, 1970 meeting was over, the property owners voted to form an initial study group headed by Admiral Brown, and in July formed a more permanent

organization which they called the steering committee. I was disappointed that the people decided to organize such an informal entity with no constitution, no by-laws, no memberships, and no dues. But in relatively short order, it was obvious that the system was working, and largely because of the able leadership of Bob Brown. The fact that he was at hand whenever I needed him or he needed me, whether there was something I planned that the residents should know about, or something about which individuals were concerned, was a tremendous improvement over my having to deal with each person on every separate issue in the past.

For the first time, following the organization of the property owners steering committee, I often found myself and the KHLC in a supportive role when it came to addressing community needs; instead of having to take the lead as in the past. A good example was the gradual infestation of the miles of Southern Shores lagoons and canals, and even Ginguite Bay and parts of Currituck Sound, by an aquatic plant called Eurasian milfoil. According to scientists, the milfoil could be inhibited, but not eradicated, by the application of a chemical in the form of what was called 2-4-D pellets. By 1969, conditions had become so serious that milfoil filled the private boat slips of some of the owners of waterfront homes, and use of the marina was affected. By then, I had located a contractor specializing in milfoil control, whose price was ten thousand dollars to cover with pellets from helicopter and boat all of the affected areas in Southern Shores and the bay. The KHLC offered to pay half of this cost following assurances by a delegation of residents that they would raise the other half from property owners. Accordingly, I contracted with the company to do the work. It was to be paid up front by KHLC, with one half of it to be reimbursed. The 2-4-D pellets took care of the immediate problem, but the total reimbursement amounted to only a few hundred dollars.

Two years later, following formation of the steering committee, the cost of treating a smaller area was shared by the company and the citizens, with help from the government; and by 1975, when government funds for milfoil control programs had been withdrawn, property owners began treating critical areas from their own boats, again with the company and citizens sharing the cost.

The results were equally effective as a result of the cooperative approach between the developers and the property owners on other important matters such as fire protection. Southern Shores was one of three districts, the others were Kitty Hawk and Colington, in an area fire department, all volunteer, organized in 1970, and vested with taxing authority in 1971. The Southern Shores volunteers soon set about taking extensive training in firefighting, and at the same time built their own fire department, mostly with volunteer labor, on a large plot donated for the purpose by the KHLC.

On another major problem, providing all residents with an ample supply of potable water, Southern Shores people, private citizens backed by the KHLC, took the lead in what finally became the county owned central water system serving the northern beach area. For years before then, the company had worked with individual property

- This was in Chapter Two of what was started years later as "A Southern Shores Book of Remembrance." I had written chapter one, titled "The Origin and Early Development of Southern Shores." Helen called her second chapter "Toward Self-Government." Chapter three was never completed.

owners in solving their water problems, installing special equipment for filtering the water through tanks, which became so widely used that at one time we were shuttling truck loads of refill tanks back and forth to the tidewater Virginia distributor on a weekly basis.

Police and safety activities proved to be another example. A Camden County sign painter prepared literally hundreds of directional signs and highway stop signs which KHLC bought and installed throughout the community. I was also able to work closely with Dare County Sheriff Frank Cahoon, with whom I had participated in four years of cooperative work when I was a Dare County Commissioner, in making sure that Southern Shores was provided with the best law enforcement possible under the circumstances.

Under the leadership of Admiral Brown, the study committee was quick to respond whenever KHLC asked for help. As early as the July 13, 1970 meeting of the committee, for example, I suggested the possibility of naming a special architectural review sub committee to meet periodically with the KHLC's architect for the review of house plans submitted for approval by prospective home owners. Robert Andrews and Helen Hill Miller were named to the initial committee, beginning years of cooperative effort between the developer and residents of the community.

Architectural review was a good example of how the property owners' group provided assistance to the KHLC. Just the opposite was true, however, of the movement to secure flood insurance for Southern Shores at a time when it was widely available in other parts of the country, but not in Dare County. A concerned citizen, Arthur Peterson, led the effort for the study committee with KHLC support. Helen Hill Miller had the following to say on the subject:

Under his leadership, despite local government apathy and federal reluctance to award flood insurance subsidies to a portion of a county only, persistent efforts won authorization, first for temporary insurance, effective April 9, 1971, and then for a permanent program, effective May 12, 1972. The Dare County commissioners cooperated in this effort, and on September 5, 1972, accepted flood insurance regulations prepared by McCarthy Nowlin. Initially, these were applicable only to Southern Shores. The municipalities (Nags Head, Kill Devil Hills, and Manteo) qualified for the permanent program within the following few years, and the remainder of Dare County did so by the fall of 1978.

Periodically, the study committee and its successor organization of property owners designated individuals to make in-depth studies of matters affecting the Southern Shores community. One of the earliest and most productive of these was a steering committee document dated November 13, 1972, titled "A Proposed Course of Action: Request for Approval." The report recommended county-wide zoning, and in particular, zoning for Southern Shores. Unfortunately, there was only one other non-incorporated area of Dare County in which the citizens were interested in zoning, and that was the north end of Roanoke Island. Every place else, at Colington, Kitty Hawk, Duck, Wanchese, plus the communities on the mainland and all of those on Hatteras Island, zoning was a dirty word. As a result, when the chairman of the Dare County board of commissioners met with the citizens of Southern Shores at their request to discuss zoning, he failed to do his homework, and started out with his standard anti-zoning speech by

saying, "We're not going to jam zoning down your throat." It didn't take long for him and others on the board to get the message, however, and when Southern Shores zoning supporters turned up *en masse* at a public hearing, the county voted to start work on a sample ordinance.

In May, 1973, the county voted to spend nine thousand dollars for the preparation of a sample ordinance for Southern Shores and north Roanoke Island, but canceled that contract when they hired a Raleigh firm called Envirotex to make a fifty thousand dollar land-use study which in produced little in the way of results. It was not until November 20, 1975, that the county adopted a zoning ordinance covering only Southern Shores and the northern part of Roanoke Island. I was especially pleased that the final document copied, with only a few minor changes, the development plan which we had been following at Southern Shores since the late 1950s.

Despite the successful results of these and other cooperative efforts, I continued to push the property owners to replace the New England town meeting forum arrangement with a more structured entity which could, in time, take over the roads and public areas we had set aside for the use of all Southern Shores property owners. Failing in this, I urged them to reconsider the incorporation of Southern Shores as a town. Again, a quotation from Helen Hill Miller's history:

As yet, only small steps had been taken toward formal self-government, and the town meeting provided no means of developing financial support. In October, 1972, David Stick again urged the desirability of incorporation as a municipality, noting that a charter passed by the North Carolina legislature in 1963 was available for such a course. Stick further pointed out that while KHLCO was committed to preserving the natural woodlands and dunes of the area, clearing and changing the contour of the land as little as possible, a successor land company might not have this objective.

The result was continuing solid opposition not only to the idea of incorporating a municipality, but when it came to forming a more structured organization, the emphasis instead was on securing zoning, which some seemed to consider a means of accomplishing the same results without the necessity of paying either membership fees or taxes.

As late as March, 1974, when then-president Nelson Bortz of the steering committee released the results of a survey of the seventy-five permanent households in the community, and the owners of more than three hundred fifty seasonal houses, the answers with the lowest affirmative votes among the thirteen listed questions were "Desirability of a dues-paying citizens' association," next to last, "Inquiry into desirability of incorporation as a town," dead last.

### Part 9 - Prelude to Retirement

Throughout my two decades of developing Southern Shores, I loved the parts of the job that involved making long-range plans, laying out distinctive new sections of the growing community, and overseeing the work out on the job, but I hated all aspects of the business end, from selling lots, to borrowing from banks, to trying to understand how we could be making a lot of money without paying taxes. Most of all, however, I hated what went on in the board room, and especially the ever present acrimony between Elton Aydlett and me. My copies of KHLC files abound in statements by Elton in minutes, memoranda, and letters, resenting my dictating the development policies of the company, though never expressing appreciation for the success of those policies, and accusing David Stick, as he did in a December 15, 1970 memorandum, of "exploiting this project primarily for the promotion of his own personal gain and profit." On two occasions the situation became so intolerable that I resigned, but each time I was induced to reconsider. In a statement dated August 23, 1973, responding to a repetition of Elton's charges against me, I explained why I continued to put up with it:

I have remained active in the KHLC despite increasing disenchantment and dismay resulting from the relationship between Elton and me, only because I had a personal responsibility to the people of Southern Shores to complete the basic development in the manner we have led them to expect. But if no other solution can be found, then I would be willing to sell my stock and get out completely.

One thing is certain, however. This is the last time I will ever sit in a meeting with Elton and be subjected to this type of abuse.

It took another three years, and a succession of unexpected developments, before I was able to end my business association with Elton, divest myself of all other business involvements, and return to my research and writing. Instead of being wealthy, however, as might have been expected of one who ended up owning more KHLC stock than the combined holdings of the Aydlett brothers, plus North Carolina Books, fifty-five percent of Southern Shores Realty, and a half interest in Outer Banks Contractors, I ended up almost on the verge of bankruptcy.

Everything seemed to happen almost at the same time. First, Harry Lawrence became incapacitated and was moved to a nursing home, where he subsequently died. Then Julian Oneto was killed in an automobile wreck in front of the Southern Shores office. This left Bill Fletcher, who had been running the realty company with little help from me for many years, with only fifteen percent of the stock, while Harry and Julian's heirs had another fifteen percent each, and I still owned the controlling interest. Because of a buy-back agreement among the four stockholders, Southern Shores Realty bought back the Lawrence and Oneto shares. Then I sold the company my fifty-five percent of the stock on a long-range payment schedule at the original par value of fifty-five thousand dollars as my way of repaying Bill for his years of dedicated service. This still left Bill with only fifteen percent of the original stock, but it was all that remained outstanding, so he owned the company outright. As an inducement to retain the services of valued employees, he then issued one or more shares to Cleron Carawan, who headed the construction division, and Frank Stone whom we had hired as chief salesman.



Meanwhile, I established a trust to provide lifetime income for Edna Wilson, the lady who had lived with and cared for my parents until the death of my mother in 1973, and transferred ownership of my bookshop and adjoining property to the Edna Wilson Trust. Outer Banks Contractors had been started with a five hundred dollar used truck and a rented loader for removing sand piled in and around Southern Shores cottages by the 1962 Ash Wednesday Storm, and had grown to become the largest such company in the area, with a small fleet of dump trucks and assorted loaders, bulldozers, graders, and other equipment. I sold my half interest to a purchaser lined up by my partner, Sam Beacham. Outer Banks Contractors owed a lot of money on equipment, most of the debt covered by my signature, not only as president of the corporation, but as a personal guarantor as well. When I sold out, I agreed to have our CPA decide the worth of the company and to accept one half of that figure in payment for my fifty percent of the stock. After deducting liabilities from assets, the figure he came up with was only thirty-seven thousand dollars. When my name was finally removed from the accumulated notes, I received seventeen thousand, five hundred dollars cash for my stock.

Friends have accused me of being a poor businessman, with little concern for money. I guess they were right. After divesting myself of the bookshop and my interest in Southern Shores Realty and Outer Banks Contractors, I still had sizable mortgages on the family home at Colington, where my former wife resided, and on my huge library and home in Southern Shores. In order to pay off these debts, I knew I would have to wait until selling my KHLC stock, which seemed worth many times my indebtedness, so I was not particularly worried. But I should have been! Suddenly, a nationwide recession caused real estate activities on the Outer Banks to come almost to a standstill, and property values to take a dive.

Shortly before the recession, the KHLC had taken out by far the largest loan in its history in order to complete the last major phase of development, which we called Chicahawk. We employed a firm of professional planners to lay out the five hundred fifty acres as a development within Southern Shores that was actually larger than Colington Harbor or the town of Manteo. Relying almost entirely on a topographic survey based on aerial photography, the plan submitted by the professionals paid little attention to what was on the ground, especially the location of trees in the wooded area. It was therefore necessary to make extensive changes in the plan in the process of continuing the policy that had been followed since the late 1950s, of sacrificing potential lots in order to preserve the natural beauty.

By the time Chicahawk was completed in 1974, just about everybody seemed to be waiting out the recession before buying homesites on the Outer Banks, or just about anywhere else, for that matter. In the ensuing two years, a number of new resort developments, and others throughout the state, faced bankruptcy. Anybody with cash, or the willingness just to take over bank indebtedness, could buy almost any development they wanted. KHLC was solvent, and in better shape than most, but it certainly wasn't the time to sell out.

Other things still remained to be done. For one, before selling our stock, the Aydlotts and I agreed that we should try to correct all of the survey and title mistakes made in the early years of the development. In addition, I was concerned that the Southern Shores Property Owners Association, still operating as an informal, family style

organization, could not legally take over title to areas such as Hillcrest Overlook, the marina, ocean and sound bathing beaches, and assorted other real estate that we had set aside for the perpetual use of Southern Shores residents. I was realist enough to recognize the possibility that some successor developer might try to divert those areas to its own use. Most residents seemed satisfied with the way the Property Owners Association was being operated, however, and it took lengthy negotiations to convince Nelson Bortz, then heading up the association, and others working with him, that they needed to reorganize in a more structured form. It was not until shortly before we sold the KHLC, however, that the replacement organization, the Southern Shores Civic Association, was incorporated and was thus able to accept title to the roads and public areas.

The organizers of the civic association, however, never did take to my offer of land for a Southern Shores cemetery. There were already three gravesites, two old ones plus Julian Oneto's, located a short distance north of the OBRA clubhouse, and I had set aside several acres there for the community cemetery. There was organized opposition to this proposal, but because I was convinced the day would come when there would be a need for such a facility, I had a provision inserted in the KHLC's contract for the sale of our stock that gave the civic association the opportunity, within a specified period of time, to take title to the area I had set aside. This, of course, is what is known as the Southern Shores Cemetery.

Even before the civic association was formed, representatives of the original property owners association had participated with members of the KHLC staff to have Southern Shores zoned by the county. In addition, we had long since made available a site at the northeast corner of the intersection of South Dogwood Trail with U.S. 158 for the Kitty Hawk Elementary School, and had sold the property on the northwest corner of that intersection to the Catholic Church for a school they planned to build there.

The last year of my involvement with the development of Southern Shores was the most miserable of the twenty I had spent there. My six thousand, six hundred square foot home was filled with thousands of books, pamphlets, maps, periodicals and other printed material I had been accumulating in my bookshop since the 1950s and had been putting aside until the time when I could get back to my research and writing. For several years I had at least one person, and most often two or three, organizing this material for my research library. This was such an obsession that I had reached a point at the height of the recession, that I deeply resented just having to go to the office every day.

Finally, in 1976, a savior appeared in the form of a friend and neighbor, Walter Davis, who had already helped us through a financial crisis by buying the Southern Shores Motor Lodge, the old Sea Ranch Hotel, part of which he converted into his own quarters. I never knew, and never asked, how much Walter's decision to enter into negotiations for the purchase of the KHLC was because of our personal friendship or his innate business sense. Walter and I had become good friends while working together on the original Coastal Resources Commission, and our early discussions involved the possibility of our forming a separate corporation with me as manager, to buy KHLC and continue the development of Southern Shores while at the same time acquiring other coastal properties. It was tempting, with almost certain assurances of considerable wealth, but I finally had to admit to Walter that I was so anxious to get out of the real estate business and back to my

writing that I knew I would not only be unhappy, but would not be able to put my heart and soul into our proposed joint project.

Finally, Walter, with a managing partner named Jim Harrington, bought us out for two point one million, with a relatively small amount in cash and the rest secured by notes payable over a period of several years. With my part of the proceeds I was able to pay off all of my debts and take care of other family and personal obligations, both real and perceived. Throughout the twenty years since then, I have worked as hard as ever, the primary difference being that I have concentrated my efforts on a resumption of my writing activities instead of on business. Initially I began turning out a succession of additional books, the last of which, The Ash Wednesday Storm, was published in 1987. In the decade since then, I have been writing a series of personalized narrative histories of organizations or projects I have started, headed, or been closely involved with, all written for the use of future researchers rather than for publication. This History of Southern Shores is number thirty in the series.

Within a few years of retirement my income was depleted to the extent that I could no longer afford to maintain my large house and ten acres of property in Southern Shores. In addition to my home and land there, I had two other assets of appreciable value. One was a piece of property on Colington Island I had acquired more than thirty years earlier. The other was my research library, finally organized and catalogued, and described by authorities as the second largest collection of North Caroliniana in existence. Already it was being used by professional historians and other qualified researchers, and soon I became about as obsessed over what would happen to it following my death as I had been in organizing it. Consequently, instead of selling it and finally becoming the man of wealth I had envisioned, I offered to donate it to the state of North Carolina providing the state would build a proper facility to house it at the Elizabeth II State Historical Site on Roanoke Island, and maintain and operate it as a research facility. The result is the Outer Banks History Center in Manteo. The library donation entitled me to the kind of benefit any person of wealth is looking for: a large federal tax deduction spread over a period of six years, and a state tax deduction for the year of the gift. The trouble was, I didn't have enough income to take advantage of this once in a lifetime tax break.

I am, however, the most fortunate of men. For the past ten years I have been the owner of a retirement home in Kitty Hawk Village, overlooking the bay and surrounded by a grove of huge live oaks, in which I hope to reside for the rest of my life, living comfortably, but not in opulence, on the proceeds of monthly checks from an annuity which I acquired years ago in exchange for the property I had retained at Colington.

