

Town of Southern Shores

"A Town of Volunteers"

6 Skyline Road, Southern Shores, NC 27949

Telephone: (252) 261-2394 Fax: (252) 261-0452

Web Site: southernshores.org

E-mail: info@southernshores.org

Council Meeting
November 7, 2000
9:00 a.m.-Pitts Center

1. Mayor Sutherland called the meeting to order at 9:00 a.m.
2. Jim Morrison led the Pledge of Allegiance
3. Mayor Sutherland asked that a moment of silence be held for the families of Charlie Hermann, long time resident, Estelle Gray and Emily Sheffield. He reminded everyone that Kern Pitts funeral services would be held Saturday November 11 at the All Saints Episcopal Church in Southern Shores and following the burial would be interment in the Town cemetery.
4. Consent Agenda

Mayor Sutherland read the building inspections monthly report. Councilman Campbell made a motion to approve the consent agenda as presented. Mayor Sutherland seconded. Approved unanimously.

5. Audit Report

Debbie Burgess, of Johnson, Burgess, Mizelle and Straub, presented the annual audit report for the fiscal year 99/00. She reported that the Town's finances are sound and we more than meet what is required in the undesignated fund balance, which stands at \$2,786,564.00. She thanked Council for the opportunity to do our audit.

Mayor Sutherland thanked her for her continued service and thorough report.

6. Planning Board Report

Chairman Morrison submitted his Planning Board meeting recap dated 10/17/00.

Chairman Morrison reported that the Board has submitted to Council a draft Telecommunication Towers ordinance and a Flood Damage Prevention amendment, both of which would need public hearings.

Chairman Morrison reported that upon review of the site plan for the proposed Southern Shores Crossings they recommend approval with certain conditions to be included upon the developer applying for a building permit. Those conditions being that the proper permits are: NCDOT driveway permit, NC Soil Erosion and Sedimentation Control Plan, NC Stormwater plan, receipt for payment of water connection fees to Dare County, and septic tank or other wastewater treatment approval by the County.

Also, Chairman Morrison wanted Council to be aware, as part of their motion to approve the site plan to Council the Planning Board stated their concern regarding the impact this development would have on the traffic situation in that location.

Neal Blinken gave a brief history of the property and stated this site has always been zoned commercial. He stated that it is his intention, as the developer, that this be a quality project. He stated that he is aware of Council's concerns and he is doing what he can to accommodate them. He reminded them that the Ginguite Woods development (residential) is on commercial property and that this has lessened the amount of commercial area in the Town.

Councilman Kennedy commented that if Mr. Blinken has complied with all aspects of zoning and due to the scope of the project, that he would recommend holding a public hearing before Council approved the site plan.

Tom White, Town Attorney, stated that Council could not hold up the approval of the site plan for a public hearing if it meets the zoning requirements.

Pat Storey asked Neal Blinken what kind of tenants is he seeking? N. Blinken stated that the restaurant would be a 4 star and that this would be an upscale project with year round service to locals and tourist alike. He is unsure at this time on who would be in the shops but he would work with Council on tenant approval, if needed.

Pete Macfarlane asked where the septic field would be located? Jamie Mozingo of the engineering firm for the project showed the location on the site plan.

Planning Board Report cont'd

Ursula Zdziarski reminded N. Blinken that the Town does not allow liquor-by-the drink and asked if it (the restaurant he is proposing) would move forward to change that? N. Blinken said he doesn't think so. The restaurant would be able to sell wine and beer.

Mayor Sutherland asked N. Blinken would you entertain the idea of Council delaying the approval of the site plan until a public hearing was held? N. Blinken stated that he believes that many people on the beach already know about the development and that he has time lines for the project to move ahead. He said that he would be willing to come to any meeting and hold a seminar regarding the proposed plan and use of the site.

Mayor Sutherland then stated to N. Blinken, by your answer you are saying no to waiting. N. Blinken said he does not want to wait.

Randall Wrenn asked how many proposed shops are there? N. Blinken said 16-17 including the restaurant.

Mayor Sutherland asked if a business plan has been done for the project? N. Blinken said that it has.

Councilman Smith commented that during N. Blinken's opening remarks he stated that he is working on an alternative access and that he is trying to upgrade the access. Councilman Smith stated that the proposed access is one the main issues of concern.

N. Blinken stated that it is premature to talk about another access at this time.

Councilman Smith asked hypothetically where would another access be? N. Blinken stated that the current access would be closed and a shared access would be with Southern Shores Realty if arrangements could be worked out.

Councilman Campbell stated that the Planning Board alerted Council of the traffic problem this proposed project would have and that the site is a permitted use. He recommends that Council table the approval of the site plan until the NCDOT traffic study is completed. He stated that the Town's position is in the midst of trying to alleviate a problem that affects every citizen in the Town, that is the trap. He stated that Council would be remiss if they did not consider whatever we could do to not add to the problem.

N. Blinken stated that then you are denying me legal use to my land. You can't have selective access to property.

Planning Board Report cont'd

Mayor Sutherland stated that legally Council could not delay this process.

Councilman Kennedy made a motion to approve the site plan as presented with the expressed concern forwarded to NCDOT regarding the traffic issue. Councilman Denny seconded. Councilman Kennedy amended his motion to include the five (5) conditions: NCDOT driveway permit, NC Soil Erosion and Sedimentation Control Plan, NC Stormwater plan, receipt for payment of water connection fees to Dare County, and septic tank or other wastewater treatment approval by the County that was recommended by the Planning Board in their motion. Councilman Denny seconded. Approved unanimously.

Councilman Campbell stated that Council is not trying to deny anyone of their rights and need to be involved in the community.

N. Blinken stated that he would be willing to be on a committee in Town or in Kitty Hawk. He commented that he is in favor of the rental companies entertaining a third check-in day of Friday. He thinks this would have some merit on the traffic situation.

7. Set Public Hearings

Mayor Sutherland recommended that the public hearing date of December 5, regular Council meeting, 9:00 a.m. be set for the Telecommunications Tower ordinance and the amendment to the Flood Damage Prevention ordinance. Councilman Campbell made the motion and Mayor Sutherland seconded. Approved unanimously.

Mayor Sutherland made a motion that a public hearing date be set for the December Council meeting for a moratorium on large home construction regarding the impact on the ground water supply that these large homes may have. He recommended that the moratorium be for eight (8) months or so and that the moratorium would prohibit the building or remodeling of houses larger than seven (7) bedrooms sleeping over 14 people until a study beginning in December or January and carried on through the high rental season. Councilman Denny made a motion to set the date for the public hearing at the December 5 Council meeting. Councilman Campbell seconded. Councilman Kennedy voted no. 4 to 1 vote. Approved.

Dave Peckens asked what is the definition of a large home? Mayor Sutherland stated more than seven (7) bedrooms. Councilman Denny stated that is a Town definition.

8. Resolutions

a. How Are the Children? 2000

Mayor Sutherland moved to adopt resolution as presented. Councilman Kennedy seconded. Approved unanimously.

b. Surplus Property (Police Dept.)

Mayor Sutherland moved to adopt resolution as presented. Councilman Kennedy seconded. Approved unanimously.

c. Large Residential Structures-Council set public hearing date under Planning Board for December 5.

d. Dare County Cable Franchise

Councilman Campbell moved to adopt the resolution as presented. Mayor Sutherland seconded. Approved unanimously. Mayor Sutherland stated that Council agreed they would not fund this study.

Councilman Campbell announced the public hearing dates for the cable franchise and urged the public to attend.

Mayor Sutherland received an email request that Council contact the local cable channels, Direct TV, and satellite dish companies to see if it can be accelerated to get those channels on satellite so people could have a choice between cable and satellite. He asked Councilman Campbell to include the request to the committee when they meet again.

e. Support the acquisition by NC State Highway Patrol of 800 MHz Radio Communications System for Northeastern North Carolina

Mayor Sutherland explained the time is right for northeastern NC agencies to upgrade the radio communications greatly for both fire and all emergency communications in Dare County. Councilman Denny made a motion to adopt the resolution as presented. Mayor Sutherland seconded. Approved unanimously.

Councilman Campbell stated that due to the concerns involving the moratorium on large homes and the proposed ground water study, he contacted the Dare County Soil and Water Conservation Department and was given some contact names. He suggested the chair should contact them and invite them to attend the public hearing.

9. Old Business

a. Traffic Committee

Mayor Sutherland recommended that Councilman Campbell, Councilman Smith, and Police Chief Brazell be appointed to the joint traffic committee along with appointees from the Town of Kitty Hawk.

Councilman Kennedy made the motion to approve the committee as presented. Mayor Sutherland seconded. Approved unanimously.

Councilman Denny asked if anyone knew how the Town of Kitty Hawk feels on the subject? Mayor Sutherland stated that no one from the Town has been in direct contact with them.

Councilman Campbell suggested that NCDOT is contacted by letter to find out the results of the traffic study of NC12/Hwy158.

b. Art Committee

Mayor Sutherland reported that Council needs to approve the nominees for the art committee: Merrie Smith, Councilman Kennedy and Claire Cashau. Councilman Campbell made a motion to approve the committee as presented. Councilman Smith seconded. Approved unanimously.

Mayor Sutherland explained the purpose of the art committee is to solicit art either as a donation or as a loan to be placed in the Pitts Center. The committee will meet to set up the guidelines.

c. Long Range Plan Committee

Mayor Sutherland reported that Council needs to approve the nominees for the Long Range Planning committee: Bob Hannan, Dan Shields, Rob Milne, Jodi Hess, Dave Peckens, Warren Davis, and Larry Welker. Mayor Sutherland moved to approve the committee. Councilman Denny seconded. Approved unanimously.

D. Shields asked if the committee would receive direction from Council? Councilman Campbell stated that in order for the committee to move forward they should have a mission statement. Council agreed and Mayor Sutherland said he would provide one with comments from Council.

Old Business cont'd

d. Tall Pine/Loblolly Trail Projects

Councilman Denny reported that RPC, Contractors is the successful bidder for the two road projects.

Randall Wrenn asked if the part of Tall Pine that is privately owned would be included in the repairs? Councilman Denny explained that the property owners for that section have entered into a separate contract so the work would all be done at the same time but paid separately.

Councilman Denny made a motion to enter into the contract with RPC, Contractors for \$40,130.00 total for the sum of the tall Pine and Loblolly projects. Mayor Sutherland seconded. Approved unanimously.

Mayor Sutherland stated the Councilman Denny's wife, Billie, fell and broke her ankle and that everyone wishes her a speedy recovery.

e. Chipping Contract

Councilman Kennedy reported that the chipping contract with Dave's Tree Service is terminated. Councilman Kennedy made a motion to accept a new contract with Beach Tree and Landscapes for a three (3) day a week yearly contract for \$72,0000 with some added roadside trimming. Councilman Campbell seconded. Approved unanimously.

f. Via Bench

Mayor Sutherland reported the location of the bench will be determined by the Town Manager and that Doug Apple, resident, would be building the bench, which the Town will purchase.

g. Martin's Point update

Mayor Sutherland announced that the Dare County Commissioners did act on the 16th of October on assuming zoning for the residential area of the Martin's Point's. The Town still retains cognizance of open permits prior to October 16 and when those permits are closed out those files will be turned over to Dare County.

Mayor Sutherland reported that the "retaining wall" violation in Martin's Point has been turned over to the Town attorney.

Old Business cont'd

Mayor Sutherland reported that the Town has received a civil summons from Tom Franchi of Martin's Point regarding the personal watercraft ordinance in regards to the extraterritorial jurisdiction (ETJ) over Martin's Point. This also is in the hands of the Town attorney.

10. New Business

a. Announce Extraterritorial Jurisdiction (ETJ) representative to Planning Board

Mayor Sutherland announced that Dare County has appointed Kathy Halloran as the ETJ representative, for the commercial zone, for the Planning Board.

b. Outer Banks Visitors Bureau nomination

Mayor Sutherland announced that his term on the O.B. Visitors Bureau will expire in December and that the Town will need to submit two (2) nominees to the County commissioners one of which will be selected for a 2-year term to this bureau. Councilman Campbell made a motion to nominate and forward Councilman Denny and Mayor Sutherland's names to them. Councilman Kennedy seconded. Approved unanimously.

c. Fireworks Contract

Tom Gjestson, Town Manager, reported a grant provided by the Outer Banks Tourist Bureau would allow for another Millennium fireworks display to be held on December 31, 2000 at the Kitty Hawk pier jointly with the Town of Kitty Hawk. He asked that Council approve a contract of twelve thousand dollars (\$12,000.00) to Zambelli Fireworks. Councilman Denny made a motion to approve the contract as presented. Councilman Kennedy seconded. Approved unanimously.

d. League of Women's Voters Citizen Guide

Mayor Sutherland stated that the League of Women's Voters has asked Council to give a donation for the publishing of their annual Citizen Guide. Mayor Sutherland stated that Council doesn't routinely donate money but the Guide is used for a public purpose. He made a motion that one hundred (\$100.00) be donated to the League for the publication. Councilman Kennedy seconded. Approved unanimously.

New Business cont'd

- e. Announcement of the Cable Franchise public hearing meetings

Councilman Campbell repeated the dates.

- f. Surplus Auction report

Carrie Gordin, Town Clerk, reported that nine hundred and fifty dollars (\$950.00) was received from the surplus auction held on October 7, 2000. She reported that ten (\$10.00) of the receipts was submitted to the Dare County Board of Education for confiscated bicycles from the police department. Also, fifteen (15) surplus bag phones were donated to Hotline, Inc. for the Call To Protect program.

- g. Purchase of Automated External Defibrillator (AED)

Tom Gjestson, Town Manager, received a request from the police department regarding the purchase of an AED. T. Gjestson stated the fire department has two and he recommended that the Town purchase the same type.

Jim Morrison gave a demonstration of the one used by the fire department.

Chief Brazell stated that all the officers are certified for CPR and would be trained on the use of the AED.

Councilman Denny suggested that a purchase of two (2) AED's might be in order, one waterproof to be used for beach patrol.

Councilman Campbell recommended the Town Manager piggyback with some other entity to cut the cost.

Mayor Sutherland made a motion to purchase two (2) AED's and to leave the purchase arrangements to the Town Manager's discretion. Councilman Campbell seconded. Approved unanimously.

11. Public Comment

Jim Conners, president of the SSCA, commended the Council for setting in motion efforts to control the large home situation. He reported that the SSCA ARB was presented with a site plan for a fourteen (14) bedroom house and they turned it down. He forwarded a re-submittal of the SSCA resolution requesting Council to continue to strive to control the large home situation.

Mr. Conners continued, speaking as a resident, by saying the Town is wrestling with the growth issue. The Town Council passed the PWC ordinance and it is effective. Council is concerned about the growth and are proposing a ground water study, a proposed telecommunications tower ordinance and passed a sexually oriented business ordinance prohibiting them. Council took that stand because it was felt SOB's were not compatible with the single-family residential character of the Town. He stated similarly there is a huge number of people in Town who feel that excessively large homes are also not compatible with the single-family residential character of the Town. He urges Council to form a committee and study this issue again. He stated that as members of the committee they should have the right in determining today what the appearance and character of the Town should be like 10, 15, or 20 years down the road.

Ursula Zdzariski commented that upon reading the D. C. Tourism Bureau's materials regarding funds being available for "green space" she urged the Town to pursue this issue. She stated that even though the SSCA has "green space" they are using some for recreational facilities and this is reducing the amount of green space in Town. Council should look into the availability of these funds; it would enhance the quality of the community.

12. Council's Agenda

Councilman Denny stated that he attended a meeting regarding the expansion of restricted air space and he would encourage Council to join in adopting a proposed resolution. He will draft the resolution to be presented at the November workshop.

Councilman Denny thanked the fire and police department and the Dare County EMT's for their quick response and care to his wife on her fall.

Councilman Kennedy-none

Councilman Campbell thanked Police Chief Brazell for the after action summary on PWC's and stated that there are copies of the summary in Town Hall.

Council's Agenda cont'd

Councilman Campbell asked where was the discussion regarding the maintenance technician left? Mayor Sutherland stated it would be a retreat item.

Councilman Campbell announced that the Duck Civic Association will be holding a meeting on November 24 to discuss their incorporation.

Councilman Smith stated he received an email regarding Direct TV. Are we going to forward a letter? Mayor Sutherland stated that Councilman Campbell would bring it up at the cable franchise meeting.

Councilman Smith announced that due to a prior engagement, he and Merrie would not be able to attend Kern's funeral but they extend their condolences to the family.

13. Mayor's Agenda

Mayor Sutherland announced that he would be attending a meeting with the Rental Managers on November 14 at 9:00 a.m. and would be asking them to support the staggering of rentals with a Friday turnover day also. He stated that Currituck County in the Corolla area has around 3,000 permitted and potential houses. These rental houses have a great impact on the traffic issue in Dare County.

Mayor Sutherland announced that Jack Bradley, chairman of the Board of Adjustment, has sold his home and will be leaving. A new member and chairman for the Board of Adjustment will need to be appointed by Council at the December meeting.

Mayor Sutherland suggested that Bill Pitt, Chair of the Beach Nourishment Program, be invited to the December meeting.

14. Town Manager's Agenda

Tom Gjestson announced the annual Volunteer Luncheon would be held on December 8th at noon in the Pitts Center. Council approved in a budget item to allow up to one thousand dollars (\$1,000) for the luncheon.

Tom Gjestson reported to Council that he and Linda Dough attended a meeting with Centura Bank to discuss the possibility of taxpayers paying their taxes by credit card.

Police Chief Brazell presented the monthly police report.

Jim Morrison (filling in for Chief Bakken) presented the monthly fire report.

15. Town Attorney's Agenda-none

16. Announcements

Councilman Campbell stated that the family of Kern Pitts has asked him to speak at the funeral. Councilman Campbell asked Council to make a motion that he would be speaking for all of Council in expressing their deepest sympathy in the passing of Kern. Mayor Sutherland made a motion to charge Councilman Campbell to express Council's deepest sympathy to Kern's family and friends. Councilman Kennedy seconded. Approved unanimously.

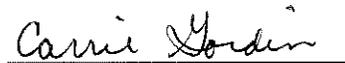
Mayor Sutherland reminded everyone to vote.

Mayor Sutherland made a motion to adjourn the meeting at 10:45 a.m. Councilman Campbell seconded. Approved unanimously.

ATTEST:

Respectfully submitted:


Paul Sutherland
Mayor


Carrie Gordon
Town Clerk

TOWN OF SOUTHERN SHORES

TAX DEPARTMENT MONTHLY REPORT

MONTH: October, 2000

DATE: October 31, 2000

COLLECTIONS

Month To Date

Current Year – 2000	\$ 68,876.39
Prior Years – 1979-1999	\$ 1,898.24
Interest	\$ 152.31

YEAR TO DATE

Current Year – 2000	\$ 284,589.53
Prior Years – 1979-1998	\$ 9,455.57
Interest	\$ 501.11

**TOWN OF SOUTHERN SHORES
TAX DEPARTMENT**

DATE: October 31, 2000

PICKUPS

July Levy	\$ 4,051.54
Aug Levy	\$ 4,220.13
Sept Levy	\$ 4,078.00
2000/2001 levy	\$934,799.15
Ca American Tours	\$ 2.99
Ca Telephone	\$ 4,137.64
Va Electric & Power	\$ 7,409.31
M Asbacher	\$ 8.60
D Asbacher	\$ 5.96
J Kimlick	\$ 2.95
T Steadman	\$ 8.84
T Shillingsford	\$ 6.69
T Brazell	\$ 15.53

RELEASES

V. Starnes	\$.50
First Union Nat Bk	\$ 22.78
E Waters	\$ 14.48
G Montagna	\$.37
R Perkins	\$ 9.74
G Aspin	\$ 28.77
G Aspin	\$ 8.30
Ford Mtr Co	\$ 4.06
L Harris	\$ 32.41
B Hoal	\$ 10.78
P Try	\$ 6.70
R Feinberg	\$ 17.97
R Ryan	\$ 12.70
H Mott	\$ 16.99
M Pollard	\$ 4.44
H Brown	\$ 7.33
R Furioni	\$ 49.72
First Union Bank	\$ 2.53
First Union Bank	\$ 3.36
Coastal Surgical Assoc	\$ 25.20
T Warhover	\$ 46.60

TOTAL \$ 958,747.33

\$ 325.73



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October 31, 2000

MONTHLY PERMIT SUMMARY

TYPE CONSTRUCTION	NO.	COST	FEES
SOUTHERN SHORES			
New	8	1,824,655.00	12,377.02
Add/Alt	6	585,590.00	3,273.89
Other	11	208,253.00	1,980.00
TOTAL SS	<u>25</u>	<u>2,618,498.00</u>	<u>17,630.91</u>
CUMULATIVE FY2001	<u>81</u>	<u>6,428,144.54</u>	<u>42,614.08</u>
TOTAL HOMES SS (TOTAL LAST YEAR)	1939 1865	5 Certificate(s) of Occupancy issued this month)	
MARTIN'S POINT			
* New	0	-	-
Add/Alt	0	-	-
* Other	1	3,932.00	50.00
TOTAL MP	<u>1</u>	<u>3,932.00</u>	<u>50.00</u>
CUMULATIVE FY2001	<u>16</u>	<u>1,705,476.00</u>	<u>10,768.11</u>
TOTAL HOMES MP (TOTAL LAST YEAR)	179 161	1 Certificate(s) of Occupancy issued this month)	
CAMA PERMITS	1		100.00
PLAN REVIEW FEE	15		1,265.00
ADD TO PERMITS	1		50.00
RE-INSPECTIONS	1		50.00
MAPS	0		-
TOTAL MONTH		<u>2,622,430.00</u>	<u>19,145.91</u>
TOTAL YEAR		<u>8,133,640.54</u>	<u>58,489.69</u>

Respectfully submitted,

Michael Hejduk
Building Inspector

* THIS IS THE LAST REPORT
THAT WILL INCLUDE MARTIN'S POINT
FOR "NEW CONSTRUCTION" AND POSSIBLY "OTHER"

11/2/00

SOUTHERN SHORES FIRE DEPARTMENT
15 S. Dogwood Trail
Southern Shores, NC 27949

Dave Bakken, Chief

Barry Shannon, Chairman

MONTHLY REPORT TO TOWN -FIRE CALLS FOR 2000

CALLS ANSWERED	OCTOBER	FY 00-01
STRUCTURE 111	1	17
PROP O/S STRUCTURE 112	0	1
VEHICLE FIRE 131	0	2
BRUSH FIRE 142	0	5
EMS 311	14	60
RESCUE 300	2	2
VEHICLE ACCIDENT 322	0	13
SERVICE CALL 500	0	2
GOOD INTENT 600	1	2
FALSE MALFUNTION 735	0	20
FALSE UNINTENTIONAL 740	6	26
HAZARDOUS CONDITION 400		3
OTHER 900	0	0
TOTAL CALLS	24	153
MUTUAL AID GIVEN	5	
MUTUAL AID RECEIVED	8	29
CASUALTIES	0	46
PROPERTY LOSS \$	0	0
VOLUNTEER HOURS	0	0
	855	4317

October 31, 2000

MEMO

TO: Council and Town Manager
FROM: Carrie Gordin, Town Clerk *cg*
RE: Surplus Auction

As you know the surplus auction was held on October 7, in which all items were sold. Chief Brazell did a great job in seeing to that. Receipts collected from the sale were nine hundred and fifty dollars (\$950.00). The Police Dept. included confiscated bicycles in the sale and ten dollars (\$10.00) was received for those. That money has been forwarded to the Dare County Board of Education in accordance with G.S.Chapter 15, Article 2. Also remember that Council approved to donate surplus bag (15) phones to the Hot Line for the *Call to Protect* program which has been done.

11/010/00

List of Committees

Traffic Committee

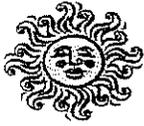
Joe Campbell, Council Member
Don Smith, Council Member
Ted Brazell, Police Chief

Art Committee

Merrie Smith, Town Employee/Resident
Gene Kennedy, Council Member
Claire Cashau, Resident

Long Range Plan Committee

Bob Hannan	Dave Peckens
Jodi Hess	Warren Davis
Dan Shields	Larry Welker
Rob Milne	



The League of Women Voters of Dare County



October 1, 2000

Dear Thomas Gjestson,

As a contributor who through your generous support in the past has assisted The League of Women Voters in our efforts of printing and distributing the Citizens Guide To Dare County, we are asking for your contribution in financing the 2001 guide.

Benefits to You

Advertising:

*Your name will be printed in the Citizens Guide and local newspapers as a contributor
Tax deductible donation
Copies of the guide if you wish for your distribution*

Benefits to the Community

Provided free of charge to residents, businesses, and community organizations

Includes information such as:

*National, State, Town Officials
Voting Information
Education, County Health and Human Services
Law Enforcement and Public Safety*

Thank you in advance for your support and we look forward from hearing from you. If you have any questions or would like me to stop by with a copy of last years edition, please feel free to call me at 255-1640.

Sincerely,

*Deborah A. Lee
Citizens Guide Committee*

Please make your check payable to:

LWV Citizen Education Foundation

Mail To:

League of Women Voters, Dare County

P.O. Box 689

Kitty Hawk, NC 27949

This project is conducted through our tax exempt arm of the League of Women Voters

11/16

League of Women Voters
P.O. Box 689
Kitty Hawk, NC 27949

November 14, 2000

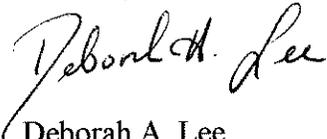
Town of Southern Shores
6 Skyline Drive
Southern Shores, NC 27949

Dear Tom Gjestson,

Thank you for your generous contribution to the League of Women Voters Citizen Education Foundation. Your support with financing the annual Citizens Guide to Dare County not only benefits our organization but also the residents who find the guide useful and informative.

The guide has been published since 1988 and we are pleased that so many people find it useful. This publication will continue for many more years with the support and contributions from companies like yours. A supply will be delivered to you for your distribution, as promised after publication in the year 2001.

Sincerely,



Deborah A. Lee
LWV Citizens Guide Committee



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November 17, 2000

Deborah A. Lee
LWV-Citizens Guide
P.O. Box 689
Kitty Hawk, NC. 27949

Dear Ms. Lee:

The Town Council of Southern Shores approved a contribution of one hundred dollars (\$100.00) at their November 7, 2000 Council meeting to be used for the annual Citizens Guide to Dare County that you publish.

Enclosed you will find a check in that amount.

We will be looking forward to receiving the guide in the near future. It is a helpful tool that we all use regularly.

Sincerely,

Carrie Gordin, Town Clerk

Resolution of Town Council of the Town of Southern Shores

Whereas, the Board of Directors of the Southern Shores Civic Association recognizes the need to maintain the character and ambiance of Southern Shores as a predominantly single family residential community; and

Whereas, the covenants, which the Southern Shores Civic Association has all of the authority and powers to enforce by declaration and recorded deed dated December 13, 1995, are silent as to the maximum square foot area for any single family residence, which includes garages, porches, decks, and other appurtenant parts of the main residence; and

Whereas, the Town of Southern Shores does not enforce or consider the effect of covenants in its building permit process or zoning ordinances because covenants are contractual with the purchase of real property and not a function of town government;

Now, therefore, be it resolved that the Board of directors of the Southern Shores Civic Association hereby requests the Town Council of the Town of Southern Shores to enact zoning ordinances which would restrict extraordinarily large dwellings built on single or multiple lots, and to clearly define and strictly enforce single family residential zoning ordinances.

This is the 7th day of November, 2000.

Submitted by direction of the Southern Shores Civic Association Board of Directors



Jim Connors, President

PLANNING BOARD MEETING RECAP

10/17/00

Prepared by Jim Morrison for Council Workshop 10/31/00

1. Telecommunications Towers: We recommend an amendment to our Zoning Ordinance to accommodate telecommunications towers. The current moratorium on telecommunications towers expires in December. Federal law grants wireless communications providers liberal rights in placing their towers in order to expand wireless communications' availability. We propose a conditional use, permitting monopole towers up to 200 feet high with a setback equal to one-third its height, and towers no closer to each other than one-half mile. A draft is attached. Tom White had reviewed a recent draft, and we have sent him this final draft as well. Should you agree with the recommendation, a public hearing must be held for this amendment.
2. Flood Damage Prevention Ordinance: In order to correct a gap in our flood prevention ordinance in the "AE" zone, we recommend the attached draft ordinance amendment. It adds a two-foot freeboard requirement in the AE zone (changes in bold in the fourth paragraph from the end). In 1988, Council adopted a two foot freeboard above the base flood elevation for the lowest habitable floor for those homes in the hazard area, however in 1993 the flood map was revised and an AE zone was introduced but our ordinance was not amended to reflect this change. In practice the two-foot freeboard has been applied in the AE zone. This change will also require a public hearing since I understand it is treated in the same fashion as a zoning ordinance amendment.
3. RS-10 Amendment (Mallard Cove): Mike Hejduk proposed a draft amendment that would resolve non-conformity issues in Mallard Cove, our only RS-10 zone. All side, front, and rear yards would be set at zero; lot coverage permitted would be 100%; and minimum yard size is reduced. All building and renovation controls within these parameters will fall to the Homeowners Association. While two representatives of the Association earlier endorsed this approach, we will send this draft for their consideration and we will seek an affirmative response prior to proceeding in the Planning Board. There is one encroachment on common property that the Association must resolve, but it is not a matter for the Planning Board or the Town at this time.
4. Southern Shores Crossing Site Plan Review: Mr. Blinken presented a site plan that responded to all the questions and concerns expressed previously by the Planning Board, Engineer, Building Inspector, and Fire Chief. Our review indicates it complies with the requirements of the "C" zone, and we recommend approval but express a concern to Council about the traffic access to Route 12 from the site. We understand DOT is including this proposed access in its current traffic assessment of Route 12 in this congested area. Our recommendation is subject to the applicant receiving the following permits or approvals prior to the issuance of a building permit: NCDOT Driveway Permit, NC Soil Erosion and Sedimentation Control Plan, NC Stormwater Plan, County or State Septic/Wastewater Treatment Permit, and Water Main Extension Permit. No members of the public commented on this plan during our meeting. It may be appropriate to set a public hearing for this site plan, given the scope of the project and its proximity to an established residential area, however none is required. The most recent plan (10/16) is available for your review in Town Hall.

We can discuss this further at the Workshop, or send me your questions.

Attachments: ~~Telecommunications Towers Zoning Ordinance Amendment~~
~~Flood Damage Prevention Ordinance Amendment~~



Town of Southern Shores

"A Town of Volunteers"

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**RESOLUTION AUTHORIZING THE TOWN OF SOUTHERN SHORES
TO ENTER INTO A CONTRACT FOR SERVICES ASSOCIATED
WITH CABLE TELEVISION FRANCHISE RENEWAL**

WHEREAS, the Town of Southern Shores has a cable television franchise agreement with Charter Communications; AND

WHEREAS, said cable television franchise agreement expires on, June 2003; AND

WHEREAS, Charter Communications requests renewal of the agreement and the Town is considering renewal of the agreement; AND

WHEREAS, the renewal period is within the federally established renewal "window"; AND

WHEREAS, Custom Communications, a communications advisory partnership whose principal office is located in Kernersville, North Carolina, has presented a proposal to assist Dare County and the Towns of Southern Shores; Kill Devil Hills; Kitty Hawk; Manteo; and Nags Head; AND

WHEREAS, the Dare County Cable Selection Committee has listened to and discussed the Custom Communications proposal and found said proposal to be most acceptable to Dare County and the Towns and that Custom Communications has the reputation and experience to negotiate a cable television renewal on the Town's behalf; AND

NOW THEREFORE The Town Council of Southern Shores Resolves:

To join Dare County and the Towns of Nags Head; Kitty Hawk; Manteo; and Kill Devil Hills in entering into a contract with Custom Communications for the negotiation of a renewal of the Town's cable television franchise agreement and other services associated with the renewal as listed in the master contract.

Adopted by the Town Council of Southern Shores this the 7th day of November 2000.



Paul Sutherland, Mayor

ATTEST:



Carrie Gordin, Town Clerk

corrected

**RESOLUTION IN SUPPORT OF
THE IMMEDIATE ACQUISITION OF NORTH CAROLINA STATE HIGHWAY PATROL
800 MHz TRUNKED RADIO COMMUNICATIONS SYSTEM
FOR NORTHEASTERN NORTH CAROLINA**

Whereas, law enforcement agencies, public safety and emergency management operations require reliable, interoperable, and adequate two-way radio communications coverage to perform their duties throughout Northeastern North Carolina; and

Whereas, the current radio communications systems in Northeastern North Carolina have major deficiencies that contribute to inefficient operation of these public safety agencies at best, and potentially dangerous and life-threatening situations at worst; and

Whereas, these deficiencies include the following severe problems with the present radio systems:

- Inadequate Radio Coverage (dead spots that exist throughout Northeastern North Carolina)
- Interference (leading to dropped or interrupted calls)
- Radio Channel Crowding (channel not available because too many users already talking)
- Radio Channel Inadequate Reserve Capacity (critical users unable to communicate during emergencies)
- Radio Channel Congestion (use of same channel for different functions, leading to confusion and delay in communication between users performing same mission)
- Lack of Radio Communications Interoperability (different public safety groups cannot talk to each other at the same time to coordinate for same emergency)
- Lack of Radio Communications Interoperability with the North Carolina State Highway Patrol during regular operations.
- Lack of Radio Communications Interoperability with the North Carolina State Highway Patrol and North Carolina State Emergency Management Agency during declared natural disasters, evacuations and disaster recovery response.
- Reliability (operation of most existing equipment beyond its useful life and questionable maintainability of the equipment beyond another 5-7 years)
- Radio Channel Re-farming (Federal Communications Commission mandates regarding channel re-farming will render existing radio system equipment obsolete in the next 5-7 years); and

Whereas, Northeastern North Carolina is extremely vulnerable to weather related natural disasters, as evidenced by, Hurricanes Bertha, Fran, Bonnie, and Floyd; and

Whereas, the lack of radio system interoperability precludes the effective communications, coordination and cooperation among public safety agencies for the Wright Brothers First Flight Centennial activities that will be conducted throughout Northeastern North Carolina during calendar year 2003, and

Whereas, the Town Council of Southern Shores, along with other units of government and public safety agencies, have concluded that the best solution to the critical two-way radio communication problems in Northeastern North Carolina is a trunked radio system in the 800 MHz band in conjunction and cooperation with the North Carolina State Highway Patrol.

11/07/00

800 MHZ Resolution

Now, therefore, we, the Town Council of Southern Shores strongly recommend that funding be allocated, immediately, to bring the North Carolina State Highway Patrol 800 MHz radio system to Northeastern North Carolina in order for County and local governments to better respond to natural disasters.

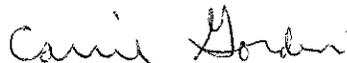
We further recommend that the North Carolina State Highway Patrol 800 MHz radio system implementation schedule be accelerated to allow for the provision that this critical 800 MHz radio system be in place and operational for the Wright Brothers First Flight Centennial Celebration scheduled throughout calendar year 2003.

This the 7th day of November 2000.



Mayor Sutherland

ATTEST:



Town Clerk



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RESOLUTION IN SUPPORT OF HOW ARE THE CHILDREN? 2000

WHEREAS, all children and teenagers deserve to grow up safe, healthy, loved, secure and well-educated; and

WHEREAS, many families need support to meet the needs of their children in this stressful society; and

WHEREAS, a major community gathering called *How Are the Children? 2000* will celebrate community strengths, present strategies for building healthy communities and for promoting positive youth development, and mobilize individuals, organizations and the community to take action that supports and empowers young people; and

WHEREAS, *How Are the Children? 2000*, the third State of the Child Conference in Dare County, focuses less on services to prevent problems, reduce risks and respond to crisis and more on developing a community-wide infrastructure to endow all children and adolescents with the wide range of assets that are crucial for healthy development; and

WHEREAS, we recognize the interdependence of government, schools, businesses, social service agencies, civic organizations, faith communities and neighborhoods and thus believe the best way to ensure our children's future is to work together; and

WHEREAS, because of its traditions and community spirit, Dare County is uniquely poised to make these efforts succeed and to become a model for other communities throughout the nation;

NOW, THEREFORE BE IT RESOLVED that the Town Council of Southern Shores endorses *How are the Children? 2000*, to be convened by the Children and Youth Partnership for Dare County; and

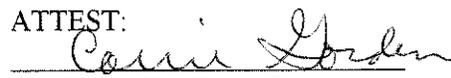
BE IT FURTHER RESOLVED that the Town Council of Southern Shores invites and encourages not only parents, school staff, youth workers, and young people, but all residents of the Town of Southern Shores to join in this effort benefiting children, teenagers, families and ultimately the quality of life for all citizens, and to plan to attend and participate in *How Are the Children? 2000* on November 10th and 11th at First Flight Middle School.

This the 7th day of November 2000.



Mayor Paul Sutherland

ATTEST:



Carrie Gordin, Town Clerk



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RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN PERSONAL PROPERTY BY DONATION

WHEREAS, the Town Council of the Town of Southern Shores desires to dispose of certain surplus property of the Town;

NOW, THEREFORE, BE IT RESOLVED by the Town Council that:

- (1) The following described property is hereby declared to be surplus to the needs of the Town: (2) K-55 Radar Units, Serial Numbers 6577 and 6333 and (1) portable radio with charger, Serial Number 1-7586.
- (2) The Town Clerk is authorized to dispose of the described property by donating the two (2) K-55 Radar Units to the Tyrrell County Sheriff's Department and the portable radio with charger to be donated to the Dare County Communications Center.
- (3) In accordance with G.S.160A-274 the above property may be donated by the Town to governmental units for governmental purposes.

Adopted this 7th day of November, 2000.

ATTEST:

Carrin Gordon
Town Clerk

Paul Sutherland
Mayor