



# 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](http://southernshores.org)

E-mail: [info@southernshores.org](mailto:info@southernshores.org)

Council Meeting  
December 4, 2001  
7:30 p.m.-Pitts Center

1. Mayor Sutherland called the meeting to order at 7:30 p.m.
2. Mayor Sutherland led the Pledge of Allegiance.
3. Mayor Sutherland asked for a moment of silence to be held for the family of June H. McDaniel and for all the uniformed personnel be they military or in public service that are fighting for all us in the war against terrorists.
4. Consent Agenda

Mayor read the monthly Building Inspection report. There was no monthly tax report. Councilman Campbell made a motion to approve the consent agenda as presented. Councilman Smith seconded. Approved unanimously.

5. Planning Board Recap-none
6. Presenting Election Results

T. Gjestson stated that this is the first election for mayor to be voted on by the citizens. He read the election results held on November 6, 2001. Paul Sutherland won the seat for Mayor with 502 votes vs. 483 votes for Hal Denny. Joe Campbell ran unopposed for Councilman and received 793 votes. T. Gjestson also stated that Joe Campbell received the most votes of any candidate in the Town's history.

7. Swearing in Elected Council

Carrie Gordin, Town Clerk, swore in Paul Sutherland as Mayor. Pat Sutherland was present and held the Bible.

Carrie Gordin, Town Clerk, swore in Joe Campbell as Council member. Mary Campbell was present and held the Bible.

Mayor Sutherland stated that he is honored to be elected and that it was a very close election. He stated that every vote does count. He congratulated Hal Denny for running an outstanding campaign. He stated that he would continue to represent the best interest of the town to the best of his ability with energy and enthusiasm.

8. Election and swearing in of Mayor pro tem

Mayor Sutherland called for nominations.

Councilman Kennedy nominated Joe Campbell for the position of Mayor pro tem. He stated that J. Campbell has served on Council almost 4 years. He was originally appointed in 1997 and ran in 1999 and was elected and ran again in 2001 and won for the four-year term. He stated that J. Campbell has performed selfless duty to the Town and served with distinction. Councilman Smith seconded. Mayor Sutherland called for any other nominations. Hearing none the nominations were closed. Council approved 5 to 0.

The Town Clerk swore in J. Campbell as Mayor pro tem.

9. Audit Report

Debbie Burgess of the accounting firm Johnson, Burgess, Mizelle, and Straub, gave the annual FY 2000-2001 Town audit report. She stated that the Town's finances are very stable with \$2.8 million in the undesignated fund balance. She stated that this is higher than most other towns. She stated that the collection rate for taxes is a higher percentage than most towns at 99% in her experience.

Councilman Kennedy moved to accept the audit report as presented. Councilman Denny seconded. Approved unanimously.

10. Public Hearing

a. SSCA Marina-3 Loblolly Trail-Conditional Use Permit.

Mayor Sutherland read the zoning ordinance requirements needed for approval of a conditional use permit. He then opened the public hearing at 7:50 p.m. He asked if anyone wished to speak since no one had signed up. Hearing from no one he closed the public hearing at 7:51 p.m.

Mayor Sutherland asked for comments from D. Shields, Planning Board Chairman. D. Shields stated that all comments were satisfied at the Planning Board meeting as stated before.

Mayor Sutherland moved to approve the conditional use for the SSCA marina as submitted. Councilman Campbell seconded.

Councilman Kennedy stated that the applicant has met the zoning ordinance requirements and conforms to the Town's Land Use Plan and the marina is compatible with the area and will not over burden the Town's fire department or the County water supply. He stated that he supports the motion.

Councilman Campbell asked if there is any proposed overhead lighting? Jim Connors said that there is none proposed.

Council approved the conditional use unanimously.

11. Old Business

a. Town projects update

T. Gjestson announced that the bid opening for the Town Hall remodeling would be held on December 7. The storage building has been delivered and the concrete pad will be poured soon. The bid opening for the electrical installation of the storage building will be held December 13. The pickup truck and trailer will be delivered soon.

b. Town History Preservation Committee

Mayor Sutherland announced that Jodi Hess has been appointed chairman and she has received a copy of Council's tasking letter.

Councilman Denny moved to appoint the names as submitted for the committee: Pete Macfarlane, Jack Sheehan, Lee Hanson and Linda Dough. Mayor Sutherland seconded. Approved unanimously.

12. New Business

a. Resolution-Surplus Property Police Department

Mayor Sutherland explained that this item needs to be tabled to next month's meeting, as the statutory notice requirement had not been met.

b. Selection of Police Chief

T. Gjestson stated that 54 applications were received and interviews have been set up for 7-8. Council is in the process of completing interviews and the selection should be made in the next few days.

c. NCDOT TIP Meeting

Mayor Sutherland announced that Councilman Campbell and he attended a NCDOT meeting on November 28, 2001 in Edenton. He stated that they addressed the issues that came from the joint traffic meeting with the Town of Kitty Hawk regarding NC12/Hwy 158. The mid-county bridge (Currituck) is scheduled for 2008. A turning lane on NC12 will be added up to Ocean View Loop. Considerations were discussed on how to move traffic at the NC12/Hwy 158 intersection. Councilman Campbell stated that a Currituck Commissioner spoke up in favor of the issues that need to be addressed and that it was a positive meeting. Mayor Sutherland encouraged everyone to attend the public hearings when announced.

d. Tree/Vegetation Preservation Committee Update

Mayor Sutherland announced the committee would meet on the second Thursday of each month at 1:00 p.m. in the Pitts Center. Committee is comprised of Dick Wood, Chairman, Rob Milne, Ginger Endreson, Elsa Edwards, Sarah Schwartz, Helen Van Lear and Mark Martin.

New Business cont'd

e. Retreat date

Mayor Sutherland announced the Council retreat would be held on February 12 & 13, 2002 beginning at 9:00 a.m. in the Pitts Center. The date was changed from the January dates since Council and the Town Manager will be attending Elected Official Seminar in Kill Devil Hills and items may come from that for Council consideration. He stated the list of retreat items is in the Town newsletter

f. Representative Bill Culpepper

Mayor Sutherland stated that Rep. Culpepper is scheduled to attend the Feb. 5<sup>th</sup> Council meeting.

13. Public Comment-none

14. Council Agenda

Councilman Denny congratulated P. Sutherland on the Mayor's race. He stated that he would maintain his efforts on behalf of the citizens for his remaining two years on Council.

Councilman Kennedy announced the trash contract with Dare County is currently on a month to month basis and he is waiting to hear from the County.

Councilman Campbell asked T. Gjestson what is the status of the new police cars? T. Gjestson explained that the budget allows for three new cars. This department has no video equipment installed in the cars at this time. It has been decided that two cars will be purchased and video equipment would be installed in them. The video equipment is used by many police departments and is a very useful device.

Councilman Smith-none

15. Mayor's Agenda

Mayor Sutherland announced that the Outer Banks Chamber, the Institute of Government, and the Outer Banks Community Foundation are hosting meetings with the Towns and others to discuss a Long Range Plan for Dare County. The Town's meeting is scheduled for December 19 at 1:30 p.m.

Councilman Campbell asked what is needed to allow all of Council to attend? I. McRee stated Council could recess this meeting to the specific place and time and Council could attend. Council agreed to recess the meeting to December 19, 2001 at 1:30 p.m. in the Pitts Center.

Mayor Sutherland announced that the First Flight Centennial meeting is being held on December 18 at 10:00 a.m. in Manteo and Councilman Denny needs to attend. This is the same morning Council workshop is held. It was agreed that the workshop be held at 8:00 a.m.

Mayor's Agenda cont'd

Mayor Sutherland announced that he is in receipt of a proposed resolution by the First Flight Centennial Commission asking Council's support (funding). Mayor Sutherland moved to adopt the resolution. Councilman Denny seconded. Approved unanimously.

16. Town Manager's Agenda

T. Gjestson announced that the decline in interest rates has effected the Town's interest account. The rate is down 3.8% from last year.

T. Gjestson reminded everyone that the Town parking pass beginning in January would be a three-year pass. Instructions will be in the Town newsletter.

T. Gjestson reported that recycling is in the winter schedule, which is the first and third Mondays for pickup, but there will be an extra pickup on December 31.

T. Gjestson announced that there would be no fireworks this year.

Deputy Fire Chief David Sanders gave the monthly fire department report.

Lt. Thad Pledger gave the monthly police department report.

T. Gjestson announced that Paul Terry (Nags Head) and Kim McIntosh (Currituck County) have been hired as police officers and the department will soon be at full staff.

Mayor Sutherland announced that the Dare County Tourist Bureau steering committee has approved a grant for \$35,000 to be used for the multi-use path at Juniper Trail.

17. Town Attorney's Agenda

McRee reported that the Bowlin lawsuit has been scheduled for district court sometime during the two-week period beginning January 14, 2002 and the Franchi case has been scheduled for March 18, 2002.

18. Announcements-Volunteer Luncheon-December 14, Employee Recognition Dinner December 8 and Council meeting will be held on January 8, 2002.

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Council Meeting  
December 4, 2001

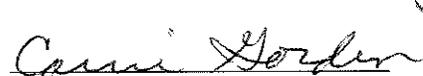
Pete Macfarlane suggested that an aerial photo be taken of the volunteers by using the fire departments ladder truck. It was agreed to do this.

Mayor Sutherland moved to go into closed session and upon coming from closed session the meeting will be recessed until December 19, 2001 at 1:30 p.m. in the Pitts Center. Mayor Sutherland stated the purpose of the closed session is to consider the qualifications and competence of the applicants for the police chief position and to establish or to instruct the town staff and the negotiating agent concerning the position to be taken by or on the behalf of the Town in negotiating the price and other material terms of a contract or proposed contract to the acquisition of a specific parcel or real property. Councilman Campbell seconded. Approved unanimously.

Attest:

Respectfully submitted:

  
\_\_\_\_\_  
Mayor Sutherland

  
\_\_\_\_\_  
Town Clerk



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November 30, 2001

## MONTHLY PERMIT SUMMARY

TYPE CONSTRUCTION	NO.	COST	FEES
<b>SOUTHERN SHORES</b>			
New	8	2,163,000.00	11,472.75
Add/Alt	5	241,460.00	1,336.74
Other	12	92,216.00	742.25
<b>TOTAL SS</b>	<b>25</b>	<b>2,496,676.00</b>	<b>13,551.74</b>
<b>CUMULATIVE FY2001</b>	<b>151</b>	<b>\$ 14,332,032.77</b>	<b>\$ 84,232.81</b>
NEW HOMES YTD (TOTAL LAST YEAR)	34 2031	7 (Certificate(s) of Occupancy issued this month)	
<b>MARTIN'S POINT</b>			
New (Commercial)	0	-	-
* Add/Alt	0	-	-
Other	0	-	-
<b>TOTAL MP</b>	<b>0</b>	<b>-</b>	<b>-</b>
<b>CUMULATIVE FY2001</b>			
<b>TOTAL MP</b>		0 Certificate(s) of Occupancy issued this month)	
CAMA PERMITS	0		
PLAN REVIEW FEE	14		1,210.00
ADD TO PERMITS	2	19,000.00	192.11
FINE	2		200.00
RE-INSPECTIONS	0		
ZONING BOOK/MAP	0		
<b>TOTAL MONTH</b>		<b>2,515,676.00</b>	<b>15,153.85</b>
<b>TOTAL YEAR</b>		<b>14,351,032.77</b>	<b>90,510.45</b>

Respectfully submitted

Michael Hejduk  
Building Inspector

\* We will be reporting certificates of occupancy issued and possible additions to open permits for Martins' Point.

12/1/01

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

Dave Bakken, Chief

Jim Morrison, Chairman

**MONTHLY REPORT TO TOWN -FIRE CALLS FOR 2001-02**

<b>CALLS ANSWERED</b>	<b>NOVEMBER</b>	<b>FY2001-02</b>
STRUCTURE 111	5	30
PROP O/S STRUCTURE 112	0	0
VEHICLE FIRE 131	0	0
BRUSH FIRE 142	2	14
EMS 311	10	84
RESCUE 300	0	11
VEHICLE ACCIDENT 322	0	17
SERVICE CALL 500	0	4
GOOD INTENT 600	0	3
FALSE MALFUNTION 735	0	0
FALSE UNINTENTIONAL 740	4	38
HAZARDOUS CONDITION 400	0	2
OTHER 900	0	3
<b>TOTAL CALLS</b>	<b>21</b>	<b>206</b>
MUTUAL AID GIVEN	8	49
MUTUAL AID RECEIVED	6	58
CASUALTIES	0	0
PROPERTY LOSS \$	0	0
VOLUNTEER HOURS	864	6086



OFFICIAL RESULTS FOR MUNICIPAL ELECTION OF DARE COUNTY

Election Date: 11/06/2001 2001MUNICIPAL

SOUTHERN SHORES MAYOR

Precinct	HAL DENNY	PAUL SUTHERLAND
AVON	0	0
BUX	0	0
CHCA	0	0
COL	0	0
DUCK	0	0
EL	0	0
FRCO	0	0
HAT	0	0
KDH	0	0
KTHK	0	0
MATO	0	0
MH	0	0
NGHD	0	0
S	472	472
STPT	0	0
WAN	0	0
ABSENTEE	11	30
CURBSIDE	0	0
PROVISIONAL	0	0
TRANSFER	0	0
Total	483 49%	502 51%

Election Date: 11/06/2001 2001MUNICIPAL

SOUTHERN SHORES COUNCILMAN

Precinct	JOSEPH N. CAMPBELL
AVON	0
BUX	0
CHCA	0
COL	0
DUCK	0
EL	0
FRCO	0
HAT	0
KDH	0
KTHK	0
MATO	0
MH	0
NGHD	0
SOSH	759
STPT	0
WAN	0
ABSENTEE	33
CURBSIDE	0
PROVISIONAL	1
TRANSFER	0
Total	793 100%

Nominees for Town History Preservation Committee

Pete Macfarlane  
Jack Sheehan  
Linda Dough

Jodi Hess may be submitting an additional name at the meeting

- Lee Hanson -

# Johnson, Burgess, Mizelle & Straub, LLP

CERTIFIED PUBLIC ACCOUNTANTS  
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KITTY HAWK, NORTH CAROLINA 27949  
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## REPORT ON COMPLIANCE AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Honorable Mayor and  
Members of the Town Council  
Town of Southern Shores, North Carolina

We have audited the general purpose financial statements of the Town of Southern Shores, North Carolina as of and for the year ended June 30, 2001, and have issued our report thereon dated September 14, 2001. We conducted our audit in accordance with auditing standards generally accepted in the United State of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

### Compliance

As part of obtaining reasonable assurance about whether the Town of Southern Shore's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

### Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Town of Southern Shores' internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. However, we noted a matter involving the internal control over financial reporting and its operation that we consider to be a reportable condition. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control over financial reporting that, in our judgment, could adversely affect the Town of Southern Shores' ability to record, process, summarize and report financial data consistent with the assertions of management in the financial statements. This reportable condition is described as follows:

Segregation of Duties - With a limited number of personnel for certain functions, there are inherent limitations of the effectiveness of certain controls due to the lack of segregation of duties among Town personnel. These duties should be separated as much as possible and alternative controls should be used to compensate for this lack of segregation.

A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period.

MEMBERS

AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS  
NORTH CAROLINA ASSOCIATION OF CERTIFIED PUBLIC ACCOUNTANTS

Honorable Mayor and  
Members of the Town Council  
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by employees in the normal course of performing their assigned functions. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be reportable conditions, and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses. However, we believe the reportable condition described above is a material weakness.

This report is intended solely for the information and use of the audit committee, management, others within the organization, members of the Town Council and federal and State awarding agencies and is not intended to be and should not be used by anyone other than these specified parties.

JOHNSON, BURGESS, MIZELLE & STRAUB, LLP  
Certified Public Accountants

By Debbie J. Burgess, CPA  
Partner

Kitty Hawk, North Carolina  
September 14, 2001

## **TIP MEETING – EDENTON 11/28/01 – Southern Shores Talking Points**

- **Traffic overload in the SS/KH area continues as a problem and will worsen**
  1. **NC12/RT 158 intersection**
  2. **NC 12 northward to Currituck County**
  3. **A bit of short term relief in that planned hotel and Kroger store are both off the radar for now**
  
- **Development continues in Currituck County even without a bridge**
  1. **Approx 3000 undeveloped lots there**
  2. **New hotel w/100 rooms under development**
  3. **Bridge is years away in TIP**
  4. **Current study by Parsons, Brinkerhoff, Quade & Douglas DOT contractor**
  
- **There is certainly no silver bullet solution to traffic problems and possibly no total solution.**
  
- **Most likely a combination of things that can alleviate the problems. They are as follows ( Items 1-4 supported by both Southern Shores and Kitty Hawk)**
  1. **The mid Currituck bridge- desperately need to foreshorten the planned date**
  2. **Turning lane on NC 12 through SS (currently not in TIP) Needed! DOT is currently working on a small beginning that will be completed by April 2002. TIP needs to address the remainder or DOT needs to find other ways to complete**
  3. **Under/Overpass at the intersection of NC12/RT 158 must be a priority matter and be addressed by the TIP –sooner than later. It is not in the TIP now.**
  4. **NC12/RT 158 intersection redesign. Do we have the optimun solution for the future?**
  5. **Though DOT says not possible to restrict cross traffic turns in the Area, need to find ways to implement.**
    - **DON CONNOR HAS BEEN MOST HELPFUL BUT IS LIMITED BY BOTH FUNDING AND THE CURRENT TIP PLAN.**
    - **Thanks you for listening and we ask for your help!**



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### Resolution #01-12-015

#### A Resolution of Support to First Flight Centennial Commission

**WHEREAS**, all citizens of Dare County and the municipalities of Kitty Hawk, Kill Devil Hills, Nags Head, Manteo, Southern Shores and Duck are proud of the rich history and happenings for which this area is known and honored: and

**WHEREAS**, we are privileged to live among the monuments and reminders of the colonists who came to a new land, "who gave us the first English speaking child to be born in America, the first broadcast of musical notes over radio airways, man's first powered flight of 12 seconds that changed the world, as well as other "firsts"; and

**WHEREAS**, we enjoy the beauty and heritage that truly make this "the land of beginnings"; and

**WHEREAS**, we now have the opportunity to honor the accomplishments of Orville and Wilbur Wright who came to Kitty Hawk because of an environment that nature provided which would result in the successful flight of their powered glider; and

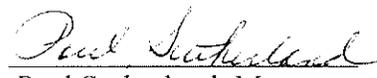
**WHEREAS**, the State, Nation, and World will be coming to Dare County and North Carolina during the year 2003 to pay tribute by participating in the celebration honoring the contributions Orville and Wilbur Wright made to a world of flight and technology as we know it today and as we recognize the future holds; and

**WHEREAS**, the people of Dare County, represented by the Centennial Steering Committee, have planned celebrations in which local citizens as well as visitors of all ages can join in events throughout the year 2003 to honor, recognize, commemorate and enjoy the opportunities to participate in the celebration of a lifetime. To that end, the Dare County Steering Committee, the National Park Service, and the First Flight Society have prepared a Schedule of Events in honor of the occasion to "CELEBRATE 100-12 seconds to history".

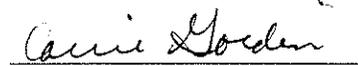
**NOW, THEREFORE, BE IT RESOLVED**, that the local Dare County Steering Committee by and through its members who represent the entire county and its municipalities, the National Park Service, and the First Flight Society, asks the First Flight Centennial Commission, as the official representative centennial organization of the State of North Carolina, to support the Schedule of Events as prepared by the aforesaid Committee, with its maximum funding, and any and all other resources available to it, including assistance by other State Agencies, recognizing this Schedule is a working document, firm in principal, and subject to modification as resources dictate.

**BE IT FURTHER RESOLVED**, that the Town of Southern Shores Town Council endorses this request for support, and further appeals to members of the Commission to direct its maximum resources toward the Local First Flight Centennial Celebration Schedule of Events, that are to be held in the area where nature provided the state, and at the site where flight began, in honor of the two young men who 100 years ago experienced a dream and changed the world for all mankind.

Adopted this the 4thd Day of December, 2001.

  
Paul Sutherland, Mayor

ATTEST:

  
Carrie Gordin, Town Clerk