



## 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

April 2, 2002

7:00 p.m.-Pitts Center

1. Mayor Sutherland called the meeting to order at 7:00 p.m.
2. Mayor Sutherland led the Pledge of Allegiance
3. Moment of Silence

Mayor Sutherland asked that a moment of silence be held for Kay Kennan, long time resident, and her husband was a Southern Shores Fire Chief.

4. Presentation-Dr. Kathy Bailey, Outer Banks Hospital

Mayor Sutherland welcomed Dr. Bailey and Dr. Baxter and other hospital staff. He stated that he has several questions to be addressed regarding the new EMS protocol, which he read.

Dr. Bailey thanked Council for inviting them. She stated that the hospital received it's accreditation for Medicare on March 28, which is sooner that expected. She presented an extensive biography on Dr. Brian Baxter, Medical Director of Dare County Emergency Medical Service. She stated that the EMS protocol is not hospital policy and that Dr. Baxter would explain the new procedure.

Dr. Baxter gave a brief power point presentation, which he concluded by saying the EMS destination policy states that the EMS will proceed to the nearest hospital facility, not an Urgent Care facility. He stated that a committee was formed (EMS Task Force and Audit and Review committee) who voted on this EMS protocol, which was adopted January 29, 2002. The committee consisted of three county EMS representatives, a vice president for clinical affairs at the new hospital, a physician who was medical director of what is formerly known as Health East in Nags Head, a nurse at the facility and two representatives from the county who attended earlier meetings but stopped coming.

He stated that the decision was not a financial or political one but a medical one. He stated that the decision was based on the patients's need, not who the physician is.

### Presentation-Outer Banks Hospital

Dr. Baxter stated that the Outer Banks Hospital did not make the selection of him as the EMS director that his appointment was made by Chesapeake General Hospital, who is the authority for the Outer Banks hospital.

Mayor Sutherland stated that a new state law directs counties to select an EMS Advanced Life Support director and to write an EMS policy. Mayor Sutherland asked Dr. Baxter how he would feel if the County were to change the current EMS policy back to where the patient could chose where they wanted to be taken? Dr. Baxter said that he would not remain as director.

Dr. Baxter stated that a patient can chose what hospital they would like to go to after the emergency care if additional care is needed.

There was much discussion regarding the EMS passing by Beach Medical when during the summer, traffic could delay arrival time, which could be of the essence. Dr. Baxter stated that the EMS personnel are qualified to administer the level of care needed until they reach the hospital. He stated that Beach Medical is not a receiving facility. He stated that Beach Medical is an urgent care facility and is not always staffed to deal with emergencies. He stated that the doctors at that facility could join the Outer Banks Hospital.

Several attendees of the meeting stated they were very happy to have the hospital and wished it great success but expressed great concern for their emergency needs by passing a medical facility and going an extra twelve miles to the hospital.

Dr. Bailey reported that the hospital is working on a 'network' for the patients and there should be some news regarding that in the near future.

Dr. Kim Keith stated that she has worked hard and long to get this hospital here. She stated that emergency medicine is a specialty and that the residents should be grateful to have it.

Mayor Sutherland stated that some of his questions were answered but that some were not. He would continue working to change the EMS policy but he wants the hospital to succeed. He thanked everyone for coming.

### 5. Consent Agenda

Councilman Campbell made a motion to adopt the consent agenda as presented.  
Councilman Kennedy seconded. Approved unanimously.

6. Resolutions

- a. Proposed Rural Planning Organization (RPO)
- b. Proposed Government Access Channel
- c. Proposed Closed Session Minutes

Mayor Sutherland read and explained each proposed resolution

Councilman Denny moved to adopt the RPO resolution as presented. Mayor Sutherland seconded. Approved unanimously.

Councilman Campbell moved to adopt the Government Access Channel resolution as presented. Councilman Smith seconded. Approved unanimously.

Mayor Sutherland moved to adopt the Closed Session Minutes resolution as presented. Councilman Campbell seconded. Approved unanimously.

7. Planning Board Recap-March 18, 2002

Dan Shields, Chairman, stated that the chairman and vice-chairman terms are annual and expired in March. The Board appointed Dan Shields, for another year as chairman and Mimi Iacone as vice chairman for a one-year term.

He reported that Elsa Edwards, alternate, resigned and an alternate needs to be appointed by Council to fulfill her unexpired term.

The Board is continuing to work on zoning amendments addressing exterior lighting and buffers and landscaping for commercial districts and conditional uses, lot recombination and non-commercial signs.

He stated that a request for a conditional use to allow swimming lessons to be given in the RS-1 zone has come before the Board. It is their recommendation to approve the request with certain conditions. He submitted a list of conditions to Council. He asked that Council set a date for a public hearing.

Councilman Kennedy asked for clarification that that there would be a need for two public hearings one to amend the zoning ordinance and one for the applicant to request the conditional use? He was told that was correct. Mayor Sutherland stated that there would be two Council members absent in May so the earliest a public hearing could be held would be June.

Planning Board cont'd

Chairman Shields stated that another item before the Board is waiting for the applicant to provide pertinent information. That issue is the request to rezone a certain piece of property from residential to commercial submitted by Frank Stone.

8. Old Business

a. Consideration of Solid Waste Ordinance Amendment

Councilman Kennedy explained that a change has been made regarding the need for rental houses with five or more bedrooms to have three garbage cans. He stated that upon review of the ordinance he made a few minor corrections. He moved to adopt the solid waste ordinance as presented. Councilman Denny seconded. Approved unanimously.

Councilman Campbell commended Councilman Kennedy on the work he did on the Solid Waste ordinance.

b. NC12 traffic changes

Mayor Sutherland reported that the traffic light at the Crown Station and a turn arrow at the traffic light at Chicahawk would be installed before Memorial Day as a traffic safety enhancement. He stated that the proposed left turn lane and other changes in the vicinity of the Crown Station and Pelican's Watch and Southern Shores Realty on NC12 would not be completed until after Labor Day.

Mike Zono asked about a crossover button being installed at the Sea Oats Trail intersection. Mayor Sutherland stated that DOT has agreed to do that and the money has been budgeted.

c. Town Buildings projects update

Tom Gjestson reported that the Town's public works building is complete and Town equipment such as boat, trailer etc. has been moved in. He stated that the Town Clean Up Day scheduled for April 13 will give the residents a chance to see the new building. He stated that the Town Hall remodeling is moving along.

d. Tree/Vegetation committee update

Mayor Sutherland stated that Dick Wood, chairman, would give a complete report in May.

Old Business cont'd

e. Retreat Follow-up

T. Gjestson stated that the retreat list would be reviewed at each Council workshop and that several items have already been completed.

9. New Business

a. Recognition of Long Range Planning Committee Members (Rob Milne, Chairman, Jody Hess, Dan Shields, Bob Hannan, Larry Welker, David Peckens and Warren Davis)

Mayor Sutherland thanked the members for the work they did on the plan and presented them each with a Town mug. He stated that Council would review the report at the April workshop.

Rob Milne acknowledged all of those for their support in working on the plan: the Mayor, Mike Hejduk, the fire department, the police department and especially Warren Davis for his continuity in working on several plans.

a. Recognition of Elsa Edwards

Mayor Sutherland read a certificate of appreciation to be presented to Elsa, along with a Town mug, for her long time volunteerism. He stated that Elsa is having surgery and could not be here tonight.

b. Budget Amendment-SSVFD

Councilman Smith stated that the pumper truck needs repair and moved to adopt the proposed budget amendment for \$25,000.00 for the repairs. Councilman Kennedy seconded. Approved unanimously.

c. Yearly Audit Contract

T. Gjestson recommends that Council appoint Johnson and Burgess CPA's as the Town's auditor for FY 01-02. Mayor Sutherland moved approval of a contract with the firm by signing the presented engagement letter. Councilman Denny seconded. Approved unanimously.

New Business cont'd

d. Grass Roots Lawn Care-contract renewal for cemetery

Councilman Denny stated that Grass Roots has had the contract for the past three years and they have agreed to continue with no increase in the price of the contract for another year and he moved to approve the contract. Councilman Kennedy seconded. Approved unanimously.

e. Re-appointment of Mimi Iacone to Planning Board

Mayor Sutherland moved to re-appoint M. Iacone to a three-year term to the Planning Board. Councilman Campbell seconded. Approved unanimously.

f. Nominations-Rural Planning Organization (RPO)

T. Gjestson explained that the Albemarle Commission is requesting two nominations for the RPO for a two-year term. Councilman Campbell moved to nominate Hal Denny as the technical nominee. Mayor Sutherland seconded. Mayor Sutherland moved to nominate Gene Kennedy as the policy nominee. Councilman Campbell seconded. Hearing no other nominations the nominations were approved unanimously.

10. Public Comment

John Albee, Martin's Point, thanked Council Member Don Smith and his wife, Merrie, for seeing that an area along the bike path was cleaned up. He stated that he contacted the Martin's Point Property Owner's president, DOT and Kitty Hawk Fire Department to no avail.

Bonnie Wolf, 6 Birch Lane, thanked Council regarding the Loblolly project and stated that it looks very nice.

11. Council's Agenda

Councilman Smith reported that he attended a meeting (TIP) at the Duck Civic Association presented by DOT regarding the regional traffic situation going north to Currituck. It was explained at the meeting the project status and objectives on the plans for the Mid-Currituck bridge. He submitted a report to Council and he suggested that Council invite attendees of the meeting to attend a Council workshop for further discussion.

Councilman Kennedy-none

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April 2, 2002

### Council's Agenda cont'd

Councilman Denny-none

Councilman Campbell reminded everyone to participate in the Town Clean Up Day (Southern Shores Care Day) April 13, 2002, noon to 3:00 p.m.

### 12. Mayor's Agenda

Mayor Sutherland reported

- Dare County Emergency Management will hold a hurricane exercise on May 8, 2002 and that the Town will participate.
- Occupancy Tax is up 11% in total.

Mayor Sutherland presented a letter to President Bush to be signed by all of Council in support of the President's call to arms for volunteers and invites him to visit Southern Shores.

Mayor Sutherland stated that Council attended the Dare County Commissioner's meeting regarding the new EMS policy. He stated that Council is solidly behind the County changing the policy and the County is required to write a policy by January 2003.

### 13. Town Manager's Agenda

T. Gjestson stated that he has been contacted by Dare County Public Works with a request to ask if garbage pickup could begin at 3:00 a.m. to avoid traffic delays and extended days of pickup. He stated that the Town of Nags Head has been doing this for several years and has had positive feedback. A general feeling was to try it.

Police Chief Pledger stated that he received a phone call from the DMV Office regarding the disposal of radar equipment at no cost and the police department will be receiving 10 car radars.

He stated the Dept. is still waiting to hear about the grants that were applied for to aid in the purchase of computers.

He stated that the grant for the Locator computer has been approved.

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Town Manager's Agenda cont'd

Fire Chief Bakken presented the monthly fire report.

He also submitted the FY02/03 budget to the Town Manager with no request for an increase.

He reported that the fire dept. is donating some surplus equipment to the SS Boat Club.

He asked for volunteers to join the fire dept. and said they should contact the fire department.

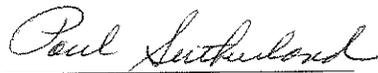
14. Town Attorney's Agenda-None

Mayor Sutherland stated that he attended a meeting in Kitty Hawk regarding the demolition of oceanfront homes damaged due to storms and that Senator Marc Basnight was in attendance.

Mayor Sutherland would like to invite Senator Basnight to attend a Council meeting in the near future.

Mayor Sutherland moved to adjourn the meeting at 8:35 p.m. Councilman Kennedy seconded. Approved unanimously.

ATTEST:

  
\_\_\_\_\_  
Mayor

Respectfully submitted:

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

**TOWN OF SOUTHERN SHORES  
TAX DEPARTMENT**

**DATE: April 2, 2002**

**PICKUPS**

Dec Levy	\$ 3,666.32
Jan Levy	\$ 3,059.29
Feb Levy	\$ 2,875.33
D Brick	\$ 23.29
E W Bichner Const	\$ .36
D Clift	\$ 61.38
V. Cross	\$ 55.98
J. Howard	\$ 8.44

**RELEASES**

M Smith	\$ 1.01
M Ottavio	\$ 6.30
J Decosi	\$ .66
M Sorensen	\$ 2.68
J Watson	\$ 1.90
Regional Medical	\$ 848.34
D. Bakken	\$ 25.96
J. Booth	\$ 10.55
C. Knight	\$ 31.19

TOTAL \$ 9,750.39

\$ 928.59

**TOWN OF SOUTHERN SHORES**

**TAX DEPARTMENT MONTHLY REPORT**

**MONTH:** March , 2002

**DATE:** April 2, 2002

COLLECTIONS

MONTH TO DATE

Current Year – 2001	\$	7,552.33
Prior Years – 1979-2000	\$	404.10
Interest	\$	236.34

YEAR TO DATE

Current Year – 2001	\$	889,722.21
Prior Years – 1979-2000	\$	9,916.23
Interest	\$	1,149.59



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Resolution #02-04-008

## RESOLUTION

### GOVERNMENT ACCESS CHANNEL

**WHEREAS**, Charter Communications has agreed to provide a government access channel on its cable television system serving Dare County and its incorporated towns on terms and conditions set forth in their franchise agreements; and

**WHEREAS**, Dare County and the towns of Kill Devil Hills, Nags Head and Manteo have previously agreed to cooperate in the operation and use of the Government Access Channel on the terms and conditions set forth in the Interlocal Shared Use Agreement effective March 19, 2001; and

**WHEREAS**, the Shared Use Agreement provides that the Town of Southern Shores shall be permitted to become a Participating Community in the agreement on such terms and conditions as negotiated by the parties; and

**WHEREAS**, the Town Council believes that it is in the best interests of the Town and its citizens to become a Participating Community under the Shared Use Agreement.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor is hereby authorized to execute any and all documents necessary for the Town of Southern Shores to become a Participating Community for shared use of the Government Access Channel provided by Charter Communications.

Adopted this the 2<sup>nd</sup> day of April 2002.

  
\_\_\_\_\_  
Mayor

ATTEST:

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



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Resolution #02-04-007

### RESOLUTION SUPPORTING MUNICIPAL PARTICIPATION IN REGION R'S RPO

**Whereas**, Region R has been designated by the NC State Department of Transportation as a Rural Planning Organization (RPO); and

**Whereas**, the regional RPO is comprised of the ten counties and the municipalities therein, with the counties and municipalities working together to promote regional transportation needs with Region R;

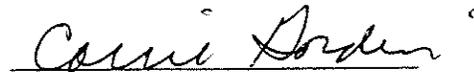
**Now, therefore**, the Town of Southern Shores agrees to participate in and support Region R's RPO.

Adopted by the Southern Shores Town Council this the 2<sup>ND</sup> day of April 2002.



Mayor

ATTEST:

  
Town Clerk



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Resolution #02-04-009

## Resolution Closed Session Minutes

**WHEREAS**, the procedure for the release of minutes (general accounts) of the Town Council's Closed Session meetings should be formalized; and

**WHEREAS**, the Southern Shores Town Council elects to seal the minutes of all Closed Session meetings and hereby directs that all such minutes made in the future are hereby sealed;

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and the Town Clerk are hereby designated to periodically review Closed Session minutes to determine if they should be unsealed. Recommendations for opening Closed Session minutes (general accounts) are to be made to the Council by the Mayor and Town Clerk as necessary.

**BE IT FURTHER RESOLVED**, all outstanding Closed Session minutes (general accounts) are to be scheduled for annual review by the Council at the regular January Council meeting.

Adopted this the 2<sup>nd</sup> day of April 2002.

ATTEST:

Carrie Gordon  
Town Clerk

Paul Sutherland  
Mayor



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BO 01/02-3

## AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR FISCAL YEAR 2001/2002

**BE IT ORDAINED**, by the Council of the Town of Southern Shores that the Budget Ordinance for the fiscal year ending June 30, 2002 is hereby amended as follows:

### Section I. Appropriations:

The amount appropriated for the Fire Department is hereby increased by \$25,000.00 to \$213,900.00.

### Section II. Estimated Revenues:

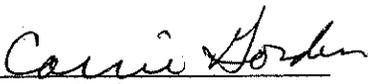
An amount totaling \$25,000.00 is hereby appropriated from the Undesignated Fund Balance.

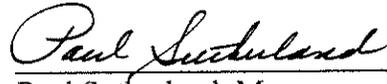
Total appropriations and total estimated revenue for fiscal year 01/02 now each equal \$3,090,070.00.

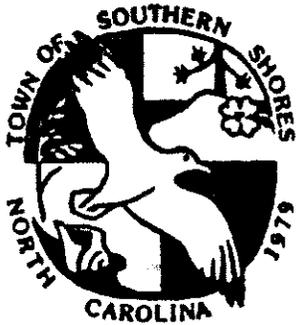
Adopted this 2<sup>nd</sup> day of April 2002.

SEAL

ATTEST:

  
Town Clerk

  
Paul Sutherland, Mayor



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March 8, 2002

From: Tom Gjestson 

To: Town Council

Re: Fire Department Appropriation FY 01-02

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Please note the attached letter from Chief Bakken dated March 8, 2002. A proposed budget amendment is also attached in the amount of \$25,000 to cover this unexpected expense. I support the request and urge your consideration at your March workshop and your enactment at your April 2<sup>nd</sup> regular meeting.

Cc: Chief Bakken  
Town Clerk



March 8, 2002

Town of Southern Shores

Attn: Town Manager

As you know, our largest Engine, number 123, has a deteriorating pump which will only continue to get worse. It has lost 25% of its capability, and the projection is that it will be down to 2/3 or less by the end of the year.

In order to keep our insurance rates low, we need to keep our pumping ability up to the maximum. Since the pump will have to be replaced or continue to deteriorate, the Department would prefer to have the pump replaced before the summer season.

Replacement of the pump will be done by the E-1 dealer in Rocky Mount, will take 3 to 4 weeks and will cost \$25,000.

Since this extraordinary expense is not in our current budget, we request that the Town authorize an additional \$25,000 on our present contract so that the repair can be completed without waiting for the next budget cycle.

Thank you for your consideration of this matter.

Southern Shores Volunteer Fire Department

A handwritten signature in cursive script that reads "David Bakken".

David Bakken, Chief

cc: Fire Commissioner  
SSVFD Board of Directors

## **Council Workshop Planning Board Recap**

PLANNING BOARD MEETING RECAP

03/18/02

Prepared by Dan Shields for Council Workshop 03/26/02

The March meeting of the Southern Shores Planning Board was called to order at 7:30 P.M. Mon 18 March 2002. A quorum of the Board was in attendance.

1. Mimi Iacone's term on the Planning Board expires in April 2002. She has indicated to the Chairman that she would accept appointment for another term. I therefore request that you reappoint her to another term.
2. The Planning Board Chairman and Vice Chairman terms expire this month. Elections were held for the year 2002-2003. Dan Shields was elected as Chairman and Mimi Iacone was elected as Vice Chairman.
3. With the resignation of Elsa Edwards, I request the Council appoint another alternate to the Planning Board. I wish to express my gratitude to Elsa for the time and effort that she has given to the Planning Board both as a permanent member and as an alternate member.
4. Mr. Branch W. Vincent, III, representing Mrs. Christen Buchert, submitted a request for a Zoning Ordinance amendment to allow Mrs. Buchert to conduct swimming lessons at her home pool. The Board considered changing the definition of "Home Occupation", making swimming lessons a "permitted use", and making swimming lessons a "conditional use". It was decided and voted on that it was in the best interest of the Town to recommend swimming lessons a "conditional use". The Board is developing the conditions for this ordinance change and will have the draft ordinance ready to present to the Council prior to the next Council meeting when it is recommended a public hearing be held.
5. A petition has been received from Mr. Stone of Southern Shores Realty to rezone lots 3 and 4, Block 10 from residential to commercial. Mr. Stone made a presentation to the Planning Board as to the concept of what he and Mr. Binken wanted to do with regard to revising site plans and reducing potential access to Rt. 12. I told Mr. Stone what documentation the Planning Board required before we could consider such a request and recommended that his petition be tabled until the remaining documentation can be presented. He agreed and the petition was tabled.
6. The Planning Board considered the proposed amendment to the regulation governing non-commercial signs. The consensus of the Board was to table the issue for further investigation.
7. Discussion continued on the proposed text for exterior lighting and buffer and landscape requirements. It was decided to hold a Planning Board workshop to

investigate and discuss these issues in detail. This workshop will be held between now and the next scheduled Planning Board meeting. The date will be published.

8. Lot recombination was discussed. The board tabled this issue for further investigation into details such as, limiting square foot size of the house, limiting coverage based on the square foot size of the recombined lot, conditional use for recombined lots, etc.

Dan G. Shields

Chairman, Planning Board  
Southern Shores, NC

**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>MARCH</b>	<b>FY2001-02</b>
STRUCTURE 111	3	52
PROP O/S STRUCTURE 112	0	1
VEHICLE FIRE 131	0	1
BRUSH FIRE 142	2	18
EMS 311	21	145
RESCUE 300	0	11
VEHICLE ACCIDENT 322	1	20
SERVICE CALL 500	0	4
GOOD INTENT 600	3	11
FALSE MALFUNCTION 735	0	2
FALSE UNINTENTIONAL 740	2	46
HAZARDOUS CONDITION 400	1	4
OTHER 900	1	5
<b>TOTAL CALLS</b>	<b>34</b>	<b>320</b>
MUTUAL AID GIVEN	6	68
MUTUAL AID RECEIVED	2	72
CASUALTIES	0	0
PROPERTY LOSS \$	0	0
VOLUNTEER HOURS	1129	10386