



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
December 3, 2002
7:00 p.m.-Pitts Center

1. Mayor Sutherland called the meeting to order at 7:00 p.m.
2. Mayor Sutherland recognized newly elected Cheryl Byrd as County Commissioner and congratulated her and introduced Julie Ladoux a new reporter from the Outer Banks Sentinel. Mayor Sutherland led the Pledge of Allegiance.
3. Mayor Sutherland asked that a moment of silence be held for our Carrie Gordin's mother who passed away in Ohio and Glenn Alexander's sister who was in a serious automobile accident in Moyock this morning and also a number of people in Town who are seriously ill.
4. Public Comment

Cheryl Byrd had several issues to discuss, first she thanked everyone for their overwhelming support and that made a difference. She is happy to represent all the citizens and even though she is the at-large seat, she will work with Warren Judge who is the representative in our area. She is concerned about the separate elections for Mayor and Council. Because if a council member not up for re-election wants to run for mayor and wins, an appointment would have to be made. A change to all council members running at the same time or do not allow for appointment of vacancies instead hold special elections are some of the ways to avoid appointments. She is happy that the towns are working together with the political sign laws and hope all can agree on one. From a candidate's point of view it was very difficult because each town has separate rules. She feels the roads in Town need some work especially S. Dogwood Tr. With two way traffic, cars are falling off the edge of the road, breaking the edges of the road. Maybe widen road. Parking at Town Hall, when we get a full house here there is not enough parking. We have a very busy Town. This needs to be studied in the future. She will be staying for the rest of the meeting if you need any information on the lawsuit later in the agenda.

5. Consent Agenda

Mayor Sutherland read the Building Inspector's monthly report. Councilman Campbell made a motion to accept the consent agenda as presented. Councilman Kennedy seconded. Approved unanimously.

6. Presentation – NC Forest Service – Ron Hollifield

Mayor Sutherland stated that Mr. Hollifield was not present tonight, he recently was promoted but that he gave a very good presentation at the workshop. He presented many issues for Council to consider.

7. Old Business

a. Mid-Currituck Bridge petition update

Geri Sullivan reported that at the Turkey Trot in Duck Thanksgiving Day John Wander of Duck received 260 signatures. She picked up another 200 at ACE Hardware, where they have been very good about letting us get signatures. Total 10,500 signatures. She stated Wednesday there will be a meeting with committee, Duck representatives and Gwen Cruickshanks of Currituck on what our next steps will be. Mayor Sutherland announced Albemarle Hospital and The Outer Banks Chamber of Commerce have both passed resolutions in support of the bridge.

Mayor Sutherland reported two radio interviews by Tom Charity about the bridge campaign would be done Thursday morning on Dixie 105.7 and the Shark 102.5, with Gwen Cruickshanks and himself. Six to seven radio spots were recorded by WVOD and will be played at no cost. Town resident Sidney Pashkow a radio announcer helped do the spots.

The entire Council, Town Manager, Commissioner Cheryl Byrd and citizens went to NCDOT Transportation Improvement Plan (TIP) meeting in Edenton on Nov. 12. A presented package of petitions wrapped with blue ribbons were presented to Stan White. The meeting went well, had lots of support. We will keep moving on. Mayor Sutherland stated that there is an item in the newsletter that blue ribbons will be placed on mailboxes or number posts of all absentee property owners unless they object.

b. David Stick Recognition

Councilman Campbell stated everything is in place for the 18th of December at 11:30AM after the Dec. workshop. Invitations have been sent out, all arrangements have been made, sign is done, and we hopefully will have a large attendance. David Stick invited many friends as well as elected officials, Marc Basnight and Bill Culpepper.

c. Winged Horse – 1st Flight Centennial

Councilman Campbell stated the contract was sent back for some clarification and Council has no comments. We should withhold the purchase of the horse and table the whole thing. Councilman Kennedy stated he would not like to beat a dead horse. Councilman Campbell made a motion to rescind the vote of the November meeting to purchase the horse for \$1,500. Councilman Kennedy seconded. Motion approved 4 to 1. Councilman Denny voting no.

d. Fee Schedule

Town Manager Gjestson explained that Tammy Deane checked with the other Towns on their fee schedules and Mike Hejduk is in the process of fine-tuning the comparisons. We should be able to present the council with a packet that says here are all our fees and here is what we recommend we do with them. Last year we took in \$195,000 in fees, and spent \$165,000 to run this operation.

e. Tree Report

Several of us toured the Town and found 20 problem trees that have to be removed and 20 or so to be pruned and the rest of that were questionable can be left alone. We will go by his recommendation and remove those trees that are danger trees or diseased.

Old Business cont'd

The hickory tree with orange fencing on East Dogwood Trail is being protected from the land being developed. The developer was going to take that tree down, thanks to our building inspector we are keeping this tree. This is a direct result of the vegetation committee findings.

f. Government Access Channel

Councilman Campbell stated that at the last Council meeting he was directed to ask the Government Access Committee to change the interlocal agreement to allow the League of Women Voters to broadcast their candidates forums. The letter has been sent and was received favorably. The League has to solicit each town individually to request the agreement change. Pat Storey, League member, said they would.

8. New Business

a. Solicitation ordinance (draft) Set Public Hearing date

Mayor Sutherland explained the Town Attorney has drafted a solicitation ordinance. We don't have to hold a public hearing, it is just a change to the Town code, but we want to get public input. It just makes it more restrictive. Council agreed to hold the public hearing on January 7th, 2003, 7:00 p.m. in the Pitts Center.

b. Retreat Items – 2003

Mayor Sutherland stated we have a long list and it will be placed in the Town newsletter with a solicitation for more suggestions.

c. Schedule Retreat Dates – Jan. 16 & 17, 2003

Mayor Sutherland announced the dates and urged the public to attend. It was agreed to have the retreat on Jan 16th & 17th. Mayor Sutherland made a motion, Councilman Smith seconded. Approved unanimously. However later on in the meeting, Councilman Kennedy stated he needed to check his schedule he may be out of Town.

d. Albemarle Commission – RPO

Mayor Sutherland explained Council has received a document from the Albemarle Commission requesting submission of our Land Use Plan. A copy has been sent as requested. It needs to be updated in 2006.

e. Foundation for Renewal of Eastern NC – recommendations

Mayor Sutherland stated that the Foundation for Renewal of Eastern NC has solicited a recommendation of a business leader from our area to be on the foundation. He stated that Council would discuss this further before making a recommendation. Councilman Denny asked if anyone could come up with purpose statement, before we asked for or thought about a volunteer. Councilman Campbell asked C, Byrd if the Dare County Commissioner are giving their support? She stated that she would look into it.

f. Dredging updates

Councilman Denny explained that at the last retreat Council discussed canals and decided to investigate a program to dredge the canals. He thanked the SSCA and especially the Boat Club who have learned where the shallow areas are.

New Business cont'd

Hopefully we will be dredging fall of 2003-2004. An environmental consultant at Quible & Associates is putting together a packet that describes the needs, identify where hopefully we can find money to get the job done and what government permits will be needed and put together contract bid packets. Also included will be dredging to maintain our boat channel from Southern Shores to Currituck Sound, we will be hearing more about this as the Boat Club completes new soundings of the canal system that will be passed on to the engineer so we can move forward. We will go after grants wherever available. He stated that we've been told there are grant opportunities at the Federal and State levels. C. Byrd commented that the Oregon Inlet Commission might be able to help. Councilman Smith asked about ownership of the canals, Attorney McRee is looking into it and should not be a problem, we can use public money to maintain it if for a public propose. Jody Hess is looking at it from the SSCA standpoint.

g. Lawsuit to recover local government monies

Mayor Sutherland that it would cost \$300 to join the lawsuit, however we need to indicate if we want to join by Dec. 31st. We can join by email. Mayor Sutherland made the motion to join lawsuit. Councilman Kennedy asked Attorney McRee about other lawsuit through out the state. I. McRee said the State tried to throw them out but was unsuccessful. For a cost of \$300 (and 15% of proceeds) is better than nothing. Approved unanimously. Town Manager will send email to join.

h. Speed limit on NC 12

Mayor Sutherland apologized for not requesting by letter to DOT to change the speed limit to 35 mph to Oceanview Loop from Skyline Rd. since no turning lanes will be going in for a while. Councilman Denny said that he would like a 35 mph speed limit through out the Town.

9. Council's Agenda

Councilman Campbell stated that Mayor Paul Sutherland has been the Town's Tourist Bureau representative for 4 years and has to step down. Gene Kennedy is the new representative. We should be very appreciative of the effort the Mayor has done in the last 4 years. He has certainly brought to light the workings of the Tourist Bureau, which we have benefited from.

Councilman Kennedy - None

Councilman Denny reported that the contract package on Juniper Trail Path and Gersen Path is in hand with a few glitches in it and will be working with the engineer to correct them. He made a motion to go out for bid. Mayor Sutherland second. Approved unanimously.

Councilman Denny stated that an informal bid proposal has been sent out with a list of about 15 minor road repairs. He stated that the work should be a maximum of \$20,000.00 if over he will come back to Council.

Councilman Kennedy asked about repairs on the Gersen Bike path at Kitty Hawk Elementary School to the Market Place? Councilman Denny stated that will be included in the Juniper Trail bid.

Councilman Smith stated that Council approved the county's request to allow them to begin their garbage pickups at 3 AM so they would have enough time to complete the Towns pickup on Mondays. This has not rectified the problem and we continue to have our garbage not being picked up until Tuesdays and this has resulted in cans being blown over by strong winds and garbage all over Town. He has appealed to C. Byrd to see if she can get the County to correct this problem.

Council's Agenda cont'd

Councilman Smith stated that he contacted Mark Martin, President of the Outer Banks Homebuilders and was told that the Board met about the resolution on the Support the Bridge/No Four Lanes and they did not want to take a stand.

Councilman Smith stated that the Town has received resolutions for all over the County, towns, Chamber of Commerce, Tourist Bureau etc. and he was disappointed. He suggested that the Mayor should go before the new O.B. Homebuilders Board.

Councilman Smith called upon Fire Chief Bakken to give the monthly fire report.

Chief Bakken reported that the Fire Dept. numbers are up 30% from last year, seems to be a trend, more people more problems. However the good news is that false alarms are down 5%. Volunteer hours 6,086. He is very proud of the help here in town, with EMS rescue calls we get a lot of cooperation. Chief Bakken was disappointed Ron Hollifield of the NC Forest Service was not here tonight and gave a summary of his report. The main problems in our town are access/egress, roads are too narrow. For wildland fires, fire equipment could not get to the fire or could be caught in line of fire with residents fleeing. Chief Bakken urged widening of right-of ways on N. Dogwood, Bayberry, and many other streets. The dune area are our most threatening area, without better access we could lose houses.

Chief Bakken warned that soon insurance rules will be changed, no trees overhanging a house, (pine needles etc.) or they will not insure the house. We have been very fortunate we have not have a big fire, however there is a new house on 12th Ave. that has left trees up right up to the house. If this house goes on fire, we will save the two structures on either side, we will not save the house due to no access to the property, and we will not put our people in danger. He stated that the Town Hazard Mitigation Plan states fire is a problem. Mayor Sutherland asked about grants for property owners to clear trees and brush from their property and the Forestry Service will try to assist. He stated that Mr. Hollifield stated it is very good to clear the unimproved properties of underbrush. Chief Bakken said that in the covenants it states all unimproved property owners must clear the properties of under brush, which is for the civic association to enforce.

Councilman Denny asked Chief Bakken about Red Bay since it is private and the residents elected not to have county water, how do you get water there in case of a fire? Chief Bakken stated that there is a hydrant at the end of the road by Hickory and that the fire dept. would do the best we can.

Chief Bakken stated that a controlled burn would be held in January of the marsh west of Ginguite Trail to Point Comfort Lane with the NC Forest Service. He stated that this has not been done in about 10 years. He stated that this type of burn is recommended. The last burn, birds, and animals, ducks that have not been seen before showed up that spring. All property owners in the area will be notified and broadcast email will be sent out.

Councilman Smith thanked the Council for joining the lawsuit, he stated the governor unlawfully took tax revenues that were to go to the local governments and now our sales tax was raised ½% to tax our taxpayers all over again to raise money to replace what has already been paid. This, he said, is an outrage.

10. Mayor's Agenda

Mayor Sutherland stated that he had asked DOT about a blinking light on the new speed limit signs but it would be too costly, they will, however; put flags on the signs.

He stated that most people are aware of the Board of Election allowing early voting program. He stated that he sent a letter asking that they extend this program to the Northern Beach with suggested sites.

Mayor's Agenda cont'd

Mayor Sutherland was told that CNN has a professor on a show that recommended Southern Shores as great place to relocate due to the low taxes, etc. Mayor Sutherland stated he would research this and try to get a copy of the show. He stated that he felt it was a very nice compliment for our Town.

11. Town Manager's Agenda

T. Gjestson explained this year's school start at Kitty Hawk Elementary School (KHES) was traumatic in many ways. He stated that the turn signal on US Hwy. 158 has been changed and that made all the difference in the world. He stated that the Police Department placed an officer on duty to direct traffic, they have been out there but now it is time to withdraw the officer and let nature take its course. He stated that was not a budgeted item.

He stated that the Town parking stickers were changed to three years with no charge; the 2004 stickers are still good for 2 more years. He stated that ones issued this year would be good until 2005.

Councilman Denny stated that the Dare County School Board has painted stacking lanes at KHES and that has helped the traffic flow. Mayor Sutherland thanked Councilman Denny for his hard work on the school-parking problem.

Chief Pledger gave a summary. He stated that calls for October were 310 calls, compared to Sheriff's Dept. 2000, Kill Devil Hills 724, Kitty Hawk 458, and Manteo 191. He stated that people call concerned about a lot of crime in Southern Shores but these numbers include many traffic stops. He stated that we have the safest town and a great Police Department. He thanked everyone for their support.

12. Town Attorney's Agenda

I. McRee stated that the Franchi lawsuit (personal watercraft) has been scheduled for motions in March to have it dismissed. He stated that the Bollin case (Martin's Point) is on hold. That he has called the defense attorney and he is out of Town for a week. He has left a message for a call back and has not heard anything from him since the last time we talked.

13. Announcements

Volunteer Lunch December 13, Council Workshop moved to December 18, extra recycling pickup December 30.

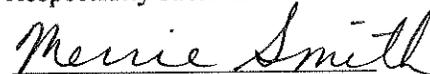
14. Adjourn 8:30 PM. Approved unanimously.

ATTEST:



Mayor

Respectfully submitted:



Merrie Smith



TOWN OF SOUTHERN SHORES
 "A Town of Volunteers"
 6 Skyline Rd, Southern Shores

Monthly Code Enforcement & Building Summary
 November, 2002

Summary

# New houses permitted this month	9	Estimated Value	\$ 3,278,376.00
Additions, Remodels and Other permits	24	Estimated Value	\$ 520,053.00
Total	33	Total	\$ 3,798,429.00
New CO issued this month	6	Total Homes YTD FY 2002-3	2059
		Total Homes as of FY 2001-2	2027
Total Permits for the FY 2002	151	Total Fees Collected	\$ 83,083.36

SOUTHERN SHORES

<u>Type of Construction</u>	<u>Number</u>	<u>Est. Cost</u>	<u>Permit Fees</u>
New Construction	9	\$ 3,278,376.00	\$ 16,174.26
Additions/Alterations	5	\$ 342,700.00	\$ 1,401.83
Other Permit Types	19	\$ 177,353.00	\$ 1,200.00
Add to Permits			
Additional fees	5		\$ 250.00
Plan Review Fees	19		\$ 1,540.00
CAMA minor permits			\$ 220.00
		\$ 3,798,429.00	\$ 20,786.09

MARTIN'S POINT

<u>Type of Construction</u>	<u>Number</u>	<u>Est. Cost</u>	<u>Permit Fees</u>
New Commercial			
**Additions/Alteration			
Other			
New CO issued			\$ -

** We will be reporting certificates of occupancy issued & possible additions to open permits for MP.

Respectfully submitted,

Michael J Hejduk
 Code Enforcement Administrator

12/2/02

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 2002-03

CALLS ANSWERED	NOVEMBER	FY2002-03
STRUCTURE 111	2	40
PROP O/S STRUCTURE 112	1	1
VEHICLE FIRE 131	1	3
BRUSH FIRE 142	0	7
EMS 311	10	120
RESCUE 300	1	5
VEHICLE ACCIDENT 322	1	7
SERVICE CALL 500	0	3
GOOD INTENT 600	0	6
FALSE MALFUNTION 735	1	6
FALSE UNINTENTIONAL 740	4	28
HAZARDOUS CONDITION 400	2	5
OTHER 900	0	2
TOTAL CALLS	23	233
MUTUAL AID GIVEN	3	55
MUTUAL AID RECEIVED	8	60
CASUALTIES	0	0
PROPERTY LOSS \$	0	500
VOLUNTEER HOURS	1086	6013