



Town of Southern Shores

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

Phone 252-261-2394 / Fax 252-255-0876

info@southernshores-nc.gov

www.southernshores-nc.gov

Town of Southern Shores

Council Meeting

January 23, 2007

8:00 AM.-Pitts Center

MINUTES

The Southern Shores Town Council met on January 23, 2007 at the Pitts Center.

The following Council Members were present: Mayor Don Smith, Dan Shields, Jodi Hess, David Sanders, and Brian McDonald.

Also present were: Webb Fuller, Town Manager and Carrie Gordin, Town clerk.

Mayor Smith called the meeting to order at 8:00 a.m., led the Pledge of Allegiance and held a moment of silence for the armed forces serving around the world.

APPROVAL OF AGENDA

Mayor Smith moved to approve the agenda as presented. Mayor pro tem Shields seconded. The motion passed with Mayor Smith and Council Members Shields, Hess, Sanders, and McDonald voting aye; no Council Member voting no; and no Council Member absent or not voting.

PUBLIC COMMENT

Mayor Smith opened the public comment section of the agenda and stated that council may reserve the option to respond to issues raised under the public comment during council's agenda at the end of the meeting.

Charlie and Terri Andrews, 35 Pintail Trail, addressed council by saying they love Southern Shores. They appreciate the beauty and the volunteerism. They live directly across from All Saint's Episcopal Church and the town's Public Works Department. He stated that even though they are only part time residents the construction at that site and some trees were removed from the maintenance facility to allow for a bathroom. He stated that he had met with Mr. Hejduk in October and addressed their concerns of what they see when they look out.

Mrs. Andrews stated that she feels robbed in that the beauty has been taken away and it looks like they live in an industrial zone.

They requested that council consider planting some trees at the public works building to conceal their view of the building.

Lori Williams, 109 Pudding Pan Lane, stated that she does not live on a canal or own a boat but she does support the canal dredging. She stated that to become better informed she has walked the

proposed site for the spoils and she went to Manteo and Wanchese and looked at the dredging operations going on there to see what the impacts would be. She stated the project needs to be done the town can't afford to lose the grant money. She asked council to make the decision and get it done.

Hearing no further comments, Mayor Smith closed the public comment section of the agenda.

CONSENT AGENDA-none

EMPLOYEE RECOGNITION

Mayor Smith thanked Lt. Paul Terry for his five years of service in the police department. He received a certificate of appreciation, an award and a five-year pin.

REPORTS

Planning Board-No report

OLD BUSINESS

Land Use Plan Steering Committee Appointments

Staff presented a slate of names for the Land Use Plan Steering Committee with the request that council make the appointment.

<u>Position</u>	<u>Name</u>
Elected Official	Dan Shields
Elected Official	David Sanders
Town Manager	Webb Fuller
Planning Board	Joe Walter
Planning Board	Nancy Wendt
Board of Adjustment	Frans Koeleveld
Code Enforcement Admin.	Mike Hejduk
Police Chief	Lt. Paul Terry
Fire Chief	Bob Harvey
SSCA	Tom Bennett
CPOA	Al Fox
Real Estate Member	Richard Perkins
Building Construction	Mark Martin
Planner-In-Charge	Cindy Camacho (Earth Tech)

It was noted that Lt. Paul Terry is filling the position of police chief until a chief is appointed.

Mayor pro tem Shields moved to appoint the Land Use Plan Steering Committee as presented. Council Member Hess seconded. The motion passed with Mayor Smith and Council Members Shields, Hess, Sanders, and McDonald voting aye; no Council Member voting no; and no Council Member absent or not voting.

NEW BUSINESS

Town Fee Schedule

Mayor pro tem Shields questioned why there is a space beside the Public Works Department where trees were removed. It was stated that three small trees were taken down to allow the installation of a drain field for the proposed bathroom at the building.

He asked the status of hiring the police chief. The town manager stated that he has narrowed the search to two applicants and background checks are underway and he is prepared to offer the job immediately.

Mayor

Mayor Smith provided information for council on the National Hurricane Conference to be held April 2-6, 2007 in New Orleans.

Manager

The town manager addressed council regarding two options proposed for the canal dredging project. He stated that one option is to use a hydraulic process and use some of Duck Woods Country Club (DWCC) property for the spoils but some of that property has some wetland issues. He stated that the other option is to use a mechanical process which places the spoils at various landing zones and then it is hauled away. He stated the net cost for the project is \$1.5 million by using a hydraulic dredging process but to use the mechanical dredging process the cost will be estimated at an additional eight hundred thousand dollars (\$800,000) plus the \$1.5 million dollars.

Mayor Smith stated that using landing zones and heavy trucks hauling the spoils away would heavily impact the town's roads and increase the cost of the project.

Mayor pro tem Shields stated that the town needs to obligate the grant money or risk losing it. The town has not prepared properly there is no bid package, no specifications, no actual cost, no permits and if council does not move ahead or let it go and try again in ten years.

The town manager explained that the permit application needs to be completed and it requires where are you dredging and where the spoils will go. He stated that DWCC is requesting additional testing at a cost of \$18,000 and wetland delineation would be a cost of \$12,000.

Council Member McDonald asked if both processes could be uses: hydraulic and mechanical and use some of the property at DWCC and haul out spoils. The town manager stated yes that could be done and may need to be done anyway but easements would be needed.

Council Member Hess stated that if the project could get going by suing the DWCC property then the property owners would see it's not so bad and more property may come available.

Council Member Sanders stated that council needs to advocate the better of the good for the whole of the community. He stated it needs to be done now and to wait ten years the cost will increase and possibly the town will not get any grant money.

The town manager stated that the town can not assess a special district for canals; however, they can for streets.

Council Member Sanders proposed that the town manager move ahead with the DWCC property and report to council at the February workshop.

Mayor pro tem Shields asked that the town manager also move ahead with the permitting process and if the spoil site needs to be changed then do it.

The town manager stated that he is to ask the town attorney to draft the process for condemnation on the Chicahawk property for council's review and to direct the town engineer to proceed with the soil analysis and wet lands delineation on DWCC property.

The town manager stated that wetlands at the DWCC property will be impacted and the permitting process would require minor or major permits.

Joe Walter stated there is a 90-day permitting process and the bidding on the contract is 90-days and that is if the bidding process meets requirements time is running out and the grant money may be lost.

Tom Bennett, chairman of SSCA, stated that the SSCA turned the canals over to the town because they couldn't get grant money for the canal dredging. He stated that the offer to use some SSCA properties for alternative sites for the mechanical dredging process is open. He stated that the SSCA wants to use some of the dredge materials to increase some of their property but they are limited to what they can take. He agrees with Mayor Smith that the Chicahawk site is the best overall site.

Mayor Smith stated it is time to move ahead with the project and if lawsuits arise then the town will have to deal with it. He stated that council was elected to make hard decisions. He stated that the people want the canals dredged but just because a few people don't want the spoils in their backyard is no reason to stop the project. He stated the Chicahawk property is the best site.

The town manager stated that the permit (s) need to be issued, the bid documents developed, the bids let, and the contract awarded before the grant money is committed and the deadline is June 30, 2007. He stated that it is unknown if the grant could be extended and not risk losing the money.

Council McDonald stated all the conversation today leads to the conclusion that the Chicahawk property is the best site.

Mayor pro tem stated there are two decisions to be made; are we going to do the project or not and if so the Chicahawk property is the best site.

Mayor Smith moved to direct the town manager to work with the town attorney to start the condemnation process for the Chicahawk property site common area for the spoil site. Mayor pro tem Shields seconded.

Council Member McDonald asked does council want to have the additional soil samplings performed.

Mike Hejduk stated that a consideration could be made to dredge at five feet instead of six feet and some of the spoils could be placed at the east side of the marina which there was thought to be a thirty-foot town piece of property there. He also stated consideration could be made to not dredge all the canals and reduce the amount of spoils.

Council Member Hess stated that when the SSCA improved the bulkhead it was found that a thirty-foot piece of road was originally owned by Kitty Hawk Land Company and the County thought it belonged to the town. The property was registered by Kitty Hawk Land Company in July 2006 and transferred the property to the SSCA and now is a private road, North Marina Road.

Mayor pro tem Shields called for the vote. The motion passed with Mayor Smith and Council Members Shields, Hess, Sanders, and McDonald voting aye; no Council Member voting no; and no Council Member absent or not voting.

The town manager asked does council still want additional soil sampling taken. Council Members McDonald and Sanders would like to see additional soil samples.

No vote was taken consensus was not to do additional testing at this time.

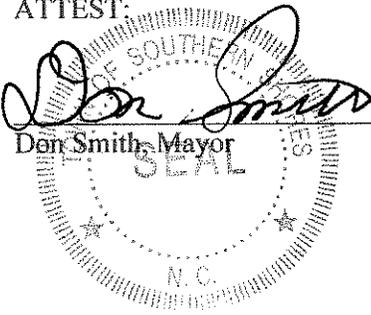
PUBLIC COMMENT- None

Mayor pro tem Shields moved to adjourn at 9:50 a.m. Mayor Smith seconded. The motion passed with Mayor Smith and Council Members Shields, Hess, Sanders, and McDonald voting aye; no Council Member voting no; and no Council Member absent or not voting.

ATTEST:



Dan Smith, Mayor



Respectfully submitted:



Carrie Gordin, Town Clerk



FEE SCHEDULE

* All fees shall include, whenever applicable, the reasonable cost of any expert advice obtained by the Town or other direct expenses incurred by the Town during the review of the application. All Fees must be paid in full prior to any further reviews by the Town or prior to issuance of any permits sought, whichever comes first.

Table with 2 columns: Item and Fee. Items include Returned Checks (NFS), Town Ordinance, Zoning Ordinance, Town Property Map (various sizes and colors), Cemetery Lot, Cost of Copies, Cost of Town Personnel, and Recycle Can.

Development Review Fee Schedule:

Table with 2 columns: Item and Fee. Items include Application for amendment to Zoning Ordinance (a, b) and Application to Board of Adjustment for variance or administrative ruling.

Filing Fees

Table with 2 columns: Item and Fee. Items include Site plan for dwelling or lodging unit, Each lot in a proposed subdivision, Commercial structures and improvements, and All other structures and improvements requiring a building permit.

Code Enforcement Department

Table with 2 columns: Item and Fee. Items include Plan Review, Lot Disturbance, Single family new construction, Single family addition, renovation or pool, New Building permits for structures/additions/reconstruction, Non heating areas, Remodeling and alterations to existing structures, Swimming Pools and Tennis Courts, Demolition, Sign, Bulkhead, and Re-inspection charge.

Building Permit Fee

Table with 2 columns: Item and Fee. Items include Work Proceeding Without Necessary Inspections and Work Proceeding Without Necessary Permit.

House Moving -

Out of Southern Shores	\$100.00
Within Southern Shores	\$250.00
Into Southern Shores from elsewhere	\$350.00
Not withstanding the above, the minimum fee shall be.	\$75.00

Contractors Licensing Board Fee (Homeowner's Recovery Fund)

For new buildings/substantial improvements of \$25,000 or more	\$10.00
CAMA Permit: minor development permit if the project is within the Ocean or Estuarine AEC's and does not qualify for exemption.	\$100.00

Don Smith, Mayor

Attest: Carrie Gordin, Town Clerk

Adopted 3/4/03 Amended 1/6/04, 2/3/04, 6/27/06

1/23/2007