



Town of Southern Shores

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Town of Southern Shores

Council Meeting

March 27, 2007

8:00 a.m.-Pitts Center

MINUTES

The Southern Shores Town Council met on March 27, 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

The town clerk requested that under VI. New Business item B. Surplus Property is placed on the April 3 agenda. Council Member Hess moved to approve the agenda as amended. Council Member Sanders 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. Hearing no comments Mayor Smith closed the public comment section of the agenda.

CONSENT AGENDA

- A. Minutes-February 1-2, 2007 and February 27, 2007
- B. Budget Amendments FY 2006-07 (#13-15)

Mayor pro tem Shields moved to approve 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.

[Clerk's Note: A copy of the Budget Amendments is attached hereto as Exhibit A and made part of these minutes].

REPORTS

Planning Board-No report

OLD BUSINESS

Hazard Mitigation Plan Report

The town manager stated that council has been provided copies of the Hazard Mitigation Plan Report and staff is requesting that council review, discussion and consider for approval the proposed changes as recommended by the committee.

Mayor pro tem Shields moved to accept the changes. Having no second, he withdrew the motion.

Council Member Hess stated that she would like to see fireworks added to the study whether to ban open burning. She stated that Hatteras Island has recently banned all fireworks.

The town manager stated that several local governments have banned fireworks but state law allows them. He stated there is some wording that could be used to the proposed changes such as saying the town would work with NC Power to underground existing overhead power lines.

Mayor pro tem Shields stated he feels that the oceanfront setbacks should be increased.

Council Member McDonald asked if staff would expound on the technical aspects of the recommended changes and council agreed to place this item on the April 24 agenda for further discussion.

NEW BUSINESS

Land Use Plan Citizen Participation Plan

The town manager stated as part of the development of the Town's CAMA Land Use Plan, which requires public input and participation, council is required to accept the Citizen Participation Plan.

Council Member Hess moved to accept the Land Use Plan Citizen Participation Plan 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.

Dare County Hurricane/Debris Removal Interlocal Agreement

The town manager stated Dare County is requesting council approve the annual Hurricane/Debris Removal Interlocal Agreement.

Mayor pro tem Shields moved to approve the Dare County Hurricane/Debris Removal Interlocal Agreement 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.

OTHER ITEMS

Council

Council Member McDonald asked if there is an update on the canal dredging and the Red Bay Road Improvement project. The town manager will provide under his agenda.

Mayor pro tem Shields inquired about the status of the traffic markings at Hwy. 158 and Juniper Trail. He also asked about the completion of the multiuse path on Juniper Trail that was to be completed following the East Carolina Bank construction.

Chief Kole stated that he has been advised that DOT is aware that the markings needs to done but it is unknown when DOT is going to do it.

The town manager stated that staff will follow up.

Mayor

Mayor Smith stated that he would present a report from the Shoreline Preservation Committee at the April 3 council meeting.

Mayor Smith asked if an update could be given on the movie theater construction at the Market Place.

The town manager stated that the movie theater is to be torn down and a new structure, with the possibility of three units, would be built using the same foot print.

Mike Hejduk stated that the new unit would be 1,000 sq. ft. less than before. He stated under the Planning Board report for the April 3 council meeting it will be presented for council to approve the site plan.

Council Member Hess asked if a conditional use hearing would be required. Mr. Hejduk stated no, this is a permitted use.

Town Manager

The town manager announced that the annual Volunteer Luncheon would be held on April 12 and the annual town Spring Clean Up would be held on April 28.

The town manager stated that all Red Bay property owners have signed the construction easements. He stated that one property owner has requested a change in his easement and this will require a small increase in the cost of the project.

The town manager stated that the survey for the Chicahawk spoil site should be completed and it would take two weeks for the appraisal.

The town manager stated that he met with the Hillcrest property owners and they agree to the same negotiations as presented to them before except that they want the work to be done within one year. He stated that some other compensations were discussed but he feels a monetary compensation is sufficient. He stated then the property owners could use the money to make improvements to their property.

The town manager stated that any promises that were made in the past and were agreed upon by the town would come from the town budget not from grant funds.

He stated that funds stipulated in the lease agreement would come from the grant funds and the property owners are to keep the spoils.

Mayor pro tem Shields stated that council did not see a whole package as presented to the Hillcrest property owners originally.

Council Member Hess stated that she had copies of letters written by the past town manager stating agreements with the Hillcrest property owners.

Council Member Sanders stated that he agrees with the town manager on providing a monetary compensation but he does not agree to additional property improvements. He stated that he felt there was an inference that those expenses would come from the grant.

The town manager stated that to lease the properties it would be around \$100,000 dollars.

Council Member McDonald stated he would hate to see the town lose the Chicahawk property owners again. He stated that the town should do what is needed to keep them.

The town manager stated that the Hillcrest site could only take about one third of the spoils and that additional sites are needed.

He stated that Frank Stone is aware if he allows the spoils on his property it will be encumbered for two to four years. He stated that any agreement on the property would need to be approved by the Stone partnership.

He stated that the Chicahawk Property Owners Association Board has given permission to the town to allow access to the Stone property.

He recommended that a ten percent increase be applied to the original monetary value for the use of the Hillcrest property owners.

Mayor Smith stated that council should see a total cost for the Hillcrest and Stone properties and the cost for the Chicahawk property before a decision is made. He stated that he wants to see, in writing, if it cost an additional \$300,000 that it would be covered by grant money.

Council Member McDonald stated that doing bulkheads at Hillcrest is what is needed to secure the properties than it should be done. He asked what the canal committee is doing.

The town manager stated that individuals are working on different things. He stated that several places in Currituck County have offered to take the spoils.

Council agreed to let the town manager to continue working on the process for the Chicahawk site and work with the Hillcrest and Stone properties.

The town manager requested council set a date and time to discuss the FY2007-08 budget. Council agreed to meet on April 3, 2007 at 8:00 a.m. in the Pitts Center.

PUBLIC COMMENT

Mayor Smith opened the public comment section of the agenda.

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Tom Bennett, Southern Shores Civic Association president, stated that he is cautiously optimistic moving ahead on the canal dredging and everyone is working hard.

The town manager stated that the Division of Water Quality is understaffed and the Department of Marine Fisheries may request a SAV map which will prolong or stop the permitting process.

Lori Williams, 109 Pudding Pan, stated that she is participating with the public outreach team for the Town's Land Use Plan by holding "coffees". She stated that upon talking to the citizens they have expressed that they would like to have the opportunity to speak if they can't attend the March 29 Land Use Plan meeting. She suggested a follow up survey, web based or paper, would be a good way to reach out to the others.

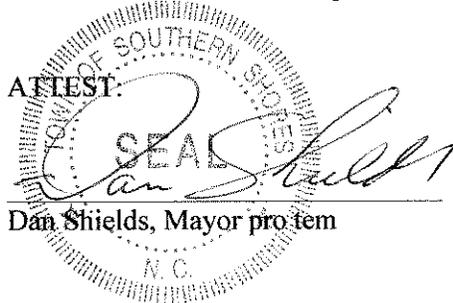
The town manager stated that to develop a survey and compile it would be an additional expense that is not in the town budget.

Bob Palombo, 159 Duck Road, stated that the Town of Nags Head has a great survey and council should look at it.

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

Hearing no other business Mayor pro tem Shields moved to adjourn the meeting at 9:10 a.m. 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.

ATTEST:



Dan Shields, Mayor pro tem

Respectfully submitted:


Carrie Gordin, Town Clerk

**Town of Southern Shores
Budget Amendment Number # 14**

**Police
Increases**

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
51-50127	Uniforms	\$3,500.00
	-	
	TOTAL	\$ 3,500

**Police
Decreases**

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
51-50112	Supplies	\$3,500.00
	TOTAL	\$ 3,500

Explanation: Uniforms for new officers and Chief

Recommended By:

Webb Fuller Town Manager

Date

Approved By:

Don Smith, Mayor

**Town of Southern Shores
Budget Amendment Number # 15**

Expenditures Increases			Revenues Increases		
<u>Account Number</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
59-50925	Public Works Red Bay Lane	\$10,000.00	40-39997	Revenues Trans. From Capital Reserve	\$10,000.00
	-				
	-				
	TOTAL	\$ 10,000		TOTAL	\$ 10,000

Explanation: Engineering fees and bid was \$5000 over original budgeted amount

Recommended By:

Webb Fuller Town Manager

Approved By:

Don Smith, Mayor

Date