



Town of Southern Shores

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Town of Southern Shores, North Carolina

Special Meeting

April 12, 2007

9:00 a.m.-Pitts Center

MINUTES

The Southern Shores Town Council met with the Canal Dredging Committee on April 12, 2007, in the Pitts Center.

Council Members present: Mayor pro tem Shields, Council members Hess, Sanders, and McDonald. Mayor Smith absent. Canal Dredging Committee Members present: Tom Bennett, Joe Walter, Bob Sykes, and Ursula Bateman.

Also present were Webb Fuller, town manager, Mike Hejduk, code enforcement administrator and Carrie Gordin, town clerk.

Mayor pro tem Shields called the meeting to order at 9:00 a.m. turned the meeting over to Council Member Hess and Mayor pro tem Shields left the meeting.

Council Member Hess turned the meeting over to the town manager.

The town manager stated that this meeting is to report to council issues discussed by the canal dredging committee that met last week.

He stated that it was learned that the appraisal for the Chicahawk spoil site would not be available until sometime in May. He stated that the lease agreements for the Hillcrest property owners have been drafted but have not been issued.

He stated that today he is asking that council authorize him to do the whole canal dredging project by applying for the permit to dredge the main channel and to proceed to acquire the use of the Southern Shores Civic Association property at Duck Woods Road and the property behind Regional Medical Center to be used as landing sites also to consider having the spoils taken away, possibly to Currituck. He stated that the town is running out of time for the permitting process and he needs to actively negotiate with Mr. Stone on his property for Phase II. He stated that the engineering can't be totally done on the Stone property in time for this permitting process.

He stated that the condemnation process of the Chicahawk property for spoil site is moving forward but that with the Hillcrest property owners restricting the time frame (within one year) for using their properties for spoil sites the window of opportunity is running out.

Council Member McDonald asked if the Hillcrest properties can handle 40% of the spoils.

The town manager stated that the consideration is not how much but that the town only has one year to use those properties. He stated that the site may be able to handle the first year amount of spoils. He stated that the NC Division of Marine Fisheries may extend the November-February time frame if just cause is shown.

Council Member McDonald asked if the State is willing to give additional money knowing that the spoils need to be hauled away.

The town manager stated that the State is aware of the issues and that he has a good working relationship with them and he feels they will work with the town.

Council Member McDonald stated that an additional \$400,000 to have the spoils taken away is going to impact the budget for three to four years. He stated the tax rate will need to be increased by two cents for the dredging project as well as another two cents just to maintain the current budget. He stated that if the State doesn't provide additional money then the town would need to finance the costs and that would impact the CIP for three years with only using the Powell Bill money for street improvements.

Council Member Sanders stated that it was never confirmed with the previous council that the cost of the canal dredging project was going to be two million dollars. He stated that discussion regarding the canals has been on-going for ten years. He stated that he does not support abandoning the project and plans for future maintenance of the canals needs to be addressed. He would like to see the permit application submitted and then the permit could be amended if needed.

Council Member Hess asked if dredging contractors use hydraulic and mechanical methods. The town manager stated yes that different areas of the dredging may require a different method.

Council Member McDonald asked if there is concern that there would be leaching of salt water into Cypress Pond and if damage would be done to the tree roots.

The town manager stated there is mitigation being taken to prevent this but that a soil scientist could be hired and a report given.

Tom Bennett stated that John Williams with the NC Department of Water Quality stated that with a lining in place it should not be a problem.

The town manager stated that the CARE group had someone provide a report addressing this issue but that the report would need to be reviewed by someone qualified and not taken at face value.

The town manager stated that until the permit application is submitted it is unknown if the site is an acceptable one. He stated that the NC Division of Marine Fisheries may require a Submerged Aquatic Vegetation (SAV) map and then the town would not be able to meet the deadline.

Council Member Sanders moved to authorize the town manager to move ahead with the entire canal dredging project by applying for the permit to place the spoils on the Hillcrest properties for Phase I and the Southern Shores Civic Association property at Duck Woods Road and the property behind the Regional Medical Center for Phase II. Council Member Hess seconded.

Council Member McDonald asked what issues might come in to prevent moving ahead.

The town manager stated that a third party could appeal the permit then it would be contractual issues or that the resource agency would not act quick enough to meet the Hillcrest one-year window.

Council Member Hess asked if one agency's delay would cause other agency delays.

The town manager stated that NC Division of Marine Fisheries sends the permit to the Division of Coastal Management writes a synopsis and then sends that to seventeen different agencies. The town manager recommended that before the town applies for the permit that all the agencies meet to discuss all the issues.

Mrs. Bateman thanked Council Member Sanders for his motion. She stated that the Hillcrest spoil site properties should be made public and a list of what canals would be dredged and not dredged this year. She stated that she wants to see support from the community.

The town manager stated that at this time the town is working with the Hillcrest private owners for spoil site, SSCA properties, Stone property, behind Regional Medical and Gravey Pond as landing zones.

Tom Bennett stated that the SSCA has offered certain properties that would not impact other properties with certain conditions and terms but there may be opposition.

Joe Walter, CPOA president, stated that the board had agreed to allow access through CPOA property to the Stone property but now there is a new CPOA board. He stated that he does not see a problem with the past board's approval.

Mike Hejduk presented a map showing all the possible spoil sites.

Council Member Hess called for the vote. The motion passed with Council Members Shields, Hess, Sanders and McDonald voting aye; no council member voting no; and Mayor Smith absent.

Council Member McDonald asked if Duck Woods Country Club is off the table for spoils.

The town manager stated there has been no direct discussion at this time. He stated that several individual property owners have stated they would take small amounts.

Tom Bennett stated that the main canal was dredged in 1990 from the north marina to the sound but other areas could not be dredged hydraulically due to too much clay.

Discussion was held about the selling of the spoils if the town hauled it out someone else would profit. It was stated that currently the rate is about \$10 a cu. yds. of spoils and it is estimated the spoils to be around 137,000 cubic yards.

Other techniques of disposal were discussed but cost would be a consideration.

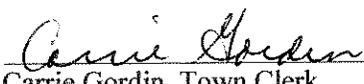
Hearing no other comments Council Member Sanders moved to adjourn at 10:15 a.m. Council Member McDonald seconded. The motion passed with Council Members Shields, Hess, Sanders and McDonald voting aye; no council member voting no; and Mayor Smith absent.

ATTEST:



Jodi Hess, Council Member

Respectfully submitted:



Carrie Gordin, Town Clerk