



## Town of Southern Shores

6 Skyline Road  
Southern Shores, NC 27949-3600  
252-261-2394  
252-261-0778  
Fax 252-261-0452

Council Meeting  
January 5, 1999  
7:30 p.m. - Pitts Center

1. Mayor pro tem Wood called the meeting to order at 7:30 p.m.
2. Police Officer Frankie Hemelright led the Pledge of Allegiance and Mayor pro tem Wood welcomed the special guest, David Cashwell.
3. Mayor pro tem Wood announced the resignation of Gerald Beshens as Mayor and Councilman effective December 31, 1998. Mayor pro tem Wood stated Council accepts the resignation with sadness. Mayor pro tem Wood went on to say that Jerry has done a terrific job as Mayor, that he has been a tower of strength in a turbulent year. He continued to say, as Jerry's illness has worsened he was still solid as a rock in his duties. His integrity and honesty showed by his leadership. Everyone, Council, Staff, and the Police Department have stuck together for what has been a very difficult year. Jerry's strength and ability will be missed by all.

Mayor pro tem Wood explained Council will aim to select a new Council member and then elect a new Mayor at the February Council meeting. Mayor pro tem Wood asked the residents to supply Council with suggested names for the vacancy. The position would be to finish Jerry's term to November 1999 and Council requests the appointed member be willing to run for election in November, 1999.

4. Mayor pro tem Wood held a moment of silence for Jerry Beshens and his family, Helen, Paige, and Steven.
5. Mayor pro tem Wood asked for any corrections or additions to the minutes of the December 1, 1998 Council meeting. Councilman Campbell made a motion to accept the minutes as presented. Councilman Sutherland seconded. Approved unanimously.
6. Councilman Sutherland introduced the attending Police Chiefs from the municipalities of Dare County. Chief Cameron of Nags Head, Deputy Chief Byrum of Nags Heads, Chief Davis of Kill Devil Hills, and Chief Morris of Kitty Hawk, who were there to witness the swearing in of the Town's new Police Chief.



Presentation cont'd

Councilman Sutherland introduced David Cashwell, Director of the N. C. Criminal Justice Department, Training and Standards Division. Mr. Cashwell was invited by Council to inform the residents of procedures the Training and Standards Division uses when it is necessary to investigate police officers that may have violated their oath of office. Mr. Cashwell gave a brief presentation on the history of the commission and reported there are 78 police academies in North Carolina. He gave out brochures to the audience. Included in one brochure is the code of ethics for police officers which Mr. Cashwell read aloud. He presented Council with copies of the N.C. General Statutes applying to law enforcement, which includes the Regulatory and Administrative Standards for law enforcement officers. He also presented a roster of the names of the 26 members on the Training and Standards Division Board. Upon finishing his presentation, Mr. Cashwell asked for any questions. Bob Deacon asked if any Councilmember had anything to do with the charges presented to the Training and Standards Division? Mr. Cashwell responded by saying he was not at liberty to discuss the case but that he would say no one on the Council instigated the investigation of the officers that were dismissed. Delores Clark remarked the membership of the Training and Standards Division did not have anyone from our area. Mr. Cashwell remarked there are vacancies and if anyone would like to apply, contact his office. Bobby Walters asked if any other towns in Dare County were investigated? Mr. Cashwell explained the Training and Standards Division does not go to towns to find wrong doing. Evidence is compiled and brought to them and then an investigation is in order.

Mayor pro tem Wood asked Mr. Cashwell to explain the appeal process of an officer who has been found guilty by the department. Mr. Cashwell explained and with no other questions Mayor pro tem Wood thanked Mr. Cashwell for coming.

7. Mayor pro tem Wood announced Council has selected Theodore Brazell of Hope Mills, N.C. to fill the Town's Police Chief position. Councilman Campbell made a motion to appoint Mr. Brazell as Police Chief of the Town. Councilman Sutherland seconded. Approved unanimously. Carrie Gordin, Town Clerk, swore in the new police chief. Mr. Brazell remarked he is very happy to be in Southern Shores and his door is always open, please come in. Councilman Sutherland commented Mr. Brazell brings a rich heritage from the Fayetteville area as he presented Police Chief Brazell with his police badge and said "wear it with pride".

Appointment cont'd

Mayor pro tem Wood read a resolution regarding the gratitude the Town feels Toward Nags Head in allowing their Deputy Police Chief Byrum to come on board as Acting Chief while the Town processed the applicants. Police Chief Cameron of Nags Head along with the other municipalities' police chiefs aided the Town in evaluating applicants. Councilman Sutherland made a motion to adopt the resolution as presented. Councilman Pitts seconded. Approved unanimously.

8. Old Business

- a. Councilman Pitts reported the low bidder for street paving repairs is RPC Contracting. Councilman Pitts made a motion to award RPC Contracting the bid and not to spend more than \$50,000 of the Powell Bill money to pave the end of Spindrift Trail and patch "potholes" in other areas. This work will begin soon and should be completed in 75 days. Councilman Campbell seconded. Approved unanimously.
- b. Mayor pro tem Wood announced the names of Councilman Sutherland and Mayor Beshens were submitted to the Dare County Board of Commissioners as candidates as the Town's representative on the Dare County Tourism Board. Dare County has selected Paul Sutherland to be the Town's representative for a 2-year term.
- c. Councilman Pitts announced \$50,000 has been set aside from the Powell Bill Fund for the construction of a multi-use path along Route 12. Dare County Tourist Board will grant \$100,000 to the Town upon Dare County Commissioner's approval. Councilman Pitts explained the Town could build the path 1/2 in one year (13<sup>th</sup> Ave. South to East Dogwood Trail) and 1/2 the next year or borrow from funds of the Town to complete the path in one year. Councilman Pitts requested permission for Tom Gjestson, Town Administrator, and he to go to Edenton to meet with Don Connors of NCDOT to discuss the matter. Council approved.
- d. Mayor pro tem Wood reported a citizen of the Town has been cited for violation of the Town Code Nuisance Ordinance in the amount of \$50.00 per day and has incurred a large amount in fines so much so, his property was almost sold on the Dare County Courthouse steps. The citizen met with the Town Administrator and Mayor pro tem Wood to work up a payment plan.

Old Business cont'd

Councilman Campbell made a motion to approve the plan as follows: \$1,000 cash down and the remaining balance to be paid in 14 monthly payments, to include 8% interest. Councilman Sutherland seconded. Approved unanimously. Mayor pro tem Wood stated Council is determined to enforce the Town ordinances.

9. New Business

- a. Mayor pro tem Wood reported the successors to Blue Sky now known as the Blue Sky Foundation have been meeting monthly at the Pitts Center. Mayor Beshens and ex-Councilperson Diane Henderson are on the board. Mayor pro tem Wood stated that both of these people have submitted resignations from the Blue Sky Foundation. Mayor pro tem Wood made a motion not to fill the vacancies. Councilman Sutherland seconded. Approved unanimously. Mayor pro tem Wood also stated that henceforth the Town Administrator will be the official contact person for Town-Blue Sky Foundation matters.
- b. Mayor pro tem Wood reported that the Town of Nags Head had contacted the Town to ascertain whether Council wished to continue using Nags Head's Ocean Rescue services. When Council indicated interest in doing so, the Nags Head Council suggested that a longer term agreement such as 3 years be considered. Councilman Pitts remarked there was discussion regarding an additional roving patrol that Council may want to include in the contract. Police Chief Cameron of Nags Head reported Bill Ryan, Director of Ocean Rescue advised the Town on options and would prepare a draft agreement. Tom Gjestson, Town Administrator, recommended Council agree to a long term agreement with Nags Head Ocean Rescue and allow staff to negotiate a contract to bring to Council for approval. So moved by Councilman Sutherland, seconded by Councilman Pitts. Approved unanimously.
- c. Mayor pro tem Wood explained the Twiddy Day Care on Turtle Pond Court has become a topic of consideration again. Planning Board presented and Council approved a Day Care Ordinance in May of 1996. It has been brought to Council's attention that the Twiddy Day Care may be in violation of the present day care ordinance. It was found that 9 children are presently attending the day care. The Town ordinance only allows 6 children. The owner of the day care has asked Council to be lenient in any decision they may make until the end of the school year.

New Business cont'd

The owner indicated she has tried to reduce the number of children. Mayor pro tem Wood explained Council has discussed this matter but it appears more discussion is needed. Mayor pro tem Wood stated a letter will be written to the owners explaining as of June 1999 they will be in violation and fined \$50.00 per day. Councilman Campbell questioned if the day care ever conformed to the limit of 6 children? No one could answer. Councilman Campbell made a motion to meet with the owners of the Twiddy Day Care. There was no second. Tom White, Town Attorney, stated he has a concern in the process Council is using by meeting with the owners of the day care. The day care owners should be contacted by letter addressing the violation (s) either by the Zoning Enforcement Officer or the Town Administrator. Mayor pro tem Wood stated the owners have the option to appeal to the Board of Adjustment or the Planning Board.

a. Council 's Agenda

- a. Councilman Pitts announced the streets will be swept in the spring. Residents may call Town Hall if they feel their street needs attention.
- b. Councilman Sutherland reported the DSS satellite for the fire department will be procured the next time they are on sale. No fire or police reports were given.
- c. Councilman Campbell reported there is a serious erosion problem at the east side of the police department. Avery Landscaping has recommended a retaining wall be built. Councilman Campbell made a motion to spend no more than \$875.62 to build the retaining wall and move sprinkler heads to be placed in a different area. Councilman Pitts seconded. Approved unanimously.

Councilman Campbell announced the Town's 20<sup>th</sup> Anniversary Committee will meet January 13th at 7:00 p.m.-Pitts Center to continue the plans for the celebration. Twenty-five volunteers have signed up for the committee.

Councilman Wood sent an apology to the residents on behalf of the recycling company for the pick-up delay on January 4.

11. Mayor 's Agenda

Mayor pro tem Wood introduced Mr. Harney. Mr. Harney described a street address dispute. Mr. Harney has owned property at 237 Hillcrest Drive for 25 years and recently built on the property. When he applied for utilities it was found a neighbor has been using 237 and 239 Hillcrest Drive as his own house numbers. Mr. Harney would like Council to order his neighbor to cease using number 237 Hillcrest Drive. Mr. Harney has pertinent documents showing the validity of his claim. Don Beirwerth, ex-Council member, stated the Town's street map is the correct document to be used for verification. Mayor pro tem Wood assured Mr. Harney the matter would be taken care of.

Mayor pro tem Wood announced Kurt Jenne of the Institute of Government has been contacted to meet with Council and the citizens to describe the implications and pros and cons of a possible change in the Town's form of government from Mayor-Council to Council-Manager. Notice of these meetings will be announced and posted.

12. Town Administrator's Agenda

- a. Tom Gjestson reported the NC League of Municipalities has presented proposed amendments to the Interlocal Agreement on three items of insurance coverage. Ballots are attached to be approved and returned to the League. Councilman Pitts made motion to endorse the amendments as presented. Councilman Sutherland seconded. Approved unanimously.
- b. Tom Gjestson reported the Town has received a request from NC Power to grant a service right-of-way of 15' at Hillcrest Drive and NC 12 to just west of Sea Oats Trail. The Town Attorney has reviewed and approved the document. Councilman Campbell made a motion to approve the document as presented. Councilman Sutherland seconded. Approved unanimously.
- c. Tom Gjestson reported the Town's web site, which was developed and maintained by Councilperson Diane Henderson until her departure from the Town, is now not being updated. Staff is not current on the programs needed to maintain the web-site. Several options are available to correct this. The Town may hire someone to maintain the site, or a knowledgeable volunteer may be able to update site as needed or teach staff to maintain in house. Council would like anyone interested to contact Town Hall.

13. Town Attorney's Agenda-none

14. Other

Mayor pro tem Wood reported the Building Inspections Report for December 1998.

Rose Deacon expressed her gratitude for Acting Police Chief Byrum in his duties to Southern Shores. Everyone gave him a big hand to show their appreciation.

15. Announcements

16. Adjourn-Mayor pro tem Wood adjourned the meeting at 9:15 p.m.

ATTEST:

Respectfully submitted:

  
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Mayor pro tem

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

file

**TOWN OF SOUTHERN SHORES**

**TAX DEPARTMENT MONTHLY REPORT**

**MONTH:** December, 1998

**DATE:** January 5, 1999

COLLECTIONS

Month To Date

Current Year - 1998	\$	419,568.29
Prior Years - 1979-1997	\$	113.63
Interest	\$	11.20

YEAR TO DATE

Current Year - 1998	\$	803,263.39
Prior Years - 1979-1997	\$	14,573.94
Interest	\$	1,788.91



# Town of Southern Shores

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December 31, 1998

## MONTHLY PERMIT SUMMARY

TYPE CONSTRUCTION	NO.	COST	FEES
<b>SOUTHERN SHORES</b>			
New	10	2,262,000.00	15,894.53
Add/Alt	2	11,200.00	323.40
Other	7	29,648.00	380.00
<b>TOTAL SS</b>	<u>19</u>	<u>2,302,848.00</u>	<u>16,597.93</u>
<b>CUMULATIVE FY99</b>	<u>133</u>	<u>8,766,904.05</u>	<u>63,369.04</u>
<b>TOTAL HOMES SS</b>	1803	(4 certificates of occupancy this month)	
<b>MARTIN'S POINT</b>			
New	1	278,000.00	1,188.83
Add/Alt	1	35,000.00	390.00
Other	1	2,345.00	50.00
<b>TOTAL MP</b>	<u>3</u>	<u>315,345.00</u>	<u>1,628.83</u>
<b>CUMULATIVE FY99</b>	<u>15</u>	<u>1,730,460.00</u>	<u>10,947.16</u>
<b>TOTAL HOMES MP</b>	149	(no change)	
CAMA PERMITS	3		150.00
PLAN REVIEW FEE	17		1,650.00
<b>TOTAL MONTH</b>		<u>2,618,193.00</u>	<u>20,026.76</u>
<b>TOTAL YEAR</b>		<u>10,498,364.05</u>	<u>82,209.84</u>

Respectfully submitted,

*Ronnie E. Ballance*  
 Ronnie E. Ballance  
 Building Inspector

