



# Town of Southern Shores

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

Council Meeting  
July 6, 1999  
9:00 a.m.-Pitts Center

1. Mayor Wood called the meeting to order at 9:00 a.m.
2. Mimi Iacone led the Pledge of Allegiance
3. Mayor Wood asked that a Moment of Silence be held for Martin Kellogg, Uncle of Tom White, who recently had heart surgery at the age of 91 and for the families of Edward Clark, Paul Mericle and Frank Tromba, late residents of Southern Shores.
4. Consent Agenda

Mayor Wood presented the minutes of the June 1 and the recessed June 14, 1999 Council meetings, the monthly tax and building inspections report. He also asked approval of the appointment of Jim Perry to the Land Transfer Tax Appeals Board. Councilman Campbell made a motion to approve the consent agenda as presented. Councilman Pitts seconded. Approved unanimously.

## 5. Falcon Cable

Mayor Wood introduced Gordon Waters, General Manager of Falcon Cable. Mr. Waters announced that Falcon Cable, L.P. is changing ownership to a company called Charter Communications. He stated this change will be a positive upgrade and would allow for faster Internet lines. A resolution needs to be approved by each municipality for this change in ownership. Councilman Sutherland asked if Council consents to this change when will it happen and how much will it cost. Mr. Waters explained the consent process could take until October of 1999. Councilman Kennedy asked if a higher fee would be implemented? Mr. Waters said the FCC regulates the rates. The cable company would have to submit to the FCC before any changes in price could be implemented. Bill Storey stated AT&T is acquiring some cable companies for the use of the mobile phone business. Mr. Waters stated that Charter Cable is not at this time leaning toward the mobile phone business. Andy Cagiano asked what channel options the new company will have for the citizens? Mr. Waters said Charter would have its own way of putting together program packages. These packages are cost driven and a la carte is too expensive. Andy Cagiano stated citizens can be sure the rates will go up and programs will be forced upon the citizens like Falcon did. Pete Macfarlane stated the FX channel is smut.



Falcon Cable cont'd

Mr. Waters stated cable doesn't control the content of the shows but he would forward the concern regarding the station. Mr. Macfarlane stated that the PBS channel has lines through it. Mr. Waters stated the company is aware of this and is in the process of raising the tower in Columbia 500' and that should help. Mayor Wood thanked Mr. Waters for coming. Councilman Sutherland made the motion to adopt the resolution approving the franchise transfer from Falcon Cable LP to Charter Communications, Inc. Councilman Kennedy seconded. Approved unanimously.

6. Planning Board Report

Chairman Morgan reported the Planning Board met and reviewed a request for a conditional use permit for a day care home at 213 Woodland Drive, property owner, Ann Marie Goedel. Planning Board recommends that Council approve this day care home with seven (7) conditions submitted by Mike Hejduk, Town Code Enforcement Administrator.

Councilman Campbell stated there has been some objection regarding the proposed day care operation from neighbors on the impact it will have on the neighborhood. Chairman Morgan stated a Mrs. Jenkins, a neighbor, expressed her concerns of having a day care next door. Bobby Outten, attorney for Ms Goedel, stated when Council approved the day care ordinance it limited the number to 6 children so the impact would be lessened. Councilman Campbell applauded Ms. Goedel for taking the right path in asking the Town's permission to operate the day care.

Councilman Sutherland stated the Town is changing with more working families, and there is a need for this service. He understands someone not wanting to have a day care near them but he has one near him and is not disturbed by it and he supports it 100%.

Tom White, Town Attorney, stated when a conditional use application is being considered it needs to meet the terms of the ordinance. Any objections need to relate specifically to that part of the ordinance the application does not comply with or require some additional conditions that the ordinance would authorize. Once the conditional use application meets the ordinance terms and Council finds that it does, then it is a matter of right that it be granted.

Councilman Pitts asked if Ms. Goedel has any objections to the conditions from the Building Inspections Department? She stated she has no objections.

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Planning Board cont'd

Mayor Wood stated a public hearing is not required for this request and Council is prepared to vote today.

Hal Denny stated the covenants address single family residence matters and there is a conflict in the covenants if a day care is allowed.

Tom White stated the Town has no authority over restrictive covenants.

Mayor Wood asked for any questions from the audience but there were none.

Councilman Sutherland made a motion to grant the conditional use application for the day care home at 213 Woodland Drive with the seven (7) conditions (see list) submitted by the Building Inspector. Councilman Campbell seconded. Approved unanimously.

Chairman Morgan reminded everyone that on July 12 the Planning Board and the Board of Adjustment will be having an all day educational workshop, instructed by Richard Ducker of the Institute of Government, beginning at 9:00 a.m.

Chairman Morgan recommended Council approve Mimi Iacone as a full member of the Planning Board, taking the vacant seat left by Bob Trost.

Councilman Sutherland moved to fill the vacancy by appointing Mimi Iacone to the position as a full Planning Board member. Councilman Kennedy seconded. Approved unanimously. Mayor Wood stated an alternate would be needed in the near future.

Pat Storey commented she attended a pilot workshop in Raleigh for the Board of Adjustment and she encourages everyone interested in Planning Board or Board of Adjustment activities to attend the July 12 workshop. Mayor Wood commented that Pat was the genesis for the upcoming workshop.

Chairman Morgan submitted a copy of the amendment to Section 7.10-C General Commercial District (b2) Retail and (b3) Services for Council to set a public hearing. Councilman Pitts made a motion to set the public hearing for August 3, 1999 at 9:00 a.m. regarding the proposed amendment to the General Commercial District for Retail and Services as submitted. Councilman Sutherland seconded. Approved unanimously.

Councilman Campbell asked if there is a conflict with the Land Use Plan? Chairman Morgan stated no. Businesses not listed would be required to come before Planning Board more regularly.

Planning Board cont'd

Tom White stated this is restrictive and the ordinance will have to be amended pretty regularly. If someone wants to put a business in the commercial district and that type is not listed they will have to come before the Planning Board and Council will have to approve/disapprove which gives more control on what can be in the commercial zone.

Mayor Wood asked if there is an alternative?

Tom White commented that the ordinance now written states a term *such as* and any business that fits in this general category would be allowed. Southern Shores has chosen not to deviate from the specific example. The amendment makes the specific example the only allowed uses. The downside to this is a lot of amendments will have to be made to this ordinance. Each time a new business wants to go into the commercial zone, if not already listed, will have to go before the Planning Board.

Chairman Morgan commented this will give the Town more control in what will go into the commercial area and since we are asking our Building Inspector to be more on the enforcement side that is the argument that we were presented. We felt we could live with these definitions in addition to the others that we have.

Mayor Wood stated the concerns on how this ordinance will be amended in the future would be discussed at the public hearing.

1. Old Business

a. Dare County Arts Council contribution

Mayor Wood made a motion to contribute the standard \$200.00 contribution to the Dare County Arts Council. He stated the Council has \$1,000.00 in the FY99/00 budget for such items.

Councilman Pitts stated every organization goes to the County for donations so we can be giving 2 or 3 times to the same organization.

Councilman Kennedy stated he understands the need for these requests but he thinks it is inappropriate for government bodies, including the County, to support them with taxpayer dollars. Citizens donate to those they wish and it is unfair to taxpayers that Council use taxpayer money and give to someone else. Southern Shores should limit itself to providing essential services for the Town. He opposes the practice of supporting private organizations with public money.

Old Business cont'd

Councilman Pitts stated he agrees but understands that less than half our money comes from ad valorem taxes and the occupancy tax is where part of the contribution comes from.

Mayor Wood commented Council may need to debate this issue regarding the present policy.

Dolores Clarke commented the concern should be concentrated on community needs like the Food Pantry. She has never asked for a contribution from Council and they need it.

Councilman Campbell seconded the motion to donate \$200.00 to the Dare County Arts Council. 4 Ayes, 1 Nay (Councilman Kennedy). Approved.

8. New Business

a. Mixed Beverage Referendum

Mayor Wood explained Council has been requested by the Duck Woods Country Club to put a mixed beverage drink referendum on the November election ballot. He asked if there is a requirement that this be put on the ballot.

Tom White stated that if the citizens want to request it they can petition for it and if they have enough signatures on the petition as required by law, it must be put on the ballot. He explained if it passes any business that applies for an ABC permit could sell mixed beverages, not just the business that initiated the request.

Mayor Wood read the wording to be used from the ballot of 1995 when it was voted down. The ballot read "To permit the sale of mixed beverages in hotels, restaurants, private clubs, community theatres, and convention centers".

Pat Storey stated that every few years this item comes up but it is always defeated. There doesn't seem to be enough support so why do it?

Tom White stated the ramifications of an ABC application, if the referendum is approved, it will change the character of an area.

Mayor Wood asked if Council has the latitude to reject this request?

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New Business cont'd

Councilman Campbell opposes this request. However, he does defend the right for people to drink. If the Duck Woods Country Club can do this by petition then give it back to them and Council should not consider it as an action.

Councilman Pitts commented he doesn't see anything wrong with the request. The citizens have come to Council to respond favorably. He continued by saying restaurant owners have not applied in the town because there is no liquor by the drink. He stated State law only allows this to be on the ballot once every 4 years and not during a presidential election.

Jim Morrison stated that the timing is bad for the Town when the Planning Board is in the process of writing a sexually oriented business ordinance and the town wants to maintain a family image.

Pete Macfarlane stated no one from the Duck Woods Country Club is here today to represent their request and Southern Shores will look like Kill Devil Hills and "french fry alley".

Councilman Sutherland stated let the people decide.

Al Smith stated the referendum should state who the approval would be for i.e. restaurant, clubs etc.

Bill Storey asked if the Land Use Plan addressed this question?

Mayor Wood stated the question is should this be put on the November election ballot?

Councilman Campbell repeated let Duck Woods Country Club get a petition.

Jim Morrison commented there is no one here to support this.

Councilman Campbell made a motion to table the question of putting the mixed beverage referendum on the November election ballot. No second.

Mayor Wood explained to table it, it would kill it because of the time constraint getting it to the Board of Elections in time to have it printed on the ballot.

New Business cont'd

Councilman Pitts made the motion to place the mixed beverage on the November election ballot using the same language as in 1995. Councilman Sutherland seconded. 3 Ayes 2 Nays. (Campbell and Wood). Approved.

Don Smith commented it is opening a can of worms and inviting sexually oriented business to come in.

b. Millennium Celebration with Town of Kitty Hawk

Councilman Sutherland stated the Dare County Tourist Bureau is offering each municipality up to \$10,000 to be for celebrating the Millennium. He has met with the Town Manager of Kitty Hawk and a representative of the Zambelli Fireworks Company with a proposal to have a joint Kitty Hawk-Southern Shores fireworks display January 1, 2000 (rain date January 6). They will be meeting again to refine the proposal and updates will be given.

Councilman Campbell asked if anything like music or food would be offered? Councilman Sutherland said they had talked about music but it wouldn't work, only people by the speakers would be able to hear the music.

c. Job Protection Policy

Mayor Wood explained the current Job Protection Policy does not follow the chain of command and an amendment is in order. Councilman Campbell made a motion to amend the Town's Job Protection Policy that reads an 'employee is encouraged to report situations to their immediate supervisor to read 'if there is no satisfaction at that level the employee is encouraged to follow the chain of command up through and including the Town Manager, if necessary, and finally to any of the elected Town Council members'. Councilman Sutherland seconded. Approved unanimously.

d. Amend Chapters 1,6, & 10 Town Code

Tom Gjestson submitted 2 proposed amended ordinances to the Town Code (1) to Article II, Beach and Waterway Usage of Chapter 10, Section 10-15 to allow surfboards with definition included; and, Town property owners offering as a rental shall post and prominently display a notice stating "no swimming" during red flag; posting and failure to do so is a violation subject to a fine. (2) to delete Chapter 6, Section 6-101 in its entirety of Article V, Beaches; to amend Chapter 1, Section 1-6 (b) that violation of any provision of following chapters shall be a Class 3 misdemeanor and punishable by a fine of not more

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July 6, 1999

New Business cont'd

than \$500.00 as provided in NCGS 14-4 (a) and Section 6-31 of Article II, Nuisances, Chapter 6, Section 1-6 to amend (d) (1) to (d-1). (See amendments)

Tom White recommended a correction under the failure to post the "no swimming" notice in a rental property be a violation of a civil action with a \$50.00 fine, not a criminal action.

Tony Sylvester asked if the Town is proposing a placement of a public notice in a private home and charging a fee if not obeyed? Councilman Pitts stated a Town property owner is required to place the notice upon their offering the property for rent if amendment is approved.

Pete Macfarlane asked if the surfboards are required to have a leash? Mayor Wood said yes.

Don Smith asked if "boogie boards" were included in the amended ordinance allowing surfers to be in the water during a "red flag" warning?

Chief Brazell explained surfboards can be defined but that "boogie boards" are harder to define and are not included.

Hal Denny asked if "windsurfers" were included in the discussion of the amended ordinance? Mayor Wood said they were not.

Mayor Wood read the proposed amendments. Councilman Campbell made a motion to approve the amendments as presented with the noted change made by Tom White. Councilman Sutherland seconded. Approved unanimously.

Councilman Kennedy asked Police Chief Brazell how many tickets were issued to surfers during the posting of the first "red flag" warning? Chief Brazell stated 3 tickets were issued. Councilman Kennedy stated he supports the dropping of these tickets if possible. Chief Brazell said he would look into it.

e. Surplus Property

Mayor Wood read a resolution to declare personal property of the Town as surplus and to be disposed of in a proper manner.

New Business cont'd

Chief Brazell explained the 2 vehicles will be disposed of by a sealed bid procedure and the weapons on the list will be used as trade-in for new weapons.

Councilman Kennedy made a motion to approve the resolution as presented. Councilman Campbell seconded. Approved unanimously. (See Resolution)

Mayor Wood made a recommendation that \$200.00 be given to the Food Pantry in Dolores Clarke's name. She is leaving the area and was instrumental in setting up the Food Pantry. Councilman Pitts made a motion to approve the \$200.00 donation in Dolores Clarke's honor. Councilman Kennedy seconded. Approved unanimously.

8. Public Comment

Mayor Wood stated this section of the meeting is for items not on the agenda.

Randall Wrenn inquired on the type and size of signs that are allowed in the Town. He has noticed a new form of signs that are on trucks and vans that he considers mobile and can Council take action and restrain this type of sign? Mayor Wood said Council is looking into this. The Building Inspector has contacted certain property owners related to this subject.

Mayor Wood stated Council is aware of this problem.

Councilman Campbell asked if the Zoning Enforcement Officer took action in this area?

Mike Hejduk stated he has written letters to the reference property owner and talked to their attorney and is trying to resolve the situation.

Pete Macfarlane commented that Soot Slayer trucks are parked at their place of business.

Mike Hejduk, Code Enforcement Officer, stated there is an ordinance for vehicle signs and the issue is being addressed.

9. Mayor's Agenda

Mayor Wood stated the Blue Sky Foundation has signed a lease to occupy office space in the Pitts Center for \$440.00 a month. This is a cost sharing agreement and will continue for the remainder of this year at the monthly fee of \$440.00. They will have the right to use the main meeting room and the room upstairs as needed. They will schedule their meeting space like everyone else who requests the use of the meeting room.

Councilman Sutherland stated if the Blue Sky Foundation signed the lease then there should be no question on the ownership of the Pitts Center.

Mayor Wood announced the filing for the November election has begun on July 1 until August 6 at noon. He explained 4 seats are available for Council (3)-4 year terms and (1)-2 year term. Councilman Campbell filled the vacancy by Carl Berntsen.

Mayor Wood stated, on a personal note he would not be running for re-election. He stated he has been privileged to work with this Council and he wants to spend more time with his family.

10. Council's Agenda

Councilman Sutherland stated he was sorry to hear Mayor Wood would not be running and thanked him for being a part of this Council.

Councilman Sutherland commended Lieutenant Merrie Smith for her leadership as the on-scene commander at a fire at 230 Hillcrest Drive, she did a great job.

Councilman Sutherland reported a turtle nest on Ocean View Loop, (calculated hatching date Aug. 25) there are 3 reported nests and 2 are in Southern Shores. It is a \$100,000 fine if found guilty of disturbing, in any manner, a turtle nest.

Councilman Sutherland stated Mr. Bradford presented a resolution regarding Salt Water Fishing Licenses for non-commercial fishermen some time ago. If this comes before Council again he would like some consideration in supporting this issue. It will bring in the revenue needed to preserve the species of fish.

Councilman Sutherland stated there had been some discussion regarding the police inability to enforce parking regulations on private property. The Chicahawk Property Owners Association has posted signs in their parking areas "subject to tow" authorized parking only and they are issuing passes.

Council's Agenda cont'd

Councilman Sutherland reported the signs on the beach crossover being placed on the oceanside are off to a good start. The SSCA and the Chief Brazell are working on a list and when this is completed it will aid emergency vehicles and anyone on the beach for direction.

Councilman Pitts reported NCDOT is currently conducting an aerial survey for the multi-use path. When this is completed there will be a meeting schedule to discuss the next step.

Councilman Pitts stated he would not be a candidate for the November election. He stated 20 years is enough.

Mayor Wood stated to Councilman Pitts the extent of your contributions will be recognized in the near future.

Councilman Campbell reported there is some improvement with the chipping program but not what we had hoped. The effort is being put forth. There have been several complaints about overgrown brush blocking the view on E. Dogwood and Dave's Tree Service has been contacted to cut it.

Councilman Campbell stated he is concerned over the ETJ waterway situation and would like it to proceed in a timely manner. He feels the 1979 ordinance can be amended to include the waters of the Ginguite Bay 100 yards on the other side of Martin's Point, which should take care of the problem.

Mayor Wood stated there is some concern regarding the jurisdiction of the waterways in Martin's Point, the Town's Extra Territorial Jurisdiction (ETJ). Council is proposing to amend the jet ski ordinance and Town jurisdiction over Ginguite Bay and areas of Currituck Sound is in question.

Tom White recommended that the Town Engineer do a survey and a legal description will be needed and shown on a map. This should be whatever Council wants to cover.

Councilman Campbell stated this is a very sensitive point regarding the personal watercraft. He feels we need to do whatever is necessary as soon as possible so we can fulfill our responsibility regarding personal watercraft.

Councilman Kennedy recommends including the 400 yd. restriction from the shore boundaries of Southern Shores from the Wright Memorial Bridge north and including Martin's Point, and all of Ginguite Creek.

Council's Agenda cont'd

Mayor Wood stated this will be discussed with the Town Attorney and the ordinance will be amended as soon as possible.

Councilman Campbell recommended the County be contacted, by the Town Attorney regarding ETJ boundaries and what if any waivers would be needed so an amendment to the Personal Watercraft Ordinance can be made.

Councilman Kennedy reported his garbage was picked up on schedule.

Councilman Kennedy reported 130 turtle eggs are nested in that one nest referred to earlier. He thinks this may be some kind of record.

Councilman Kennedy reported Chief Brazell, Lt. Merriman, and he met with Kitty Hawk Elementary School official regarding the traffic problems at the school. It was agreed that "NO PARKING" signs would be posted along S. Dogwood Trail beginning this school session.

Lt. Merriman is reviewing the traffic flow situation at the school and will be submitting recommendations to Council.

Councilman Kennedy wanted to dispel a rumor that \$200,000 in capital improvement funds is available for the Southern Shores Volunteer Fire Department. This is not true. There is \$45,000 in the FY 99-00 budget.

Councilman Kennedy announced that he will be running for election in November.

Councilman Campbell stated he will file for the November election for the 2 year term.

12. Town Manager's Agenda

Tom Gjestson announced a color brochure was mailed to all property owners with the shared cost (grant money) from the Dare County Tourist Bureau.

Tom Gjestson stated the copy machine in the Town Hall is being leased by the County under a DANKA contract and that contract is being terminated. The County is negotiating with COECO for a new contract. This will cost about \$370.00 more for the year.

Town Manager's Agenda cont'd

Tom Gjestson reported that stand-by-equipment during a hurricane evacuation has cost the Town between \$6-7,000.00. He and Councilman Sutherland has talked to RPC Contractors and they have agreed if the Town will pay \$1,000 up front per storm they will guarantee to have post storm personnel and equipment for Southern Shores as first priority.

Fire Chief Solesbee asked how do they propose to get the equipment here?

Mr. Gjestson stated that most of the equipment is on the Outer Banks. The risk is it may take time for them to get here but the Town will be first on the list. Councilman Campbell made a motion to accept the offer proposed by RPC Contractors. Councilman Sutherland seconded. Approved unanimously.

Tom Gjestson reported the wading beach has continued to be tested for fecal coliform and at this time it has not exceeded the 200 level. Signs have been posted and testing is done once a week and the levels are posted on the signs. Also an explanation of the fecal coliform standings are on the sign. The State is testing once a week also and may post a sign with readings.

Tom Gjestson announced that the legislators passed a bill for power companies to charge an additional fee to the monthly utility bill for the placing of underground lines. A public hearing would be held August 2 at 9:00 a.m. at the regular Dare County Commissioner's meeting regarding the increase of \$1 a month to residents and \$5 a month for commercial units to the electric bill to cover the placing of electrical lines underground. Mayor Wood stated Town power lines are about 80% underground already.

Councilman Pitts stated if for any reason the utility lines would need to be replaced due to a storm or something else, the Town would only have to pay the difference between the lines being over or under.

13. Town Attorney's Agenda

Tom White stated he would like to address the ETJ issue. Council needs to define what is to be included. The law allows the jurisdiction to be up to one mile from your statutory boundaries; that would be his recommendation. There are other things to be considered. A floating billboard is something to be considered when writing the ordinance for controlled waters. When regulating transportation on the water, state and federal regulations need to be looked at. Two ordinances may be needed. One would define and establish your waterway ETJ; the other would be a zoning ordinance that defines the usage regarding personal watercraft. The public needs to understand the Town can not regulate the prescribed launch areas they are private. The SSCA has the power to regulate who can use the facility and it is their responsibility.

Councilman Campbell asked if the Town could piggyback with the County regarding water rules and jurisdiction? Tom White stated the General Statutes for a County are different from a municipality.

Mayor Wood stated that a lot of work is needed regarding the personal watercraft regulations.

Councilman Kennedy commented he does not want to delay any action on personal watercraft and regulating signage on the water can be delayed.

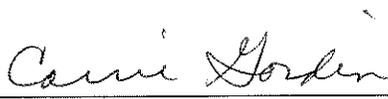
14. Announcements-none

Mayor Wood made the motion to recess until 1:00 p.m. this afternoon to continue the discussion with the Planning Board on amending Town zoning ordinances. Approved unanimously.

ATTEST:

Respectfully submitted:

  
\_\_\_\_\_  
Mayor

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



# Town of Southern Shores

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

June 30, 1999

## MONTHLY PERMIT SUMMARY

TYPE CONSTRUCTION	NO.	COST	FEES
<b>SOUTHERN SHORES</b>			
New	8	1,778,645.00	11,520.25
Add/Alt	1	1,500.00	50.00
Other	28	267,798.00	1,520.40
<b>TOTAL SS</b>	<u>37</u>	<u>2,047,943.00</u>	<u>13,090.65</u>
<b>CUMULATIVE FY99</b>	<u>312</u>	<u>19,385,288.76</u>	<u>141,444.87</u>
<b>TOTAL HOMES SS</b>	1842	(9 Certificates of Occupancy issued this month)	
<b>MARTIN'S POINT</b>			
New	1	160,000.00	1,157.44
Add/Alt	1	26,000.00	105.00
Other	6	25,282.00	300.00
<b>TOTAL MP</b>	<u>8</u>	<u>211,282.00</u>	<u>1,562.44</u>
<b>CUMULATIVE FY99</b>	<u>38</u>	<u>4,103,310.00</u>	<u>25,752.35</u>
<b>TOTAL HOMES MP</b>	158	(2 Certificates of Occupancy issued this month)	
CAMA PERMITS	1		50.00
PLAN REVIEW FEE	13		1,210.00
			* 50.00
<b>TOTAL MONTH</b>		<u>2,259,225.00</u>	<u>15,963.09</u>
<b>TOTAL YEAR</b>		<u>23,488,598.76</u>	<u>176,154.77</u>

\*Add to 3516

Respectfully submitted,

Michael Hejduk  
 Building Inspector



**TOWN OF SOUTHERN SHORES**

**TAX DEPARTMENT**

**DATE:** July 6, 1999

**PICKUPS**

June Vehicle	\$ 3,041.11
W. Felberg	183.59
R. Rosenkoetter	20.48

**RELEASES**

A. Smith	\$ 10.81
S. Smith	45.34
E. Solesbee	.59
R. Lawson Const.	25.50
W. Barnes	3.02
W. Felberg	257.18
D. Boyd	6.02

\$ 3,245.18

\$ 348.46

**TOWN OF SOUTHERN SHORES**

**TAX DEPARTMENT MONTHLY REPORT**

**MONTH: JUNE 30, 1999**

**DATE: JULY 6, 1999**

COLLECTIONS

Month To Date

Current Year - 1998	\$	4,144.40
Prior Years - 1979-1997	\$	82.10
Interest	\$	91.64

YEAR TO DATE

Current Year - 1998	\$	988,245.59
Prior Years - 1979-1997	\$	19,674.31
Interest	\$	4,559.05

SETTLEMENT

TOWN OF SOUTHERN SHORES

PERSONAL PROPERTY OUTSTANDING AS OF 06-30-99

PAGE 1

<u>YEAR</u>	<u>NAME</u>	<u>AMOUNT</u>
1979	PAID	
1980	PAID	
1981	PAID	
1982	PAID	
1983	PAID	
1984	PAID	
1985	PAID	
1986	PAID	
1987	PAID	
1988	PAID	
1990	PAID	
1991	Phillip T Jenkins III	5.94
	John A Rizzo	1.80
	Carolina D Walker	7.92
1992	John A Rizzo	3.28
	Michael J & Kathryn A Spencer	3.54
1993	PAID	
1994	Alexander Homes	4.12
	The Score's Tied	8.28
1995	PAID	
1996	PAID	
1997	Carolinas Coffee	2.02
	Edwards & White	4.47
1998	Carolinas Coffee	2.02
	Lease Corp of America	4.79
	TOTAL	\$48.18

SETTLEMENT

TOWN OF SOUTHERN SHORES

REAL PROPERTY OUTSTANDING AS OF 06-30-99

PAGE 1

<u>YEAR</u>	<u>NAME</u>	<u>AMOUNT</u>
1979	PAID	
1980	PAID	
1981	PAID	
1982	PAID	
1983	PAID	
1984	PAID	
1985	PAID	
1986	PAID	
1987	PAID	
1988	PAID	
1990	PAID	
1991	PAID	
1992	PAID	
1993	Malcolm Houston	86.19
1994	Joan Herron	126.00
	Malcolm Houston	362.68
	Donald Treichler	100.80
	James Wilkinson Jr	183.96
1995	Joan Herron	126.00
	Malcolm Houston	362.68
	John A & Martha H Mauney	12.63
	Owen J Stevens	225.00
	Donald Treichler	100.80
	Gary Twiggs	100.80
	James & Henrietta Wilkinson	183.96

1996	Joan Herron	154.00
	Malcolm W Houston	443.28
	Richard K & Maddalena Lam	356.18
	John A & Martha H Mauney	452.41
	David C & Cathy B Molumby	311.05
	Robert H & Teresa H Mullens	587.60
	Michael P Nolan	300.08
	Elizabeth Pearse	43.94
	Owen J Stevens	275.00
	Donald Treichler	123.20
	Loretta Trittipoe/a A J Lowe	360.82
	Gary A Twiggs	123.20
	James T & Henrietta Wilkinson	224.84
1997	E Preston & Bettie F Grissom	6.36
	Joan Herron	154.00
	Malcolm W Houston	443.28
	James M & Lynn T Lacey	19.58
	Ricahrd K & Maddalen S Lam	356.18
	John A & Martha H Mauney	452.41
	Theodore & Mary Lou Millican	393.14
	David C & Cathy B Molumby	311.05
	Robert H & Teresa H Mullins	615.49
	Michael P Nolan	300.08
	Elizabeth C Pearse	193.60
	Owen J Stevens	275.00
	Donald R & Jean S Towles	230.34
	Donald L Treichler	123.20
	Loretta Trittipoe & Michael G Murphy	360.82
	Gary A Twiggs	123.20
	James T & Henrietta A Wilkinson	224.84
	Daniel Zoltowski, Stepehn Zoltowski & Robert J Kelly	11.94
1998	John Ablon	93.21
	Lester Lee & Patricia D Creef	106.92
	Edward & Martha Davenport	430.22
	Alexander J & Laurel Drabkowski	309.74
	Dynasty Partnership	22.97
	E Preston & Bettie F Grissom	97.24
	Bobby J & Elizabeth H Hall	480.64
	Robert G & Ernestine D Hall	78.54
	Edward H Herman & Cynthia Menzie	5.93
	Joan Herron	104.50
	Beaman L Hines	93.28
	Hirleman-Thornton	322.40
	Louis M & Helen Hoppe	3.94
	Malcolm W Houston	499.71
	Anita Hume & Linda F Thomas	2.78
	James M & Lynn T Lacy	470.36
	James M & Lynn T Lavy	93.28
	Richard K & Maddalena S Lam	370.04

Live Oaks LTD	408.32
John A & Martha H Mauney	458.04
Theodore & Mary L Millican	387.86
David C & Cathy B Molumby	265.13
Robert H & Teresa H Mullens	675.62
Christian J & Victoria D Noe	5.43
Michael P Nolan	273.90
Robert S Oliver	232.76
Robert T & Robert S Oliver	808.28
Elizabeth C Pearse	111.10
James R & James E Slevin Jr	99.00
Owen J Stevens	227.04
William D Tharin	70.84
William D Tharin	71.94
Donald E & Jean S Towles	203.72
Donald L Treichler	94.82
Gary A Twiggs	110.88
Kathy A Weeks	95.04
James T & Henrietta A Wilkinson	145.42
Danile & Stephen Zoltowski	449.24

TOTAL \$19,101.69

# Duck Woods Country Club, Inc.

Southern Shores

50 S. Dogwood Trail  
Kitty Hawk, North Carolina 27949  
252-261-2744  
Fax: 252-261-7042

June 18, 1999

Town Council  
Town of Southern Shores  
Southern Shores, NC 27949

Dear Sirs:

Duck Woods Country Club requests that a mixed beverage election be held at the next annual election on November 2, 1999.

Sincerely,

  
Dan Smith  
President

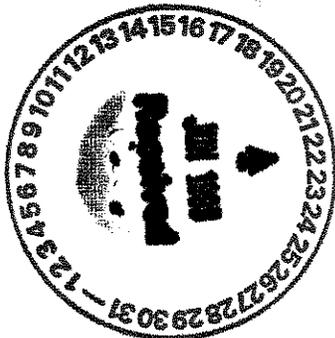
NOTE:

HAND CARRIED BY DIANE  
FURIONI TO TAG.

RCV'd 11:45AM

Tues June 22, 1999

- Galt





# Town of Southern Shores

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

## AN ORDINANCE TO AMEND THE TOWN CODE ORDINANCE OF THE TOWN OF SOUTHERN SHORES

**BE IT ORDAINED** by the Council of the Town of Southern Shores, North Carolina that the Code Ordinance be amended as follows:

**PART I.** Article V, BEACHES, of Chapter 6, including all of Section 6-101 is hereby deleted in its entirety.

**PART II.** Chapter 1, Section 1-6 is hereby amended as follows:

1. Paragraph (b) is amended to read as follows:
  - (b) Violation of any provision of the following chapters and sections of this Code shall be a Class 3 misdemeanor and punishable by a fine of not more than five hundred dollars (\$500.00) as provided in N.C.G.S 14-4(a):
2. Subparagraph (b)(4) is amended to read as follows:
  - (4) Chapter 6: Sections 6-1 through 6-10, and 6-46 through 6-91.
3. Subparagraph (b) is amended by adding a new subparagraph (5) to read as follows:
  - (5) Chapter 10: Sections 10-13 through 10-16, excepting Section 10-15(c).
4. Subparagraph (d)(7) is amended to read as follows:
  - (7) Chapter 9: all provisions; Chapter 10: Sections 10-1 through 10-12 and Section 10-15 (c); Chapter 11: All provisions.

**Part III.** Section 6-31 of Article II, NUISANCES, of Chapter 6 is hereby amended to change the last reference to Section 1-6 as it appears at the end of the paragraph to read (d-1) instead of (d)(1).

**Part IV.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SEAL

DATE ADOPTED 7/6/99  
VOTE: 5 AYES  
0 NAYES

ATTEST:

Carrie Gordon  
Town Clerk

Dick R. Wood  
Mayor Wood

Approved As To Form:

\_\_\_\_\_  
Town Attorney



# Town of Southern Shores

6 Skyline Road

Southern Shores, NC 27949-3600

252-261-2394

252-261-0778

Fax 252-261-0452



## AN ORDINANCE TO AMEND THE TOWN CODE ORDINANCE OF THE TOWN OF SOUTHERN SHORES

BE IT ORDAINED by the Council of the Town of Southern Shores, North Carolina that the Code Ordinance be amended as follows:

**PART I.** Article II, Beach and Waterway Usage of Chapter 10, Section 10-15 is hereby amended as follows:

1. Paragraph (b) is amended to read as follows:

(b) "Swimming," as used in this section, is defined to mean and include any entry into the water of the Atlantic Ocean whether or not assisted by a raft, float, or other aid or device commonly used, but shall not include any entry assisted by a "surfboard" as defined in this section. "Surfboard" as used in this section shall be defined as a fiberglass and foam combination at least (5) feet in length, having a minimum of one (1) fin and used in conjunction with a leash.

2. A new paragraph (c) is added to read as follows:

(c) The owner of any residential dwelling (including but not limited to condominiums, townhouses, time shares and cottages), offered for rent within the Town limits shall post and prominently display a notice setting forth the prohibitions in paragraph (a) and (b) above, and it shall be a violation of this section for the owner to fail or refuse to post the notice and display it prominently within each rental unit or dwelling offered for rent.

**PART II.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SEAL

DATE ADOPTED 7/6/99

VOTE: 5 AYES

0 NAYES

ATTEST:

Cami Gordon  
Town Clerk

Dick R. Wood  
Mayor Wood

Approved As To Form:

\_\_\_\_\_  
Town Attorney





# Town of Southern Shores

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

## RESOLUTION AUTHORIZING SURPLUS PROPERTY

**WHEREAS**, the Town Council of the Town of Southern Shores desires to declare and dispose of certain surplus property of the Town of Southern Shores as provided by Article 12 of Chapter 160A of the North Carolina General Statutes;

**NOW, THEREFORE, BE IT RESOLVED BY THE** Town Council that the following property be and same is hereby declared to be surplus property subject to disposition as herein after provided:

ITEM	DATE ACQUIRED	SERIAL #		
RCA VHS Camcorder		621550281		
Good Year Eagle GT Tire P225/R15		G62811GCW37M2MKNVS		
Good Year Eagle GT Tire P225/R15		264190GCW37M2MKNVS		
Good Year Eagle GT Tire P225/R15		268712GCW37M2MKNVS		
Good Year Eagle GT Tire P225/R15		262670GCW37M2MKNVS		
Regency VHF Mobile with Trielectric Amp/A25100U	1983	345A24507		
Regency VHF Mobile with Trielectric Amp/A25100U	1983	345A15515		
Regency VHF Mobile with Trielectric Amp/A25100U	1983	345A24003		
Regency VHF Mobile with Trielectric Amp/A25100U	1983	345A24284		
Regency VHF Mobile with Trielectric Amp/A25100U	1983	345A24531		
Maxon Hand Held Radio with Charger/ Head Set	1988	1263		
Maxon Hand Held Radio with Charger/ Head Set	1988	5560		
Maxon Hand Held Radio		UNK		
1990 Ford Bronco		1FMEU15HILLA59345		
1977 Dodge Fargo		W24BE7S175651		
Two (2) Body Guard Setina Wire Vehicle Cage				
Three (3) Body Guard Setina Window Vehicle Cage				
AT&T Telephone		931241702		
Tie Communications Telephone		757N0348		
TV Antenna				
Large Aluminum Mail Box and Wood Post	1999	NA		
AT & T Answering Machine		91140BS		



Smith & Wesson 357 Model 686		24711		
Beretta 380		F05454Y		
Beretta 380		F14215Y		
Beretta 380		F15080Y		
Beretta 9mm 92F		D10817Z		
Beretta 9mm 92F		D11579Z		
Beretta 9mm 92F		D14588Z		
Beretta 9mm 92F		D13845Z		
Beretta 9mm 92F		D11573Z		
Beretta 9mm 92F		D09720Z		
Beretta 9mm 92F		D09648Z		

**BE IT FURTHER RESOLVED** by the Town Council that the Town Clerk be and she is hereby authorized to dispose of above listed surplus property in accordance with Article 12 of Chapter 160A of the North Carolina General Statutes and (1) by public action or (2) by private sale at a negotiated price. The Town Clerk shall have the sole discretion to select the method of sale with due regard for which method may be reasonably expected to yield the highest attainable sale price, the Town Clerk shall cause a notice summarizing the contents of this Resolution to be published once after its adoption and no private sale may be consummated hereunder until (10) days after such publication. As to any public auction, the Town Clerk shall cause a notice summarizing the contents of this Resolution and setting forth the date, time, place and terms of sale to be published not less than ten (10) days before the date of said auction.

Adopted this 6<sup>th</sup> day of July 1999.

ATTEST:

Carrie Gordon  
Town Clerk

Dick R. Wood  
Mayor