



Town of Southern Shores

"A Town of Volunteers"

6 Skyline Road, Southern Shores, NC 27949

Telephone: (252) 261-2394 Fax: (252) 261-0452

Web Site: southernshores.org

E-mail: info@southernshores.org

Council Meeting

June 6, 2000

9:00 a.m.-Pitts Center

1. Mayor Sutherland called the meeting to order at 9:00 a.m.
2. Mayor Sutherland led the Pledge of Allegiance.
3. Mayor Sutherland asked that a moment of silence be held for Russ McCarthy in his illness, and in the passing of Gerald Houtchess and long-time resident Walter Sholtz.

Mayor Sutherland announced that John Harris and Delena Ostrander of Total Communications have come to the meeting to give a presentation on telecommunication towers. Mr. Harris gave a brief explanation on the how and why the towers and antennas are needed. He spoke of digital technology and how this will eliminate the need for utility lines, as we know them in the near future. He reported that the FCC has licensed seven carriers in this area. He stated that more than one company could share a tower and that a municipality could receive revenues. He said that water towers are typically used to mount some of the antennas but they can only be used for no more than two carriers.

Mayor Sutherland thanked them for coming and he stated that the Planning Board is in the process of writing a telecommunications tower ordinance.

4. Consent Agenda

Mayor Sutherland read the monthly building inspections report and the monthly tax report. Councilman Campbell made a motion to approve the consent agenda with the exception of the minutes for the Joint Council/Martin's Point meeting of May 17, which will be approved at the next Council meeting. Councilman Kennedy seconded. Approved unanimously.

5. Planning Board Report

Jim Morrison, Chairman, gave a recap of the May 16, 2000 Planning Board meeting. Two separate amendments to the zoning ordinance are being proposed. One to amend lot coverage and one to allow estuarian bulkheads as a permitted use in all zoning districts.

Page 2
Council Meeting
June 6, 2000

Planning Board Report cont'd

Chairman Morrison stated that both of these amendments would apply to Martin's Point (ETJ). (See attached). Chairman Morrison recommended Council set a date for the two public hearings.

Mayor Sutherland asked Chairman Morrison if David Watson, the ETJ representative is aware of the proposed amendments? Chairman Morrison stated that Mr. Watson called him to say he would not be attending the meeting but that he did not have a problem with the proposed amendments. Chairman Morrison commented that Mr. Watson said he would not be going to attend while these other things were going on. (Meaning the Town of Southern Shores and Martin's Point joint meeting).

Chairman Morrison stated that the telecommunications towers ordinance would be written within the next six-month extension of the moratorium that Council would be addressing at this meeting.

Chairman Morrison announced that the next Planning Board meeting would be held Monday June 19 at 7:30 p.m.

Mayor Sutherland moved to set the public hearing date for July 6, 2000 at 7:30 p.m. for the amendments to the zoning ordinance as proposed. Councilman Campbell seconded. Approved unanimously.

Councilman Kennedy commented that he is very concerned to hear that the ETJ representative for the Planning Board has elected not to attend any Planning Board meetings on matters pertaining to the residents of Martin's Point? He asked if there is a representative from Martin's Point here. John Finnelli responded. Councilman Kennedy urged Mr. Finnelli, Martin's Point Vice Chairman of the Homeowner's Association, to talk to the ETJ representative or get with the County to have someone attend the Planning Board meetings. He commented that one of the complaints from Martin's Point is they have no representation and you won't have any if no one shows up at the meetings. Chairman Morrison stated that David Watson said he would not attend the May Planning Board meeting while the issue is going on. Councilman Kennedy remarked the issue could go on for some time. He urged a representative be present at meetings on issues that apply to Martin's Point. He questioned the term expiration of the ETJ representative. Mayor Sutherland stated that still is a question that has not been answered.

6. Public Hearings

a. Proposed FY 2000-2001 Budget

Mayor Sutherland called the proposed FY 2000-2001 Budget public hearing to order at 9:35 a.m. Tom Gjestson, Town Manager, gave the presentation for the proposed budget in the amount of \$2,385,100.00 (See attached). Mr. Gjestson explained that the Town is in very good financial shape. This proposal allows for a two-cent tax reduction to the citizens from 22 cents to 20 cents per \$100 valuation of taxable property.

Mayor Sutherland asked for any comments from the public.

Al Smith extended his thanks for the reduction in taxes and he thinks it is a great move.

Councilman Campbell supports Mr. Smith's comments. He explained that it was Council's goal to be able to do this and the Town Manager should be commended for maintaining the finances to allow this.

Mayor Sutherland also thanked the Town Manager and everyone for restoring and having a surplus in the fund balance above the Long-Range Plan's recommendation. Mayor Sutherland asked for any more comments, hearing none he closed the public hearing at 9:55 a.m.

b. Proposed Extension of the Moratorium on the Telecommunications Towers.

Mayor Sutherland called the public hearing to order at 9:57 a.m. to extend the moratorium for an additional six months. He opened the floor for comment.

Jim Conner, Duck Woods Dr., stated that he does not want towers in the town. He hopes that Council will explore the option of wireless communication as an alternative or any other alternatives that may be available. He stated that he does understand the need for the improvement of communications but does not want to have towers in the Town.

Mayor Sutherland hearing from no one else closed the public hearing at 10:00 a.m.

Councilman Campbell made a motion to approve the extension of the telecommunications towers moratorium for another six months as presented. Councilman Smith seconded. Approved unanimously.

Public Hearings cont'd

c. Proposed Updated Solid Waste Management Plan

Mayor Sutherland opened the public hearing at 10:01 a.m. and asked for any public comment.

Councilman Kennedy reported that the Town has met and exceeded the State's goal. He explained the update is mandated by the State every three years. (See attached plan)

Mayor Sutherland hearing from no one else closed the public hearing at 10:04 a.m.

7. Old Business

a. Resolution-Solid Waste Plan

Mayor Sutherland read the resolution to approve the Town's Updated Solid Waste Plan. Councilman Kennedy made the motion to approve the resolution. Councilman Denny seconded. Approved unanimously.

b. Martin's Point Update

Mayor Sutherland reported that a positive meeting was held with the David Jones, Chairman of Martin's Point Homeowner's Association.

c. Review draft of resolution and ordinance for Mayor by popular Vote.

Mayor Sutherland read the resolution and explained that a public hearing would be held in August and the ordinance would be adopted in September.

Tom White, Town Attorney, reminded Council that the language for the ordinance needs to be specific regarding term of office.

8. New Business

a. Approval of Proposed FY 2000-2001 Budget.

Councilman Campbell moved to adopt the FY 2000-2001 budget of \$2,35,100.00 as presented. Councilman Denny seconded. Approved unanimously.

*2,385,100.00
corrected*

New Business cont'd

b. Representative to Dare County 100th Anniversary of Flight Steering Committee

Mayor Sutherland recommended that Councilman Denny be the Town's representative. Agreed by consensus.

Councilman Denny reported on the progress of the committee. Two meetings have been held. Primarily consisting of briefings by the chair on the centennial commission's work and its relationship to the Dare County steering committee.

c. Resolution-Dare County Underground Utilities

Mayor Sutherland read the resolution in which it explains that a special fund would be set up to aid municipalities in the expense of placing the utilities underground. Councilman Kennedy moved to adopt the resolution as presented. Councilman Denny seconded. Approved unanimously.

Councilman Campbell asked if the cables to be buried would be fiber optic? Mayor Sutherland said that he did not know but he would write a letter to Rolf Blizzard of Senator Marc Basnight's office regarding this.

9. Public Comment

Dan Shields thanked the Town for the quick clean up after the recent nor'easter.

Al Smith asked if the Town is responsible for keeping the multi-use path clean? He stated there are rocks and dirt on the path and it would be hard for skaters to use.

Councilman Denny stated that the Town is responsible for the maintenance. He stated that sweeping it is an issue. The maintenance of the sod will also need to be done. He asked that residents using the path pick up trash.

Tom Gjestson recommended that the revitalization of "volunteers" could begin with maintenance of the multi-use path.

Al Smith commented that cars are turning left into the Crown Gas Station and tearing up the sod.

Chief Brazell commented that a curb is necessary to protect it but that curbing could not be placed there. He stated the whole traffic pattern there is a troubled area.

Public Comment cont'd

Councilman Denny stated that NCDOT did look at that area and recommended that no curbing be placed.

Mayor Sutherland reported that NCDOT is looking into the traffic situation there.

Pat Storey suggested that a program like "Adopt a Highway" could be placed in Town and be called "Adopt a Path" where the citizens take an area to maintain. Mayor Sutherland thanked her for a good idea and that would be considered.

10. Mayor's Agenda

Mayor Sutherland stated that he intends to invite the new manager of Charter Communications/Falcon Cable to the next Council workshop.

Mayor Sutherland reported that Council held a discussion regarding placing a ban on burning in Town. David Sanders of the SSVFD explained to them the pros and cons of doing this. Council then agreed to not place a ban but to educate the residents on the various ways to protect their property by learning about wildfire interfacing.

Mayor Sutherland announced that Councilman Campbell, Tom Gjestson, and he would be meeting with representatives from the Duck Civic Association regarding incorporation at 2:00 p.m. today.

Mayor Sutherland recommended appointing a committee of two (Councilman Campbell and Smith) and Martin's Point representation to work on the re-wording of the PWC ordinance. Agreed by consensus.

11. Council's Agenda

Councilman Denny reported that the multi-use path came in under budget. Tom Gjestson presented the signs that would be placed on the path and a ribbon cutting ceremony will be held in the near future.

Councilman Kennedy thanked Councilman Denny for a doing a great job overseeing the path. He also announced he would be on vacation during the next Council workshop June 27.

Councilman Campbell-no report

Councilman Smith-no report

12. Town Manager's Agenda

Tom Gjestson stated that a mutual aid agreement with the Town of Kitty Hawk's Building Inspections Department is needed so that the expansion of Food Lion can be inspected. He explained that a Level 3 inspector is needed and that Mike Hejduk is not certified at Level 3. Councilman Denny made a motion to authorize the Town Manager to execute the mutual aid agreement. Councilman Kennedy seconded. Approved unanimously.

Tom Gjestson reported to Council that he received a letter and a check for the final cost sharing payment from Don Markle, Blue Sky Foundation (BSF) Director, stating that they will no longer need the office space and that lease runs out the end of June. Mr. Markle explained that the BSF headquarters would be in Raleigh and they may need to use the Pitts Center at some point for training classes. Councilman Smith asked if the Blue Sky details (openings left in the walls to show construction) could be closed? Tom Gjestson stated that the BSF had requested they be left open.

Councilman Kennedy suggested that removable covers could be placed over the openings.

Councilman Denny suggested that the Town Manager handle the matter with the BSF.

Dave Bakken, Deputy Fire Chief, submitted a fire report.

Ted Brazell, Police Chief, submitted the police report.

Pete Macfarlane asked Chief Brazell why when he tried calling the non-emergency number he got a busy signal for over an hour? He called the Mayor to get a police pager number.

Chief Brazell stated that there has been some phone problems lately. He said the pager number is no longer valid. He explained that anyone wishing to call the police after working hours should call Dare Central and they will contact the officer on duty to respond. He stated the police dept. is doing an article in the SSCA newsletter explaining this. He also reported that there is poor radio communication in the woods and that he is looking into this problem.

Town Manager's Agenda cont'd

Pat Storey asked how many PWC permits have been issued to date. Chief Brazell said five, all from Martin's Point. He reported that four jet skiers came into the area but were quickly educated about the Town's PWC ordinance and that they left with no incident. They had launched from Kitty Hawk and Duck and they personally owned the jet skis, not rentals.

Councilman Denny asked about Sgt. Buchanan's injury? Chief Brazell reported that Sgt. Buchanan is still out and may be out for 4-5 weeks.

13. Town Attorney's Agenda-none

14. Announcements-none

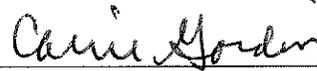
Councilman Campbell made a motion to adjourn the meeting at 10:50 a.m. Mayor Sutherland seconded. Approved unanimously.

ATTEST:



Mayor

Respectfully submitted:



Town Clerk

TOWN OF SOUTHERN SHORES

TAX DEPARTMENT MONTHLY REPORT

MONTH: May, 2000

DATE: May 31, 2000

COLLECTIONS

Month To Date

| | |
|-------------------------|-------------|
| Current Year – 1999 | \$ 5,584.98 |
| Prior Years – 1979-1998 | \$ 1,382.51 |
| Interest | \$ 644.18 |

YEAR TO DATE

| | |
|-------------------------|----------------|
| Current Year – 1999 | \$1,015,257.10 |
| Prior Years – 1979-1998 | \$ 17,063.68 |
| Interest | \$ 3,837.74 |

**TOWN OF SOUTHERN SHORES
TAX DEPARTMENT**

DATE: May 31, 2000

PICKUPS

| | |
|-------------|-------------|
| Mar. Levy | \$ 4,637.87 |
| Apr. Levy | \$ 4,082.46 |
| C. Motosko | \$ 16.76 |
| W. Downing | \$ 20.57 |
| J. Smith | \$ 23.78 |
| D. Libretto | \$ 16.04 |
| T. Hartman | \$ 604.34 |
| C. Motosko | \$ 3.41 |

RELEASES

| | |
|------------------|----------|
| E. Korzenok | \$ 3.87 |
| J. Jacobs | \$ 10.79 |
| G. Nelson | \$ 5.44 |
| D. Irby | \$ 3.17 |
| GMAC | \$ 2.79 |
| D. Libretto | \$ 20.57 |
| First Union Bank | \$ 23.15 |
| Johns Brothers | \$ 14.10 |
| M. Smith | \$ 15.43 |
| H. Apple | \$.80 |
| C. Motosko | \$ 16.76 |
| D. Stasienko | \$ 6.73 |
| R. Lamar | \$ 26.38 |
| C. McCallum | \$ 64.06 |
| J. Rush | \$ 2.19 |
| B. Cline | \$ 24.20 |
| L. Wismer | \$ 1.92 |
| J. Pittard | \$ 2.69 |
| M. Hoal | \$ 15.81 |
| S. Pace | \$ 3.28 |

TOTAL \$9,405.23

\$ 264.13



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May 31, 2000

MONTHLY PERMIT SUMMARY

| TYPE CONSTRUCTION | NO. | COST | FEES |
|---|------------------|--|------------------------------|
| SOUTHERN SHORES | | | |
| New | 4 | 670,000.00 | 5,120.32 |
| Add/Alt | 3 | 40,000.00 | 335.35 |
| Other | 31 | 210,013.00 | 1,913.00 |
| TOTAL SS | <u>38</u> | <u>920,013.00</u> | <u>7,368.67</u> |
| CUMULATIVE FY2000 | <u>335</u> | <u>20,565,262.70</u> | <u>146,050.05</u> |
| TOTAL HOMES SS (TOTAL LAST YEAR) | 1905 1832 | 5 Certificate(s) of Occupancy issued this month) | |
| MARTIN'S POINT | | | |
| New | 1 | 500,000.00 | 3,551.56 |
| Add/Alt | 0 | - | - |
| Other | 1 | 4,582.78 | 50.00 |
| TOTAL MP | <u>2</u> | <u>504,582.78</u> | <u>3,601.56</u> |
| CUMULATIVE FY2000 | <u>32</u> | <u>4,517,169.78</u> | <u>29,043.50</u> |
| TOTAL HOMES MP (TOTAL LAST YEAR) | 173 156 | 1 Certificate(s) of Occupancy issued this month) | |
| CAMA PERMITS | 0 | | - |
| PLAN REVIEW FEE | 20 | | 1,375.00 |
| ADD TO PERMITS | 3 | | 827.16 |
| RE-INSPECTIONS | 2 | | 150.00 |
| MAPS | 1 | | 16.00 |
| TOTAL MONTH | | <u>1,424,595.78</u> | <u>13,338.39</u> |
| TOTAL YEAR | | <u>25,078,532.48</u> | <u>194,368.85</u> |

Respectfully submitted,

Michael Hejduk
Building Inspector

Budget Ordinance FY 2000-2001

Be It Ordained by the Town Council of the Town of Southern Shores, North Carolina that the following be the budget for FY 2000-2001:

Section I. Appropriations: The following amounts are appropriated for the operation of the Town government and its activities for the fiscal year beginning July 1, 2000 and ending June 30, 2001:

| | <u>General Fund</u> |
|---------------------------|---------------------|
| Administration Department | 476,250 |
| Police Department | 649,541 |
| Sanitation Department | 341,500 |
| Ocean Rescue | 105,000 |
| Fire Department | 187,400 |
| Street Department | 278,079 |
| Inspections Department | 184,480 |
| Grounds & Beautification | 134,100 |
| Pitts Center | 28,750 |
| Total | 2,385,100 |

Section II. Estimated Revenues: It is estimated that the following revenues will be available during the fiscal year beginning July 1, 2000 and ending June 30, 2001 to meet the foregoing appropriations:

| | <u>General Fund</u> |
|---------------------------------------|---------------------|
| Taxes, Ad Valorem - Current Year | 923,983 |
| Taxes, Ad Valorem - Prior Years | 7,500 |
| Vehicle Taxes - Current Year | 34,300 |
| Vehicle Taxes - Prior Years | 5,000 |
| Penalties and Interest | 3,600 |
| Total Ad Valorem Taxes | 974,383 |
| Occupancy Tax | 390,000 |
| Local Option Sales Tax | 350,000 |
| Land Transfer Tax | 160,000 |
| Utilities Franchise Tax | 88,717 |
| Other Taxes | 25,900 |
| Total Other Taxes and Licenses | 1,014,617 |
| Unrestricted | 13,550 |
| Intergovernmental | |
| Restricted Intergovernmental | 117,100 |
| Permits and Fees | 140,000 |
| Investment Earnings | 100,000 |
| Other Revenues | 25,450 |
| Total Revenues | 2,385,100 |

The tax rate will be 20 cents on each one hundred dollars (\$100) valuation of taxable property, as listed for taxes as of January 1, 2000, for the purpose of raising the revenue listed as "Taxes, Ad Valorem - Current Year" and "Vehicle Taxes - Current Year", as set forth in the foregoing estimates of revenue and in order to finance the foregoing appropriations. Such rate is based on an estimated total valuation of property of \$488,920,000 and an estimated rate of collection of 98 %.

Adopted: This the 6th of June, 2000

Paul Sutherland
Mayor

Carrie Gordon
Clerk



Town of Southern Shores
2000/2001 Budget Message
May 23, 2000

To: The Town Council And Citizens of Southern Shores

From: Town Manager, Southern Shores

It is a pleasure to submit the enclosed balanced budget ordinance to you and to confirm that the state of our Town is very, very sound. Over the past 2½ years we have been able to increase our undesignated fund balance (rainy day fund) from three month's expenses to about one year's expenses. This puts us in prudent and sound position should urgent needs arise, especially as a result of severe storms. With that achievement in place we can move on to other important objectives.

This budget proposal recommends that our ad valorem tax rate should be reduced by 9.1% (from 22¢ per \$100 valuation to 20¢). Since we no longer need to set additional money aside in our rainy day fund and since we intend to continue to be a low cost municipal government, we are pleased to propose a tax cut as the first order of business for our new fiscal year. Ad valorem tax is assessed on real estate, personal property and vehicles. The tax cut will eliminate about \$140,000 in revenue this coming year.

This budget's spending proposals are about 1% below the current year's budget. They recognize the need to repair, replace and/or refurbish certain of our physical property. We are getting to look worn in some of our facilities (paint jobs, rusted railings, frayed and stained carpet, roofing problems and so forth). Our Town Hall phone system is driving us to distraction with its problems and needs to be replaced. We need to construct a metal building for storage and for our Street Sign Commandos. We need to make the Pitts Center meeting room more like a council chambers. We need to maintain our multi-use paths.

Equally important, we need to reconfirm to each other (citizens and governmental workers) that we do wish to continue the high levels of volunteerism and low cost of government that is our heritage in Southern Shores. This budget counts on that.

This proposed budget assumes a 3% cost of living increase for salaried employees in September and an average 2% merit increase during the year based on individual performance review. Our medical insurance premiums are increasing by 25%. Dental and disability costs are increasing as well. This budget assumes the Town will continue to pay 100% of the premium for employee medical coverage and will increase employee cafeteria plan credits by 5% to \$323.00 per month.

In summary, we are proposing a balanced budget, lower than this year's, reflecting a 9.1% ad valorem tax decrease, fix-up of our facilities and systems and a continuance of our dedication to low cost government and citizen volunteerism.

Thomas A. Gjestson
Town Manager



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RESOLUTION OF INTENT TO PROVIDE FOR THE ELECTION OF THE MAYOR BY POPULAR VOTE

WHEREAS at the present time the Mayor of The Town of Southern Shores is elected from the Town Council by its members to serve at the pleasure of the Council;

AND WHEREAS a number of the citizens have expressed a desire that the Mayor be elected by popular vote of the qualified electorate and the Town Council agrees that the method of election of the Mayor of the Town should be determined by the qualified voters of Southern Shores;

NOW THEREFORE, BE IT RESOLVED that The Town Council of The Town of Southern Shores intends to consider an ordinance amending the Charter of the Town to provide for the election of the Mayor by the qualified voters of the Town pursuant to North Carolina General Statute 160A-101(8)a. And further, that the Mayor shall be elected for a term of office of four years beginning with the municipal elections held in November of the year 2001 to take office on the date of the first meeting of the Town Council in December of 2001. The Mayor so elected shall have the right to vote on all issues before the Town Council. Further, the ordinance amending the Town Charter to provide for the election of the Mayor by the qualified voters of the Town shall become effective only if approved by a vote of the electorate at the general election held on the 1st Tuesday in November, 2000.

BE IT FURTHER RESOLVED that a public hearing be held on the proposed charter amendment at 9 o'clock A.M. on the 1st day of August, 2000 in the council chambers of the Town of Southern Shores.

Adopted this the 6th day of July, 2000.

Paul Sutherland, Mayor

Attest:

Carrie Gordin, Town Clerk

PLANNING BOARD MEETING RECAP

5/16/00

Prepared by Jim Morrison for Council Workshop 5/30/00

1. Proposed Amendment to Articles 7.01, 7.02, 7.03, 7.04, 7.05, 7.10, All Residential and Commercial Zoning Districts, to add Estuarian Bulkheads as a Permitted Use. The Planning Board recommends approval of the attached ordinance proposal. This simply reflects current and past practice in routinely issuing building permits for Estuarian bulkheads, when in compliance with applicable CAMA regulations. This applies to all zoning districts including Martins Point. Approved unanimously (5 voting), as recommended by the Building Inspector. (Attachment 1)
2. Proposed Amendment to Article 3.02, definition of Lot Coverage, to exclude government-owned and maintained sidewalks and multi-purpose pathways located on private property from the lot coverage calculation. Applies to all zoning districts including Martins Point. Approved unanimously (5 voting). (Attachment 2)
3. The Planning Board is taking up an issue from the 1997 Land Use Plan Update. There was public interest in "a moderate and carefully spelled out ordinance that would require property owners to get permission before cutting trees." The questionnaire asked whether respondents supported an ordinance that would require permission from local authorities before cutting down or removing a certain percentage or specific types of trees from their property. The Planning Board is seeking input from Council and citizens on the current desire for such an ordinance. On a scale of 1 – 5, strongly agree to strongly disagree, this was rated 2.3 in 1997, and was listed in the "Policies" section of the Land Use Plan as an item the Town may deal with through a local vegetation or tree ordinance. Interested parties should contact a Planning Board member or attend a regular Planning Board meeting.
4. At its next meeting the Building Inspector plans to present a solution for the current anomalies in Mallard Cove relative to the RS-10 zoning district regulations on setbacks and other requirements. Building permits were issued routinely even though the district regulations never addressed the development plan of Mallard Cove.
5. There will be a Public Hearing on extending the Telecommunication Towers Moratorium on June 6 at the regular Council meeting. The Planning Board is contacting several towns similar to Southern Shores to determine solutions used by other small resort towns with limited commercial land. Lee Padrick is assisting in this effort.

DRAFT
Changes to current ordinance in italics
For Planning Board 5/15/00

4/28/00

**AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE TOWN OF SOUTHERN SHORES**

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

PART I. Article III. INTERPRETATION AND DEFINITION OF TERMS, Section 3.02 Definition of Specific Terms and Words is hereby amended by changing the definition of **LOT COVERAGE** to read as follows:

LOT COVERAGE: That portion of the lot area, expressed as a percentage, that is occupied and obstructed by any structure above the ground, including, but not limited to, building(s), decks, pools, parking areas, accessways, *private* sidewalks, *driveways* and roadways, and *any* accessory *use* and *structure* requiring location on or above the ground. *Government owned and maintained sidewalks and multi-purpose pathways located on private property are excluded from the calculation of lot coverage.*

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

PART III. If this ordinance or the application of this ordinance to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given separate effect and to that end the provisions of this ordinance are declared to be severable.

PART IV. This ordinance shall be in full force and effect from and after the _____ Day of _____, 2000.

Paul Sutherland, Mayor

ATTEST:

Carrie Gordin, Town Clerk

Approved as to form:

Thomas L. White, Jr., Town Attorney

Attachment 1

**AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE TOWN OF SOUTHERN SHORES**

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

PART I.

A. Amend Article VII. SCHEDULE OF DISTRICT REGULATIONS, Section 7.01 RS-1 Single Family Residential District, B. Permitted Uses to add:

- 6. Estuarian bulkheads. Estuarian bulkheads must be permitted by all applicable local, state, and federal agencies having jurisdiction.

B. Amend Article VII. SCHEDULE OF DISTRICT REGULATIONS, Section 7.02 RS-8 Multi-Family Residential District, B. Permitted Uses to add:

- 8. Estuarian bulkheads. Estuarian bulkheads must be permitted by all applicable local, state, and federal agencies having jurisdiction.

C. Amend Article VII. SCHEDULE OF DISTRICT REGULATIONS, Section 7.03 RS-10 Multi-Family Residential District, B. Permitted Uses to add:

- 8. Estuarian bulkheads. Estuarian bulkheads must be permitted by all applicable local, state, and federal agencies having jurisdiction.

D. Amend Article VII. SCHEDULE OF DISTRICT REGULATIONS, Section 7.04 R-1 Low Density Residential District, B. Permitted Uses to add:

- 6. Estuarian bulkheads. Estuarian bulkheads must be permitted by all applicable local, state, and federal agencies having jurisdiction.

E. Amend Article VII. SCHEDULE OF DISTRICT REGULATIONS, Section 7.05 ET-1 Extra-Territorial Residential District, B. Permitted Uses to add:

- 6. Estuarian bulkheads. Estuarian bulkheads must be permitted by all applicable local, state, and federal agencies having jurisdiction.

F. Amend Article VII. SCHEDULE OF DISTRICT REGULATIONS, Section 7.10 C – General Commercial District, B. Permitted Uses to add:

- 7. Estuarian bulkheads. Estuarian bulkheads must be permitted by all applicable local, state, and federal agencies having jurisdiction.

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

PART III. If this ordinance or the application of this ordinance to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given separate effect and to that end the provisions of this ordinance are declared to be severable.

PART IV. This ordinance shall be in full force and effect from and after the _____ Day of _____, 2000.

DRAFT

Council Workshop Recap

Paul Sutherland, Mayor

ATTEST:

Carrie Gordin, Town Clerk

Approved as to form:

Thomas L. White, Jr., Town Attorney



Town of Southern Shores

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Resolution

To Approve the Town of Southern Shores Solid Waste Plan

WHEREAS, better planning for solid waste will help protect public health and the environment, provide for an improved solid waste management system, better utilize natural resources, control the cost of solid waste management; and

WHEREAS, NC General Statute 130A-309.09A (b) requires each unit of local government either individually or in concert with other units of local government, to develop a ten-year comprehensive solid waste management plan and to update the plan every three years; and

WHEREAS, Southern Shores citizens have been actively involved in the Town's efforts to reduce the amount of solid waste going to the landfill by recycling,

NOW THEREFORE BE IT RESOLVED that the Town Council of Southern Shores approves the Southern Shores updated comprehensive waste management plan.

Adopted this 6th day of June 2000

Paul Sutherland, Mayor

ATTESTED

Carrie Gordin, Town Clerk



Town of Southern Shores

"A Town of Volunteers"

6 Skyline Road, Southern Shores, NC 27949

Telephone: (252) 261-2394 Fax: (252) 261-0452

Web Site: southernshores.org

E-mail: info@southernshores.org

Resolution Supporting Legislation to Place Utilities in Dare County Underground

WHEREAS, Many utility lines within Dare County are presently above ground, and;

WHEREAS, Above ground utility lines are not only unsightly but also are exposed to the elements and are particularly vulnerable during periods of adverse weather, and;

WHEREAS, The cost associated with placing utilities underground is great and unaffordable by municipalities alone, and;

WHEREAS, Legislation is currently under consideration by the North Carolina Legislature to provide for creation of a special fund to finance placing utilities underground through assessment on electric, phone and cable TV bills and;

WHEREAS, The legislation presently under consideration would also provide for the creation of special utility districts by the Dare County Commissioners;

NOW THEREFORE BE IT RESOLVED The Town Council of Southern Shores supports the legislation now under consideration. Further, the Town Council of Southern Shores endorses the concept of creating a Special Utility District for the Town of Southern Shores, and;

NOW THEREFORE BE IT FURTHER RESOLVED, Funds generated from assessments levied upon the utility accounts of Southern Shores residents be used to place the aforementioned utilities within the Town of Southern Shores underground.

Adopted this 6th day of June 2000



Paul Sutherland, Mayor

ATTESTED



Carrie Gordin, Town Clerk



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MORATORIUM ON TELECOMMUNICATIONS TOWERS

WHEREAS, there is a rapid expansion of telecommunications facilities within Dare County, North Carolina and municipalities within in the county; and

WHEREAS, there are significant land use concerns related to the placement of such towers, some being as follows:

1. The protection of residential neighborhoods by the minimizing of adverse impacts of towers;
2. The encouragement of the location of towers in non-residential zoning areas;
3. Encouraging the joint use of towers in order to minimize numbers of towers;
4. The avoidance of damage to structures and property surrounding tower sites due to structural tower failures, particularly in hurricane prone areas;
5. The minimization of visual impacts through zoning mechanisms; and
6. Considerations of public health and safety in relation to such towers.

AND WHEREAS, the Town of Southern Shores Land Use Plan and Zoning Ordinance do not adequately address these lawful and legitimate concerns and the Planning Board and Town Council need adequate time to properly study these concerns and formulate appropriate land use plan provisions and zoning ordinance regulations which will govern location, placement and standards for Telecommunications Towers;

NOW THEREFORE, The Town Council of the Town of Southern Shores does hereby ordain as follows:

1. For the purposes of this moratorium the Telecommunication Towers is defined as any structure designed and constructed for the purpose of supporting one or more antennas, including without limitation, self-supporting lattice towers, guy towers, or monopole towers. The term also includes radio and television transmission towers, common carrier towers, cellular telephone towers and similar structures. The term also includes any antenna or antenna array attached to the tower structure. The term doesn't include a private communications mast as an accessory use to a residence, which has been approved pursuant to section 4.11 of the Town Zoning Ordinance.
2. The construction, installation, building and relocation of Telecommunications Towers during the period of this moratorium is prohibited: and

Telecommunications Towers Moratorium

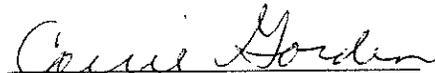
3. During the period of this moratorium Town Officials and Boards, including the Zoning Administrator and Planning Board, shall not accept or process any site plan, building permit application, or conditional use application for a Telecommunications Tower either as a principal use or as an accessory use on any lot or structure. This provision does not prohibit any person from submitting a proposed Land Use Plan or Zoning Ordinance Amendment for consideration by the Town; and
4. Nothing in this moratorium shall be interpreted to prohibit the installation of communications antennas on an existing public water tower or of the construction of towers owned by the Town, the Southern Shores Volunteer Fire Department or Dare County which are used solely for fire, emergency service and governmental public service communications.
5. This moratorium shall be in full force and effect from the date and time of its adoption and extend for a period of six months expiring at the adjournment of the first regular meeting of the Town Council the seventh month after adoption.

Adopted this the 6th day June 2000.



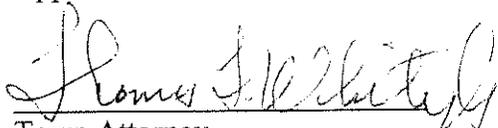
Mayor

ATTEST:



Town Clerk

Approved as to Form:



Town Attorney