



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

November 6, 2002

7:00 p.m.-Pitts Center

1. Mayor Sutherland called the meeting to order at 7:00 p.m.
2. Mayor Sutherland led the Pledge of Allegiance.
3. Mayor Sutherland asked that a moment of silence be held for the family of Police Chief Pledger in the loss of his father, Charlie Pledger and pray for all those who were just elected and guide them in their leadership.
4. Public Comment

Sarah Tyler, 165 Wax Myrtle Trail thanked the Mayor and Council for the time and effort they have spent on dog issues. She encouraged Council to continue those efforts at their retreat on what can be done with irresponsible dog owners.

5. Consent Agenda

Councilman Campbell made a motion to accept the consent agenda as presented. Councilman Kennedy seconded. Approved unanimously.

*Mayor Sutherland asked that the agenda be amended to acknowledge the employee recognition portion before hearing the Dare County School Board Improvement Program. All agreed.

Mayor Sutherland presented to Merrie Smith, Administrative Support Assistant and Carrie Gordin, Town Clerk (8 years) appreciation gifts on behalf of Council as 5-year employees. *(David Cowan, Building Inspector was recognized at the Council workshop October 29 for his 5-year anniversary).

Mayor Sutherland recognized Gwen Cruickshanks of Currituck County, John Wander and John Summers of Duck for the volunteer time they have spent on the Mid-Currituck Bridge and Preserve Our Roads Campaign. He presented each of them a Town mug.

6. Dare County School Improvement Program

Jim Winebarger, Dare County Director of School Maintenance, provided a Power Point presentation regarding the school board's proposal for the new elementary school on the beach and maintenance of Kitty Hawk Elementary School. (see presentation)

He reported that Kitty Hawk Elementary School is overcrowded and the program has proposals to aid in that overcrowding in the next few years. Solutions to the traffic problems there are being addressed with some changes already in place.

Councilman Denny recommended that the school to aid the traffic issue paint stacking lane lines.

Council thanked J. Winebarger for the update.

Mayor Sutherland recognized Tom White as the Town's attorney for this meeting. He stated that Ike McRee; Town attorney is attending the Duck Council meeting.

7. Recognition of Town Employees-*See above
8. Recognition of volunteers for efforts on Build the Mid-Currituck Bridge and Save Our Roads campaign-*See above

9. Public Hearing-Zoning amendment
Section 7.10 C-General Commercial District. Part 7. Telecommunication Tower.

Mayor Sutherland called the public hearing to order.

Brian Tew, representative of SunCom stated that he is available to answer questions.

No one signed up to speak. Mayor Sutherland closed the public hearing.

Mayor Sutherland explained that the draft is to allow a telecommunications antenna array to be placed on top of the Dare County water tower adjacent to Kitty Hawk Elementary School. He stated that Dare County would need to approve any request and an antenna would aid in better cell phone communication service.

B. Tew stated that SunCom is working out the lease issues with Dare County and when finalized SunCom would come before the Town for review.

Councilman Campbell made a motion to adopt the zoning amendment as presented. Councilman Smith seconded. Approved unanimously.

10. Resolution-Surplus Property-Police Vehicle

Mayor Sutherland presented a resolution stating that in accordance with NCGS a certain police vehicle is surplus and to be donated to the Southern Shores Volunteer Fire Dept. to be used for a public purpose. Councilman Denny made a motion to adopt the resolution as presented. Mayor Sutherland seconded. Approved unanimously.

11. Planning Board Recap-October 21, 2002

Mimi Iacone, vice chair presented the recap in Chairman Dan Shield's absent due to his recovery from surgery.

M. Iacone stated that the Planning Board unanimously recommends Council approve the final site plan for Southern Shores Landing formerly Ginguite Woods and Swan Creek Planned Unit Development (PUD). She stated that based on the Board's review Southern Shores Landing meets the Town Code subdivision and the PUD zoning regulations.

Mike Hejduk, Town Code Enforcement Administrator stated that the PUD is the first in Town to have its own reused quality water wastewater treatment plant (one of only a few on the coast). He stated that the site proposal is to have thirty-six single-family homes (5 of which are completed). He stated that the PUD regulations maximize site impact and affords the property owner provided amenities.

Mayor Sutherland asked Mickey Hayes if the remaining construction of the property would be under his direction? M. Hayes stated yes but he would have additional partners.

Mayor Sutherland made a motion to approve the final site plan for the Southern Shores Landing PUD as submitted. Councilman Kennedy seconded. Approved unanimously.

12. Old Business

a. Mid-Currituck Bridge petition update

Mayor Sutherland stated that the petition drive has reached the 10,000-signature goal within three months with a number of people's help and more signatures to come.

He stated that the entire Council and the Town Manager will be attending a NCDOT Transpiration Improvement Plan (TIP) in Edenton on Nov. 12 and he invited all that would like to attend. He stated that WVOD radio station is providing free information radio spots about the campaign.

Old Business cont'd

b. Juniper Trail Multi-use Path

Councilman Denny stated that the proposed path would be done in two phases. One phase is to begin at the bridge and stop at the crossover to the Market Place and the second phase will be from the Market Place to US Hwy. 158.

c. Board of Adjustment Appointments

Mayor Sutherland made a motion to appoint Pat Storey as vice chairman for a one-year term. Councilman Campbell seconded. Approved unanimously.

Mayor Sutherland made a motion to appoint Peter McOrmond as alternate for a three-year term. Councilman Campbell seconded. Approved unanimously.

13. New Business

a. Nomination to Tourism Board-Gene Kennedy and Joe Campbell

Mayor Sutherland stated that the Town needs to submit two names to be considered by Dare County Commissioners for appointment to the Dare County Tourism Board at which time they would appoint one. He stated that his term will expire in December and each town needs a representative on the board

Mayor Sutherland made a motion that Gene Kennedy and Joe Campbell should be submitted as nominees to the DC Tourism Board. Councilman Denny seconded. Approved unanimously.

b. DOT update on NC 12 vicinity of US Hwy. 158

Mayor Sutherland stated that Pelican's Watch Property Owners Association did not agree to the easement needed to add the turning lane on NC 12. He explained Council sent a letter to NCDOT reluctantly supporting the need for NCDOT to condemn the small section in front of Pelican's Watch to allow for the turn lane.

Councilman Smith stated that for the record he did not support the letter sent to NCDOT. He stated that the Pelican's Watch residents had told DOT they did not want to give up the right-of-way and he feels DOT should listen to the citizens. He is concerned about what DOT might do once they condemn a portion of NC 12. He stated that expanding the turn lane to Skyline would also expand the two northbound lanes, which actually would be four lanes to Skyline.

New Business cont'd

c. David Stick recognition

Councilman Campbell reported on December 18 following the Council workshop a dedication of the Town Hall will be held to rename Town Hall the David Stick Municipal Building.

c. Winged Horse-1st Flight Centennial

Councilman Campbell stated that the purchase of a winged horse is a way to support the Centennial since the Town has not been involved in other ways.

Councilman Campbell moved to purchase a winged horse in the amount of \$1,500 and that it be placed at Town Hall. He stated that after the Centennial the horses are to be sold or auctioned. Councilman Denny seconded.

He stated that a volunteer has agreed to paint the horse.

Councilman Smith presented a picture of a winged horse. He stated that in 1999 all of Council agreed not to give more than \$200 each in donations and only for a public purpose. He stated that Council has given a donation to the League of Women Voter's for their County Citizen's Guide but in the past Council has turned down other requests for donations. He stated that it is time to stop the abuse and that Council respect the hard earned tax dollars of the citizens. He stated that there have been several articles in the local newspapers reprimanding the County Commissioner's for continuing to abuse the tax payers by spending tax money on private enterprises on Hatteras Island, purchasing a monument, hiring a lobbyist and the beach nourishment program when the schools need repair, affordable housing is needed and senior citizens have no assisted living facilities. He stated that he was the only Councilman who voted against the budget and stated that the taxes should be cut. He stated that all elected officials should remember whom they work for. He stated that this is a perfect example when government has money on hand they will find things to spend it on that is not necessary. He urged all taxpayers to stand up and tell all elected officials to stop the abuse of their hard earned tax dollars. (See complete comments).

Mayor Sutherland stated that it is not a donation but a purchase and that the Town would sell or auction the horse after the Centennial and recoup the money.

Councilman Denny stated that the purchase reflects a "fun" theme in the spirit of the 1st Flight Centennial and he supports it.

New Business cont'd

Councilman Kennedy stated that he agrees with Councilman Smith in that funds should not be spent for this cause.

Mayor Sutherland stated that as a councilman he has not received any compensation over the five years he has been on Council and submitted very little claims and he thinks he has \$1,500 that he should have claimed and did not.

Motion approved 3 to 2. Councilmen Smith and Kennedy voting no.

e. Support League of Women Voters- County Government Access Channel

Councilman Campbell stated that the Government Access Channel (20) made a decision that the League of Women Voters not be allowed to use the local government channel.

He made a motion that a letter be written and sent to the Government Access Channel representative asking that a change to the wording in the agreement be made to allow the League of Women Voters televising candidate's night on this local channel. Mayor Sutherland seconded. Approved unanimously. Councilman Campbell will draft the letter.

Pat Storey, member of the League of Women Voters sincerely thanked Council for their unsolicited support in this matter.

14. Council's Agenda

Councilman Campbell-none
Councilman Denny-none
Councilman Kennedy-none

Councilman Smith announced that the vegetation at the traffic island at E. Dogwood Trail would be removed and replanted. He stated that new low growing vegetation would be planted at the site to aid in traffic visibility for safety reasons.

Councilman Smith called upon Fire Chief Bakken to give the monthly fire report.

Chief Bakken reported that the Fire Dept. is working on a public service campaign asking residents to provide a medical history with a list of current medicines and post it in a readily available place in the home for emergencies.

Page 7
Council Meeting
November 6, 2002

Council's Agenda cont'd

Chief Bakken announced that a controlled burn of the marsh west of Ginguite Trail would need to be done as a winter project. He stated that this type of burn is recommended but adjacent property owners must give their approval. He stated that a date would be set at a latter time.

Mayor's Agenda

Mayor Sutherland congratulated Cheryl Byrd, Town resident, for being elected County Commissioner.

Town Manager's Agenda-none

Town Attorney's Agenda-none

Announcements

Mayor Sutherland announced that the Volunteer Luncheon would be held on December 13, 2002 in the Pitts Center.

Mayor Sutherland moved that Council go into closed session at 8:15 p.m. to meet with our attorney to discuss a pending litigation involving Terry Buchanan. Councilman Campbell seconded. Approved unanimously.

Council returned to open session at 9:10 p.m. and Mayor Sutherland adjourned the meeting. Councilman Campbell seconded. Approved unanimously.

ATTEST:

Respectfully submitted:



Mayor



Town Clerk