

Southern Shores Town Council  
Town of Southern Shores, North Carolina

Regular Meeting  
February 3, 2004

MINUTES

The Southern Shores Town Council met on February 3, 2004, in the Pitts Center, Southern Shores Town Hall Complex, Southern Shores, North Carolina. The following members were present:

Mayor Paul Sutherland  
Council Members: Hal Denny, Dan Shields, David Sanders, and Jodi Hess  
Carl Classen, Town Manager  
Ike McRee, Town Attorney  
Carrie Gordin, Town Clerk

Mayor Sutherland called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

Mayor Sutherland asked that moment of silence be held for all the armed forces defending our freedom that we enjoy tonight.

Mayor Sutherland made a motion to amend the agenda to include an additional item (29) New Business to consider a Resolution regarding a water line extension. The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

Council Member Denny moved to adopt the minutes for the Council meeting of January 6, 2004 as presented. Council Member Shields seconded. The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

Mayor Sutherland made a motion to approve the presented monthly tax report. Council Member Hess seconded. The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

Discussion was held regarding the process in the collection of delinquent taxes. Mr. Classen stated that a proper procedure is in place and collections will begin.

## Reports

Mimi Iacone, vice chair for Planning Board, in Bruce Green's absence gave the report forth January 19, 2004 meeting. She reported that the board reviewed the draft ordinance regarding property numbering of the Town's waterway properties. The board agreed that the ordinance

lacked specifics and they unanimously agreed to return the draft to the Town Manager. The board discussed such issues as the size of the signs, lettering/numbering size, placement of signs on bulkheads vs. undeveloped lots and how practical it would be on ocean front properties.

The Board reviewed modifications from the Southern Shores Civic Association for the Loblolly Marina and unanimously agreed that the following items be resubmitted to the Board before a recommendation is made. Those items are an "as-built site drawing and a site drawing of requested changes to include a narrative of why the changes were made different from the approved site plan.

Council Member Denny stated that he would like to take some time to review the draft waterway property numbering ordinance and resubmit to Council and the Planning Board.

Mr. Classen reported that the Currituck County Commissioners held a discussion regarding the widening of NC 12 and the Mid-Currituck Sound Bridge, which is reported in an article in the *Coastland Times*. He stated that the Currituck County Commissioner's support the widening of NC 12 by a resolution to NCDOT and have asked for a response to their resolution. He stated that more information on the bridge campaign could be found on the Town's website.

Mayor Sutherland stated that NCDOT is holding a meeting in March discussing tollbooths but that the bridge issue would be discussed. He recommends that a letter be sent NCDOT, legislatures and all other parties involved opposing the widening of NC 12. Council agreed to support such a letter.

Town's 25<sup>th</sup> Anniversary-Jim Pfizenmayer, chairman reported that the date has been set for April 24 and that plans are being made for a fun time with a parade, arts and crafts, food, entertainment and more. Further updates would be made.

Hazard Mitigation Plan-Mike Hejduk, Town Code Enforcement Administrator announced that a meeting would be held on March 10, 2004 at 10:00 a.m. in the Pitts Center. He stated that public input is important and that all should attend.

Mayor Sutherland reviewed that monthly Building Inspections report.

Southern Shores Volunteer Fire Chief Bakken presented the monthly fire report. He stated that three members have completed EMT certification.

Those members are Bob Harvey, Dave & Jeannie Shrader

Mayor Sutherland requested that these members attend the next Council meeting for recognition.

## **Old Business**

Retreat Work Product

Mayor Sutherland moved to approve the presented issues to be used as Council's "road map" to address and complete. Council Member Shields seconded. The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

<b>2004 Town Council Work Product</b>				
	<b>Target Completion Dates</b>			
	By June 30, 2004	By June 30, 2005	By June 30, 2007	<b>Status</b>
<b>Governance/Administration</b>				
25th Anniversary Celebration - Appoint Council Liaison	X			
25th Anniversary Celebration - Provide support and resources	X	X		
Animal Control - Form a citizens committee to review existing animal control ordinances, rules and programs and make recommendations for changes	X			
Animal Control - Review citizens committee report		X		
Canals - Work with SSCA and CPOA on question of ownership	X			
Cemetery - Form a citizens committee to make recommendations regarding rule, appearance, development and financing.	X			
Cemetery - Review report from citizens committee		X		
Charter - Clarify change to Manager form of government	X			
Customer Service - Study Town demographics and survey citizens on service desires		X		
Finances - Establish a capital budget	X			
Solid Waste - Council workshop on disposal of non-MSW and non-recyclables; include County Solid Waste Director		X		
Solid Waste - Develop effective trash can removal and enforcement program	X			
Utilities - Work with Dominion Power to identify overhead power lines and develop mutually beneficial way to place facilities underground		X		
Vegetation Committee - Receive final report	X			
Vegetation Committee - Review Committee report		X		
	<b>Target Completion Dates</b>			

	By June 30, 2004	By June 30, 2005	By June 30, 2007	Status
<b>Governance/Administration</b>				
Waterways - Council workshop with interested parties to discuss issues such as canal bulkheading; canal dredging and maintenance, nuisance abatement, waterway law enforcement, project financing, marsh burning, phragmites, water quality, and septic systems	X			
Waterways - Develop policy process and/or programs for addressing various waterways issues		X		
<b>Code Enforcement and Planning</b>				
Construction Issues - Develop a method to allow builders to properly use right-of-way during construction	X			
Construction Issues - Develop policies and programs to address erosion and sedimentation control during construction process		X		
Nuisance Abatement - Work with SSCA and CPOA to encourage enforcement of covenants , especially relating to debris on vacant lots		X		
Subdivision Law - Ask Planning Board to study and make recommendations regarding the Town can minimize the development of new homes on lots created under State subdivision exemptions	X			
	<b>Target Completion Dates</b>			
	By June 30, 2004	By June 30, 2005	By June 30, 2007	Status
<b>Emergency Management</b>				
Communications - Work with Fire Department on improved and extended emergency management communications infrastructure		X		
Control Group - Ask Control Group to become more involved with emergency management grant process	X			

Medical Services - Work with Regional Medical Center on emergency management plan for northern beach emergency medical services	X			
Personnel - Work with the County and State to coordinate support services to public servants (e.g., EMS; Highway Patrol) housed at Kitty Hawk Elementary School	X			
<b>Fire Service</b>				
Communications - Work with and assist SSVFD on funding and installing a second communications tower at the South Fire Station/Maintenance Building	X			
Emergency Routes - Facilitate discussions with SSVFD and CPOA regarding alternate north-south emergency route to NC12	X			
Emergency Routes - Facilitate discussions with SSVFD, SSCA and Fairway Owners Property Association regarding alternate north-south emergency route to South Dogwood		X		
Equipment - Support SSVFD in developing and implementing a long-term equipment and facility management and replacement program	X			
Volunteer Recruitment - Workshop with SSVFD leadership to enhance the recruitment and retention program	X			
Volunteer Recruitment - Work with SSVFD in administering a volunteer recruitment and retention program	X	X	X	
	<b>Target Completion Dates</b>			
	By June 30, 2004	By June 30, 2005	By June 30, 2007	<b>Status</b>
<b>Law Enforcement</b>				
Community Watch - Develop effective community watch program in conjunction with volunteers and associations		X		
<b>Public Works</b>				

Streets and Roads - From ITRE Study Update, develop long range transportation funding policy/program			X	
Streets and Roads - Review updated ITRE study		X		
Streets and Roads - Update ITRE Study	X			
Traffic - Council workshop discussion on cut-through traffic ideas coming from summer brainstorming session	X			
Traffic - Study traffic safety issues relating to vehicles, mopeds, pedestrians, bicyclists and others along South Dogwood, North Dogwood, and East Dogwood		X		
Trail System - Develop town wide multi-use trail plan			X	

Powell Bill Road Project

Mr. Classen reported that the FY2003-04 Powell Bill Road Project (Cypress/Sweet Gum/East Dogwood/Woodland Circle) Project was put out for bid in early December and a construction contract was awarded to RPC on January 6, 2004.

Mr. Classen stated that on January 27, a pre-construction meeting was held. During that meeting, it was found that a previous gravel driveway along Woodland Circle was re-built with concrete. As such, a contract addendum for concrete will be necessary, as the road reconstruction will require work on connecting the new road surface with the driveway. Additionally, on-site review of the drainage problems along East Dogwood may require a change order to include revised surface drainage to the previously approved retention pond project.

**Powell Bill Road  
Project -  
Cypress/Sweet  
Gum/Woodland/East  
Dogwood**

	Road Construction	Balance Remaining	Inspections	Balance Remaining	Contingency	Balance Remaining
<u>Budget</u>	\$103,640		\$10,364		\$10,360	
Quible (thru 12-31-2003)			-\$2,018	\$8,346		
RPC Contract	-\$103,640	\$0				
Tree Removal Estimate					-\$4,800	\$5,560
Tree Removal Estimate					-\$800	\$4,760
Woodland Circle Concrete Walkway					-\$1,152	\$3,608
East Dogwood Drainage Correction					-\$4,889	-\$1,280

Balance Remaining	\$0	\$8,346	-\$1,28
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Council Member Denny reported as part of the prep work two additional trees would need to be removed on Woodland Circle.

#### RFP-Town Engineering Services

Mr. Classen reported that the Town received four proposals from engineering firms. All of the proposals are from qualified firms with local offices who have performed extensive work for area local governments. Those firms are: (alpha order)

Albemarle Engineering, Inc.  
 Coastal Engineering & Surveying, Inc.  
 Hobbs, Upchurch & Associates, P.A.  
 Quible & Associates, PC

Mr. Classen stated that he would set up interviews with all four firms for the Town Council February 17 Workshop.

#### Dunes Management Report

Mr. Classen stated that Council Member Sanders is the Town's representative on a committee working as a joint project with the Town of Duck to discuss the stabilization of the dunes due to the impact from Hurricane Isabel. He stated that the report suggest waiting a 12-18 month period before planting is needed to allow the winter storms to rearrange the beach so planting can be most effective.

#### **New Business**

##### ITRE Study

Mr. Classen presented two (2) proposals from (Amber Farrelly) B&F Consulting for a ITRE's pavement survey and summary report for the Town. The proposals – one based upon the Town having GIS (\$6,800) and the other based upon the Town not having GIS (\$5,600) – would update the Town's 1998 ITRE study and help the Council as it develops and prioritizes road projects for a capital improvement budget.

Mr. Classen recommended that Council consider the GIS proposal in the amount of \$6,800.

Mayor Sutherland made a motion to authorize the Mayor, Town manager, and clerk to execute the agreement with B&F Consulting and all documents necessary in support of the GIS-based ITRE report proposal in the amount of \$6,800 (plus 10% contingency) for a total of \$7,480. Council Member Shields seconded. The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

#### Consideration of 25<sup>th</sup> Anniversary budget

Mr. Classen submitted for Council's consideration a budget based upon the figures provided by the Anniversary Committee. He stated that some of expenses will be absorbed by the existing Town budget, but others (e.g., community picnic, souvenirs, etc.) would likely need a later budget amendment (May). The proposed budget includes a ten- percent contingency. All funds would be administered through the Town's books utilizing the Town's purchasing processes and all figures and documents will be open to public inspection.

**25th Anniversary Celebration  
Budget  
v. 02-03-2004**

Expenses

Mailings and Printings	\$400	
Flags and Memorabilia	\$550	
Awards	\$500	
Signing and Stage Material	\$500	
Volunteer "T" Shirts	\$300	
Community Picnic	\$6,500	
Portable Toilets	\$350	
Miscellaneous Supplies	\$400	
Subtotal		\$9,500
Contingency (10%)		\$950
Souvenir Items for Sale		\$3,000
<b>TOTAL Expenses</b>		<b>\$13,450</b>

Revenues

Sale of Souvenir Items	\$3,400	
Picnic Tickets	\$1,000	(500 tickets at \$2/ticket )
Subtotal		\$4,400
General Fund Contribution		\$9,050
<b>TOTAL Revenues</b>		<b>\$13,450</b>

Council Member Shields made a motion to approve funds from the general fund for the Town's 25<sup>th</sup> Anniversary celebration in the amount not to exceed \$13,450.00. Council Member Hess seconded.

The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

Resolution-Council/Manager Form of Government

Mr. Classen stated that during the 2004 Council Retreat, the Town Council discussed clarifying and codifying present practice by making the change to the council – manager form of government.

He presented Resolution No. 2004-02-03 Relating to Intent to Consider and an Ordinance to amend the Town's Charter for the form of government.

Resolution No. 2004-02-03

A RESOLUTION OF THE  
TOWN COUNCIL OF SOUTHERN SHORES, NORTH CAROLINA,  
RELATING TO AN INTENT TO AMEND THE TOWN CHARTER

**Whereas**, the Town of Southern Shores has been effectively operating under a council – manager form of government over the past several years and it is the desire of the Town Council to clarify this matter by amending the Town Charter; and,

**Whereas**, NCGS 160A-102 requires that the Town Council first adopt a resolution of intent to consider an ordinance amending the charter;

**Now, Therefore, Be it Resolved**, the Southern Shores Town Council meeting this 3<sup>rd</sup> day of February, 2004, does hereby adopt this resolution of intent to amend the Charter of the Town of Southern Shores through Ordinance No. 2004-02-01, which changes the charter to provide for a Council–Manager form of government in accordance with Section 160A-101(9)(b); and,

**Be It Further Resolved** that the Southern Shores Town Council does hereby call a public hearing on the proposed charter amendment in conjunction with the Regularly Scheduled Council Meeting, which begins at 7:00 PM on Tuesday, March 2, 2004, at the Pitts Center, Town Hall Complex, Southern Shores.

Approved this \_\_\_ day of February, 2004.

\_\_\_\_\_  
Mayor Paul Sutherland  
Town of Southern Shores

ATTEST:

\_\_\_\_\_  
Carrie Gordin, Town Clerk  
Town of Southern Shores

Mayor Sutherland made a motion to approve Resolution #2004-02-03 of Intent and the additional procedure to hold a public hearing at the March Council meeting and to consider the ordinance to

amend the Town's form of government from Council/Mayor to Council/Manager. Council Member Sanders seconded. The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

#### Change Council Workshop Meeting Date

Mr. Classen presented Resolution No. 2004-02-02 Relating to Council Workshop dates. He stated that Council discussed at the retreat the possibility of changing the date of the Council workshop from the last Tuesday of the month to the third Tuesday of the month.

Mr. Classen stated this would give the staff more time to prepare materials for the regular Council meeting, which would remain on the first Tuesday of the month, and typically give more time for Council review of agenda items before the Council meeting.

He stated that this would affect the Planning Board since their meeting would be the day before the workshop if changed. This would change the process to mean that any Planning Board recommendations would come to the first Tuesday meeting and be acted upon at the following month's first Tuesday meeting. However, given commercial site plan issues, this extra review time might not be altogether bad and Council could approve a site plan at special meeting if haste was appropriate in the Council's view.

He stated that given the proposed change to the third Tuesday, Council may wish to consider removing the agenda workshop meetings in August and December due to typical vacation times and the holiday season.

#### Resolution No. 2004-02-02

A resolution of the Town Council of Southern Shores, North Carolina, amending the 2004 Meeting Schedule

**WHEREAS**, the Town Council of Southern Shores to amend its meeting schedule as establish in Resolution No. 2004-01-01 as that schedule applies to Council meeting workshops;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of Southern Shores, North Carolina, meeting this 3<sup>rd</sup> day of February, 2004, that the regular monthly agenda workshop meetings of Council will take place generally on the third Tuesday of each month, being called to order at 9:00 a.m. in the Kern P. Pitts Center, more specifically as follows:

Tuesday, January 27, 2004  
Tuesday, February 17, 2004  
Tuesday, March 16, 2004  
Tuesday, April 20, 2004  
Tuesday, May 18, 2004  
Tuesday, June 15, 2004  
Tuesday, July 20, 2004  
Tuesday, September 21, 2004  
Tuesday, October 19, 2004  
Tuesday, November 16, 2004  
Tuesday, January 18, 2005

**BE IT FURTHER RESOLVED** that no regular monthly agenda meeting shall be in held during the months of August and December, unless called by the Mayor;

**BE IT FURTHER RESOLVED** that all other provisions of Resolution No. 2004-01-01 Relating to 2004 Council Meeting Schedule not otherwise be in conflict with this Resolution and shall remain in affect.

Adopted this 3<sup>rd</sup> day of February 2004.

\_\_\_\_\_  
Paul Sutherland, Mayor

ATTEST:

\_\_\_\_\_  
Carrie Gordin, Town Clerk

Council Member Denny made a motion to adopt Resolution No. 2004-02-02 Relating to Council Workshop dates as presented. Mayor Sutherland seconded. The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

Mimi Iacone, Planning Board Vice Chair expressed her concern regarding this change and asked Council if the Planning Board could change their meeting date if necessary?

Council agreed that would be a Planning Board decision.

Resolution No. 2004-02-01 Relating to Creation of the Animal Control Policy Advisory Committee.

Resolution No. 2004-02-01

A RESOLUTION OF THE  
TOWN COUNCIL OF SOUTHERN SHORES, NORTH CAROLINA,  
RELATING TO CREATION OF THE ANIMAL CONTROL ADVISORY COMMITTEE

**Whereas**, the Town of Southern Shores seeks some measure of animal control services and those services have, to date, included ordinances and rules relating to animals and enforcement of Town ordinances and rules through the Police Department, Dare County Animal Control, the Dare County Animal Shelter, and coordination with other agencies; and,

**Whereas**, the Town Council has received complaints from citizens and guests that animals are not being adequately controlled by their owners and that animal feces (especially dog feces) are not being cleaned up by animal owners;

**Now, Therefore, Be it Resolved**, the Southern Shores Town Council meeting this 3<sup>rd</sup> day of February, 2004, does hereby establish an Animal Control Policy Advisory Committee, which is charged with the following functions:

1. Review existing animal control ordinances and programs serving the Town of Southern Shores,
2. Conduct discussions with the public on what types of animal control, if any, the citizens and property owners of Southern Shores desire,
3. Review animal ordinances and programs in other towns.

- 4. Make recommendations to the Town Council for any changes to ordinances, rules and programs as they may relate to animal control in Southern Shores;
- 5. Perform such other functions as are necessary to carry out the mission specified for the Committee; and,

**Be it Further Resolved** that the Mayor is hereby directed to solicit names for participation on the Animal Control Policy Advisory Committee and shall, with the consent of the Town Council, make appointments to the Committee, including a chairman; and,

**Be it Further Resolved** that the Committee shall, as it deems necessary appoint a vice chairman and adopt such rules as they deem necessary for the conduct of their business; and,

**Be it Further Resolved** that the Town Manager shall assign and provide adequate staff resources to complete the work of Committee; and,

**Be it Further Resolved** that the Committee shall submit its final report and recommendations to the Council on or before October 1, 2004 and the Animal Control Policy Advisory Committee shall thereafter cease to exist.

Approved this \_\_\_ day of February 2004

\_\_\_\_\_  
 Mayor Paul Sutherland  
 Town of Southern Shores

ATTEST:

\_\_\_\_\_  
 Carrie Gordin, Town Clerk  
 Town of Southern Shores

Council Member Hess made a motion to adopt the resolution 2004-02-01 as presented and to appoint Sarah Tyler as chairperson. Council member Shields seconded. The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

Resolution No. 2004-02-05 Relating to Creation of the Cemetery Policy Advisory Committee.

Resolution No. 2004-02-05

**A RESOLUTION OF THE  
 TOWN COUNCIL OF SOUTHERN SHORES, NORTH CAROLINA,  
 RELATING TO CREATION OF THE CEMETERY POLICY ADVISORY COMMITTEE**

**Whereas**, the Town of Southern Shores seeks to improve the rules and regulations relating to the use and development of the Town cemetery and,

**Whereas**, the Town Council seeks input from citizens on how to improve the appearance of the Town cemetery;

**Now, Therefore, Be it Resolved**, the Southern Shores Town Council meeting this 3<sup>rd</sup> day of February, 2004, does hereby establish a Cemetery Policy Advisory Committee, which is charged with the following functions:

1. Review existing ordinances, rules and regulations relating to use, development and financing of the Town cemetery.
2. Review cemetery ordinances, rules, regulations and financing mechanisms in other towns.
3. Conduct discussions with the public on possible improvements to the appearance of the Town cemetery,
4. Make recommendations to the Town Council for any changes to ordinances, rules and financing mechanisms as they may relate to the Town cemetery
5. Perform such other functions as are necessary to carry out the mission specified for the Committee; and,

**Be it Further Resolved** that the Mayor is hereby directed to solicit names for participation on the Cemetery Policy Advisory Committee and shall, with the consent of the Town Council, make appointments to the Committee, including a chairman; and,

**Be it Further Resolved** that the Committee shall, as it deems necessary appoint a vice chairman and adopt such rules as they deem necessary for the conduct of their business; and,

**Be it Further Resolved** that the Town Manager shall assign and provide adequate staff resources to complete the work of Committee; and,

**Be it Further Resolved** that the Committee shall submit its final report and recommendations to the Council on or before October 1, 2004 and the Cemetery Policy Advisory Committee shall thereafter cease to exist.

Approved this \_\_day of February 2004.

\_\_\_\_\_  
Mayor Paul Sutherland  
Town of Southern Shores

ATTEST:

\_\_\_\_\_  
Carrie Gordin, Town Clerk  
Town of Southern Shores

Council Member Shields made a motion to adopt the resolution No. 2004-02-05 as presented. Council Member Hess seconded. The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

Mayor Sutherland stated that a broadcast email would be sent requesting volunteers for the committees.

Amend Town's Fee Schedule-Home Owners Recovery Fund Permit Fee and Re-inspection Fee

Resolution No. 2004-02-04

**A RESOLUTION OF THE  
TOWN COUNCIL OF SOUTHERN SHORES, NORTH CAROLINA,  
RELATING TO FEES**

**Whereas**, the Town of Southern Shores seeks to recover all or a portion of the cost of providing services in specific instances;

**Now, Therefore, Be it Resolved**, the Southern Shores Town Council meeting this 3<sup>rd</sup> day of February 2004, does hereby amend the Town of Southern Shores Fee Schedule, which is attached as "Exhibit A" and incorporated herein by reference.

**Be it Further Resolved** that this Resolution shall become effective immediately and shall apply to all applications submitted after the date of approval.

Approved this \_\_\_ day of February 2004.

\_\_\_\_\_  
Mayor Paul Sutherland  
Town of Southern Shores

ATTEST:

\_\_\_\_\_  
Carrie Gordin, Town Clerk  
Town of Southern Shores

Mr. Classen stated that the State increased the Homeowners Recovery Fund Permit Fee from \$5 to \$10 effective Aug.1, 2003. He stated although the increased fee has been collected by the staff since August as required by law, the new fee was not incorporated into the Town's Fee Schedule).

He stated that in addition, the Building Inspections Department has been charging a re-inspection fee of \$50 but that is not listed on the Fee Schedule. The department is requesting that the re-inspection fee be increased to \$75.00. He stated that re-inspections are costly for the Town.

He recommends Council approve the amended fee schedule to include these two items.

Mayor Sutherland made a motion to adopt the revised fee schedule. Council Member Hess seconded. The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

Town of Southern Shores  
**\*FEE SCHEDULE\*\***

\*All fees shall include, whenever applicable, the reasonable cost of any expert advice obtained by the Town or other direct expenses incurred by the Town during the review of the application. All fees must be paid in full prior to any further reviews by the Town or prior to issuance of any permits sought, whichever comes first.

<u>Item</u>	<u>Fee</u>
Town Ordinance	\$ 10.00
Zoning Ordinance	7.00
Zoning Map (Official)	16.00
(Unofficial)	16.00 (blue ink)
	35.00 (color)

Cemetery Lot (property owners)	200.00
(non-residents & non-property owners)	2,000.00
More than 6 Copies	0.10/per copy
Cost of Town Personnel to find and re-file materials to be copied(in quarter hour increments)	16.00/hour
Trash Can	60.00
Recycle Can	60.00
Chipping brush over 30 minutes	20.00/ 1/4 hour
<b>Development Review Fee Schedule:</b>	
Application for amendment to Zoning Ordinance.	
a. Application requires change to Zoning Map	100.00
b. Application does not require change to Zoning Map	50.00
Application to Board of Adjustment for variance or administrative ruling	200.00
<b>Filing Fees</b>	
a. Site plan for dwelling or lodging unit other than single family detached homes. Each Unit	50.00
b. Each lot in a proposed subdivision. 50% with submission of Preliminary Plat and 50% with Final Plat	10.00/lot
c. Commercial structures and improvements	0.10/SF
d. All other structures and improvements requiring a building permit and not associated with single-family, detached dwellings.	0.10/SF
<b>Building Department</b>	
Plan Review –	
Lot Disturbance	75.00
Single family new construction	150.00
Single family addition, renovation or pool	75.00
New Building permits for structures/ additions/reconstruction - heated/living areas	Single family 0 .60/SF All others 0.75/SF
non heating areas; i.e., deck, porch, garages, etc.	Single family 0 .30/SF All others 0.35/SF
Remodeling and alterations to existing structures - (no additional square footage) per \$1,000 of cost	10.00
Swimming Pools and Tennis Courts (flat fee)	125.00
Demolition	75.00
Sign	75.00
Bulkhead	75.00
Re-inspection charge	75.00
<b>House Moving -</b>	
Out of Southern Shores	100.00
Within Southern Shores	250.00
Into Southern Shores from elsewhere	350.00
Not withstanding the above, the minimum fee shall be	75.00
<b>Contractors Licensing Board Fee (Homeowner's Recovery Fund)</b>	
For new buildings/substantial improvements of \$25,000 or more	10.00
CAMA Permit: minor development permit if the project is within the Ocean or Estuarine AEC's and does not qualify for exemption.	100.00

ATTEST:

\_\_\_\_\_  
Carrie Gordin, Town Clerk

\_\_\_\_\_  
Paul Sutherland, Mayor  
\*\*Adopted 3/4/03 Amended 1/6/04, 2/3/04  
Vote: 5 Aye 0 Nay

Mr. Classen presented to Council a proposal from Municipal Code Corporation (MCC), who has provided this service to the Town for many years, to have the Town's Zoning Ordinance codified as part of the Town Code, to update the Town Code with applicable ordinances passed, to perform a legal review for compliance with State law, and to provide a copy of Code in MS Word.

He requested that Council approve the review and update of town code by MCC Corporation in an amount not to exceed \$ 5,764.00 which is the quote plus 10% contingency and to authorize the

Mayor, Town Manager, Clerk and other necessary officials to sign and execute all documents in support of this action.

Council Member Sanders made a motion to approve the review and update of town code by MCC Corporation in an amount not to exceed \$ 5,764.00 which is the quote plus 10% contingency and to authorize the Mayor, Town Manager, Clerk and other necessary officials to sign and execute all documents in support of this action. Council Member Hess seconded. The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

#### Town Landscaping Contract

Mr. Classen reported to Council that the existing grounds maintenance contract with Southern Pines Landscapes expires on March 31, 2004. The contract presently costs \$1,561.08 per month or \$18,733 annually.

He stated that Council discussed as one of the retreat issues to hire a full time buildings and grounds worker who would drive inmates to/from the detention center, work with an inmate in his buildings and grounds duties, and work on Town Hall grounds maintenance along with other public works duties (e.g., trim work along the multi-use paths, maintenance work on Town buildings, etc.).

He stated that the hiring rate for a Maintenance Worker (Grade 8) is \$22,390 and the range extends up to \$33,137. A full time position also includes benefits along with payroll taxes, which could add up to \$15,000 to the salary depending upon the hiree's circumstances.

He stated that an existing Town sedan vehicle that is scheduled for replacement could be used for transporting the inmates and that he could release a portion of the capital expense moratorium to purchase a scheduled replacement vehicle for the Code Enforcement Administrator or Police Department and that a pick-up truck could be secured from State surplus or other source and that the sedan would be used for transporting inmates and the new maintenance worker would use the pick-up truck for Town duties.

He recommends to authorize hiring a full time Maintenance Worker for grounds maintenance and other public works functions and to authorize the purchase and outfitting (emergency lights, tool box, tools, etc.) of a used pick-up truck for Town work.

Council Member Denny made a motion to authorize the hiring of the additional public works employee as proposed by the Town Manager. Council Member Shields seconded.

The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

#### Hazard Mitigation Plan Committee

Mr. Classen recommends that Council appoint new Council members to the Hazard Mitigation committee since Don Smith and Gene Kennedy are no longer members of Council.

At a meeting held on January 21 the mayor recommended the appointment of Council Members Dave Sanders and Dan Shields to the committee. Mayor Sutherland so moved to appoint them. Council Member Hess seconded. The motion passed with Council

Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

Duck Woods Country Club (DWCC)

Mr. Classen reported that the DWCC is proposing to demolish the old club and build a new club and that the proposed height is not within the allowable height restrictions in the Town's Zoning Ordinance. He stated that Council, at the workshop, directed the staff to draft appropriate language for the Planning Board to review and make a recommendation. He stated that a public hearing date is set for March 2, 2004 at which time the amendment would be considered for adoption.

Cooperative Tax Collection

Mr. Classen stated that Council discussed at the Retreat Workshop to investigate Dare County collecting the Town's real estate property taxes. He stated that presently Dare County collects the Town's personal property taxes (e.g., vehicles, trailers).

He stated that at this time Dare County under the cooperative system collects the towns of Duck, Kill Devil Hills, Kitty Hawk, and Manteo. He stated that the fee for this service is a 1.5% service charge. He stated that the County would not collect pre-2004 delinquent real estate taxes. He stated that he has directed the Town Attorney and Tax Collector to commence actions against all pending delinquencies.

He stated that he and Linda Dough met with the County Attorney and County Tax Collector regarding the cooperative program. He stated that the draft agreement would be the same as that signed by Duck in 2003 and used by the other participating towns. He stated that for implementation in 2004, both the County and Town would need to adopt a resolution implementing an agreement prior to April 1.

He stated that a letter of intent needs to be signed by the mayor to the chairman of the Board of Commissioners stating the intent to participate in the cooperative tax collection program. A final agreement would be before the Town Council on March 2 and in front of the County Commissioners on March 15.

By Council consensus they agreed that the Mayor sign the letter of intent and to proceed with the proposal for participation in the cooperative tax collection program beginning in 2004.

Resolution-Water Line Extension

Mr. Classen submitted for Council consideration Resolution # 2004-02-06 relating to a Town request to Dare County to extend the Chicahauk Trail main water line through to create loops along existing dead end lines on Scuppernong Lane, Mistletoe Lane, Honeysuckle Lane, Fox Grape Lane, and Dewberry.

Resolution No. 2004-02-06

**A RESOLUTION OF THE  
TOWN COUNCIL OF SOUTHERN SHORES, NORTH CAROLINA,  
RELATING TO A WATER LINE EXTENSION**

**Whereas**, the Town of Southern Shores seeks to cooperate with Dare County to improve water service to the residents of the town;

**Now, Therefore, Be it Resolved**, the Southern Shores Town Council meeting this 3<sup>rd</sup> day of February, 2004, does hereby request that Dare County extend the Chicahawk Trail water main through to create loops along existing dead end lines on Scuppernong Lane, Mistletoe Lane, Honeysuckle Lane, Fox Grape Lane (as shown in the attached map, which is noted as “Exhibit A”); and,

**Be it Further Resolved** that the Mayor shall transit this Resolution to the Dare County Board of Commissioners and request their support and approval of this project.

Approved this \_\_ day of February 2004.

\_\_\_\_\_  
Mayor Paul Sutherland  
Town of Southern Shores

ATTEST:

\_\_\_\_\_  
Carrie Gordin, Town Clerk  
Town of Southern Shores

Council Member Denny moved to adopt the presented resolution with the amendment to add Dewberry Lane. Mayor Sutherland seconded. The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

**Council's Agenda**

Council Member Denny thanked staff for their work on putting the Council books together.

No additional comments were made by Council.

**Mayor's Agenda**

Mayor Sutherland gave an update on the Interim Order placed on Ginguite Woods Water Reclamation Association, Inc. (GWWRA) which violated the Town Code section for wastewater treatment. He stated that GWWRA has 30 days in which to comply and that a meeting would be held February 16 for follow-up to determine if an additional order would be needed.

Mayor Sutherland announced that Council, the Town Manager and the Town Clerk would attend a school for elected officials on February 18-20, 2004 at the Sanderling.

Mayor Sutherland reported that he and Council Member Denny attended a Tourist Board meeting on January 28 to discuss if there is a need for an Outer Banks Civic Center. He stated that more discussion is needed on this issue.

Mayor Sutherland presented Mr. Classen with a framed computer picture of Hurricane Isabel for his work during the hurricane at which time Mr. Classen has just been hired as the Town manager. The title of the picture is "Baptism Under Fire".

### **Town Manager's Agenda**

Mr. Classen presented a copy of a contract with Johnson, Burgess Mizelle & Straub. He recommended staying with the firm one more year (FY 2003-2004) as the Town auditor due to the Tax Collector transition/financial administration realignment at a cost not to exceed \$9,000.

Council Member Denny made a motion to approved the recommendation as stated. Mayor Sutherland seconded. The motion passed with Council Members Denny, Hess,

Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

Mr. Classen reviewed a Cooperative GIS Project. He stated that the County will share space with the participating towns on an existing County server. He stated as the County has already purchased the central software (ArcIMS), that major expense is laid over until the towns decide (if ever), they want a separate server. He stated that the biggest cost to the Towns will be the fiber connection to the County fiber in KDH, purchasing copies of ArcMap and other GIS software, upgrading hardware to recent (post-2000) versions and a good plotter/printer, and purchasing set-up and training through HobbsUpchurch. He stated that this seems within the current budget, though the big question remains the cost of connecting to the fiber. He stated that staff is checking with Charter on that expense. He stated that a side-benefit of this project would be the installation of a computer network hub in the Pitts Center that will allow approximately 15 people to use a laptop in training both connected to the Internet and to the trainer.

Mr. Classen stated that Donald Hammett wrote a letter to the legislators in support of the Water Resource grant for the Southern Shores canal project and that the Town appreciates citizen's involvement in support of such projects.

Mr. Classen stated that Charter Cable has increased their rates and all citizens should have been notified by letter.

Mike Hejduk, Town Code Enforcement Administrator reported that his department is actively educating contractors on the proper/improper use of rights-of-way in Town.

### **Town Attorney's Agenda**

Ike McRee reported that the Bowlin litigation was scheduled for January 8 but had to be rescheduled and that the Franchi case for summary judgement is set for February 23, 2004.

**Public Comment**

Pat Storey speaking on behalf of Joan Lister, chair of the League of Women Voters, thanked Council and the Town Manager for the continued contribution for the funding of the *Citizens's Guide*.

She announced that the League is sponsoring a seminar on affordable housing on February 19 in Kill Devil Hills.

Hearing no other business Mayor Sutherland made a motion to adjourn the meeting at 8:30 p.m. Council Member Hess seconded. The motion passed with Council Members Denny, Hess, Sanders, Shields and Mayor Sutherland voting aye; no Council Member voting no; and no Council Members absent or not voting.

Attest:

Respectfully submitted:

\_\_\_\_\_  
Mayor

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