

Southern Shores Town Council  
Town of Southern Shores, North Carolina

Regular Meeting  
July 6, 2004  
7:00 p.m.  
Southern Shores Volunteer Fire Department

**MINUTES**

The Southern Shores Town Council met on July 6, 2004, at the Southern Shores Volunteer Fire Department due to a lightening strike that impaired the air conditioning units in the Pitts Center.

The following members were present:

Mayor Paul Sutherland  
Council Members: Hal Denny, Dan Shields, and Jodi Hess, and David Sanders  
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 a moment of silence be held for the families of Mal Smith, Richard Pero, and Carson Browning.

**Approval of Agenda**

Mayor Sutherland asked to amend the agenda to introduce two new police officers. Council Member Denny seconded. The motion passed with Mayor Sutherland, Council Members Denny, Hess, Shields and Sanders voting aye; no Council Member voting no; and no Council Members absent.

Police Chief Pledger presented Officer Ben Lobdell and Officer Becky Gardner and gave a brief introduction of each.

**Approval of minutes**

Council Member Shields moved to approve the minutes for the June 1 and recessed June 8, 2004, meetings as presented. Council Member Denny seconded. The motion passed

with Mayor Sutherland, Council Members Denny, Hess, Shields and Sanders voting aye; no Council Member voting no; and no Council Members absent.

## **Reports**

Jay Russell presented the June 21, 2004 Planning Board meeting recap in Chairman Green's absence.

1. The June 21, 2004, meeting of the Southern Shores Planning Board was called to order at 7:30 P.M., Monday, June 21, 2004. A quorum was in attendance which included Kathy Halloran, the Commercial District Representative of Martin's Point. Carl Classen, Town Manager, also joined the Board.

2. The Board approved the corrected minutes for the May 2004 meeting of the Planning Board.

3. The Board reviewed the term expiration dates for all Board Members and alternates. It is recommended to Council that effective with the August 2004 meeting of the Planning Board, the following dates for termination of appointments be approved:

Bruce Green June 30, 2004

Mimi Iacone June 30, 2004

Jay Russell June 30, 2005

David Peckens June 30, 2005

James Groff June 30, 2006

Joe Walters (alt) June 30, 2006

George Kowalski (alt) June 30, 2006

Kathy Halloran's appointment will be as directed by Dare County.

4. The Board reviewed the Martin's Point Professional Center site plan to be located at 6365 Croatan Hwy. The site plan is recommended to Council for approval. Two missing documents were (1) tentative approval from the Dare County Health Department, and (2) approval from the Dare County Water Department for water hookup.

These documents are due not later than Friday, 25 June 2004. It was noted that the landscape and lighting plans have been received and will be incorporated as the building is being constructed.

5. The Board reviewed the proposed Billboard Amortization legislation to eliminate amortization for regulation of outdoor advertising. This legislation is being proposed in North Carolina Senate Bill SB 1056. The Planning Board recommends to Council that the Mayor of Southern Shores write to Mr. Marc Basnight, President Pro Tem, North Carolina Senate, stating our town's opposition to legislation which would eliminate Amortization for Regulation of Outdoor Advertising.

6. The Board considered the policy for submission of materials for Planning Board review and requests that such documents be made available to the Planning Board members not later than five days before the meeting date of the Board.

Under item #3, Council Member Shields moved to appoint Joe Walter and George Kowalski from alternates to permanent members of the Board effective August 2, 2004. As noted, Bruce Green and Mimi Iacone’s term expired. Council Member Denny seconded. The motion passed with Mayor Sutherland, Council Members Denny, Hess, Shields and Sanders voting aye; no Council Member voting no; and no Council Members absent.

Council Member Shields moved to amend the motion by changing the effective date from August 2 to July 2. Council Member Denny seconded. The motion passed with Mayor Sutherland, Council Members Denny, Hess, Shields and Sanders voting aye; no Council Member voting no; and no Council Members absent.

Council received resumes for the vacant alternate positions but directed staff to advertise through the Broadcast email one more time for volunteers.

Council Member Denny moved to approve the presented site plan as recommended by the Planning Board received June 21, 2004 Project #P415.01 for the Martin’s Point Professional Center located at 6365 N. Croatan Hwy. Lot 6. Council Member Hess seconded. The motion passed with Mayor Sutherland, Council Members Denny, Hess, Shields and Sanders voting aye; no Council Member voting no; and no Council Members absent.

Mid-Currituck Sound Bridge Campaign Update

Bob Palombo reported that NCDOT has set up three public meetings to discuss the Currituck Sound Area Transportation Study and the Proposed Transportation Improvements to the Intersection of US 158 and NC 12. The dates for the meetings are:

July 15, 2004	July 21, 2004	July 22, 2004
Hampton Inn Corolla, NC 4:00 p.m.-7:00 p.m.	Pitts Center Southern Shores, NC 4:00 p.m.-7:00 p.m.	Griggs Elementary School Poplar Branch, NC 4:00 p.m.-7:00 p.m.

He stated that the website has been updated and the committee has arranged for an airplane advertisement.

Mayor Sutherland suggested that Council support a letter to be drafted by him requesting that all town officials attend the NCDOT meetings. Council agreed by consensus. He also suggested that the meeting dates be sent out on the broadcast email.

#### Southern Shores Dredging Canal Project Update

George Wood, Environmental Professionals, reported he has the GPS survey of the canals and that within two weeks he would have a pre-application for Council review.

Council Member Denny reported that a letter was received from Leo Holland, president of the SSCA stating the Board members voted 7 to 1 to turn the canals over to the Town.

Council Member Hess stated that the procedure is to contact all SSCA members to attend a public meeting to discuss this issue. Following the meeting a ballot will be sent to all members. Approval by 2/3 of the respondents is required.

Fire Chief Bakken presented monthly report.

Tax and Building Inspections Report presented.

Mr. McRee stated that letters have been sent to property owners regarding delinquent taxes and the foreclosure process will commence if payment is not received.

Mayor Sutherland moved to approve all reports as presented. Council Member Sanders seconded. The motion passed with Mayor Sutherland, Council Members Denny, Hess, Shields and Sanders voting aye; no Council Member voting no; and no Council Members absent.

#### **Old Business**

##### Town Hazard Mitigation Plan Update

Hearing no objection, Mayor Sutherland set a public hearing date for the Town Hazard Mitigation Plan Update for the August 3, 2004 Council meeting.

#### **New Business**

##### Southern Shores Volunteer Fire Department annual contract

Council Member Denny moved to adopt the SSVFD annual contract in the amount of \$ 234,410.00 as presented and to authorize the Mayo , Town manager, Town clerk and other Town officials to sign and execute as necessary. Council Member Shields seconded. The motion passed with Mayor Sutherland, Council Members Denny, Hess,

Shields and Sanders voting aye; no Council Member voting no; and no Council Members absent.

#### Update Town Traffic Map

Mr. Classen stated the Official Traffic Map for the Town of Southern Shores was adopted in September, 1979. According to Town Code Section 5-102, all designated Town parking areas should be shown on the Official Traffic Map. He presented a draft Ordinance No. 2004-07-aa amending the Official Traffic Map. He stated that the purpose of the Ordinance is to bring the Official Map into compliance with Section 5-104 of the Town Code, which delineates Town parking areas. The proposed map amendment shows existing parking areas. He stated that no other changes have been made to the Official Traffic Map, as it was adopted in 1979. He stated that an updated version of the map will be presented to Council at a later date for re-adoption when the GIS is functional.

Mayor Sutherland moved to adopt Ordinance No. 2004-07-01 as presented. Council Member Sanders seconded. The motion passed with Mayor Sutherland, Council Members Denny, Hess, Shields and Sanders voting aye; no Council Member voting no; and no Council Members absent.

The approved Ordinance reads as follows:

**Ordinance No. 2004-07-01**

**AN ORDINANCE OF THE SOUTHERN SHORES TOWN COUNCIL  
AMENDING THE OFFICIAL TRAFFIC MAP**

**Dare County, North Carolina**

**Be It Ordained** by the Southern Shores Town Council as follows:

**Article I:** Purpose

The purpose of this Ordinance is to amend the Official Traffic Map for the Town of Southern Shores, Dare County, North Carolina, which was originally adopted by the Town Council on September 4, 1979 (Ordinance No. 79-0012) and as may have been subsequently amended.

**Article II:** Amend Official Traffic Map

The Official Traffic Map for the Town of Southern Shores is hereby amended as shown on Exhibit A "Amended Official Traffic Map for the Town of Southern Shores", which is hereby attached and made part of this Ordinance.

**Article III:** Applicability

The Official Traffic Map, as amended, is adopted in accordance with NCGS 160a-77, Southern Shores Town Code Sections 5-3 and 5-102, and in accordance with all other applicable federal, state and local laws.

**Article IV: Severability**

If any words, phrases, language, section or other portion of this Ordinance is held invalid by a court of competent jurisdiction, then all remaining words, phrases, language, section or other portion of this Ordinance shall remain in full force and effect.

**Article V: Effective Date**

This Ordinance is effective upon adoption.

Adopted this the 6th day of July 2004.

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Mayor Paul Sutherland

ATTEST:

S E A L

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Carrie Gordin, Town Clerk

Approved as to form:

Vote: 5 Ayes 0 Nays  
Date Introduced: 07/01/2004

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Town Attorney

**Holly Trail Road Project**

Mr. Classen reported that on June 18, a pre-bid conference was held regarding the Holly Trail Road Reconstruction Project and that on July 2 bids were to be opened at the Town Hall.

As an insufficient number of bids (three bids are required) were received during the first round, the Project will again be advertised for bid with bid opening scheduled for July 27.

He stated the bid results would be presented at the August 3 Council Meeting for Council's consideration.

**Council Agenda**

Council Member Denny reported that he attended a meeting at the Dare County EOC as part of the Information Committee. He stated that according to the charter each municipality is to submit one representative to be seated in Manteo during a hurricane.

His concern is that the Town is small and all Town Emergency Management personnel are needed here. He may have more information at the July workshop.

Mayor Sutherland announced that the Town's EOC is at the SSVFD on S. Dogwood Trail and if the citizens would like a tour they should contact the Town manager.

Council Member Shields asked that the Town manager contact NCDOT regarding the synchronization of the traffic light signals approaching E. Dogwood and Rt. 12 and S. Dogwood and Hwy. 158.

Fire Chief Bakken and Council Member Sanders concurred that there has been a change in the traffic light pattern.

Council Member Hess stated that she rode along with Sgt. Anderson and she thanked the police department for the opportunity.

### **Mayor Agenda**

Mayor Sutherland stated that he represented the Town by attending a meeting with Dare County, Currituck County, and Duck representatives to discuss the hurricane re-entry procedure into Corolla.

He asked the Town attorney to update the Council on the Franchi litigation. Mr. McRee stated that the court order process will begin in September.

Mayor Sutherland recommended that Council discuss the placement of the "public comment" section on the agenda. Hearing no objection the issue will be discussed at the July workshop.

### **Town Manager Agenda**

Mr. Classen addressed several issues with Council.

He reported on the lightening strike that hit the Town Hall and the Police Dept. on June 23. He stated that replacement computers, phones and other equipment has either already been installed or is on order and that much of the damage is expected to be covered by insurance. He stated that staff is still trying to assess the financial impact.

He stated that the Ginguite Woods Water Reclamation Association (GWWRA) Order adopted by the Town Council has been served on Mr. Blinken.

He reported that the most expensive part of the entire system of the GIS project (the map plotter, \$10,000) will likely be ordered under the FY2003-04 budget. He stated that Mike Hejduk is moving ahead on the project with Will Aycok of GTG.

He reported that Don Hudson resigned as director of Ocean Rescue. His interim replacement is Kevin Zork, who is the Nags Head Deputy Fire Chief.

He stated that staff continues to work towards a resolution with the Department of Corrections Inmate Labor Program. Staffing changes have occurred at the Tyrell County Work Farm and contract issues remain. The Town has been working more with community service workers in lieu of prison inmates.

He stated that the Town is advertising for a solid waste site monitor so that the dumpster can return as soon as possible.

He reported that discussion is being held with Currituck County regarding a joint-use site for hurricane debris management for the northern beaches.

Council Member Shields asked that the Town manager provide Council with a road repair maintenance plan by streets, with an estimated date line for beginning and completion of the streets.

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

Mr. McRee stated that the Bowlin case is set for a court date in August.

### **Public Comment**

Jim Kranda, 82 Poteskeet Trail, addressed Council regarding the issue of the cut-through traffic in Town. Mr. Kranda had several suggestions to alleviate the cut-through traffic such as collecting donations for the Fire Dept. by passing the boot (as seen in other cities), or applying property owner stickers to allow only those with stickers to pass through.

Mayor Sutherland encouraged all to attend the upcoming DOT informational workshops for the Currituck Sound Area Transportation Study and proposed road improvements to intersection US Hwy. 158 and NC 12.

Mayor Sutherland moved to adjourn the meeting at 8:10 p.m. Council Member Hess seconded. The motion passed with Mayor Sutherland, Council Members Denny, Hess, Shields and Sanders voting aye; no Council Member voting no; and no Council Members absent.

ATTEST:

Respectfully submitted:

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Paul Sutherland, Mayor

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Carrie Gordin, Town Clerk