



Town of Southern Shores

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Council Meeting Minutes

Tuesday, October 1, 2024

Present

Mayor Morey

Mayor pro tem Neal

Council Member Sherlock

Council Member Batenic

Council Member Neilson

Call Meeting to Order

The meeting was called to order by Mayor Morey. It was noted to be the regular meeting of the Town Council for the Town of Southern Shores.

Pledge of Allegiance

The attendees stood for the Pledge of Allegiance.

Moment of Silence

A moment of silence was observed.

Amendments to / Approval of Agenda

Council Member Sherlock **moved** for approval of the agenda as presented, Seconded by Council Member Neilson. The motion carried unanimously.

Consent Agenda

The consent agenda was presented, which included the approval of annual Reconstruction Task Force members and a budget amendment concerning the cemetery.

- Approval of Annual Reconstruction Task Force Members
- Budget Amendment (cemetery)

Council Member Sherlock **moved** to approve the consent agenda as presented, Seconded by Council Member Neilson. The motion carried unanimously.

Presentations

Audit Presentation

An audit presentation was given by Read Parker, a representative from Carr, Riggs & Ingram, P.L.L.C. It was reported that the financial statements were fairly presented without any material issues. The auditors also looked at internal controls and found no issues to report. A focus was provided on year-end financials, net positions, and fund balances.

- Key Highlights:
 - Net Position: Closed at \$26,605,000, a decrease due to depreciation on the beach nourishment project.
 - General Fund: Fund balance at \$15,593,929, with a \$195,000 increase, showing strong financial health.
 - Investment Earnings: Significant growth in investment income, up to \$659,000.
 - Fund Balance: 54% of general fund expenditures, exceeding state recommendations, ensuring reserve strength.

[A copy of the full audit is available on the town website]

Staff Reports

Planning/Deputy Town Manager

Deputy Town Manager/Planning Director Wes Haskett reported on September permits, including totals, fees collected, and an update was provided regarding code enforcement. Additionally, he provided a brief update on the town's comprehensive land use plan and the planning board.

Comprehensive Land Use Plan

The final draft has been certified by DCM and staff is waiting on delivery of the final certified draft which will be posted on the Town website once received.

Planning Board

The Town Planning Board will meet on October 21st at 5:00 p.m. here in the Pitts Center. The purpose of the meeting is for the Board, performing the duties of the Southern Shores Board of Adjustment, to hold an evidentiary hearing to consider VA-24-01, a Variance application submitted by Anthony Mina to seek relief from Town Code Section 30-96(f), Lots and Town Code Section 36-202(d), Dimensional Requirements for the property located at 75 E. Dogwood Tri. The Board may also consider ZTA-24-05, a Zoning Text Amendment application submitted by the Town of Southern Shores to amend Town Code Section 36-171 to allow the removal of trees greater than 6 inches in diameter, measured at 4.5 feet above the ground, within a front, side or rear yard (setback) on any unimproved lot in the general commercial district without obtaining a lot disturbance-stormwater management permit in emergency situations.

Police Chief

Police Chief David Kole presented his department's September monthly report and discussed staffing levels and ongoing efforts to add new members to the police department. Information was shared about support efforts for Western Carolina.

Fire Chief

Fire Chief Limbacher reported on September's fire department activities, with an overview of various emergency responses.

Town Manager

Town Manager Ogburn presented quarterly financials, highlighting revenues, taxes, fund balances, expenses, and investments. Details were shared regarding infrastructure and equipment expenses and future financial goals.

Town Attorney

Town Attorney Phillip Hornthal had nothing to report.

General Public Comment

A comprehensive statement by an absent town resident, Anthony Mina of 75 East Dogwood Trail was read into the record regarding zoning amendments and related concerns.

Old Business

Southern Shores Entry Corridor Enhancement Committee Appointments

The Southern Shores Corridor Enhancement Committee was established to address improvements along the key entry corridor to enhance both the aesthetics and functionality of the area.

Mayor Morey stated the council discussed the formation of this committee at the prior meeting, underscoring the importance of having community representation in decisions impacting the town's entry corridor.

Mayor Pro Tem Neal led the selection process, with input from council members to identify individuals who represent a cross-section of community interests.

The committee includes:

Town Officials

- Mayor Morey
- Mayor Pro Tem Neal
- Planning Director/Deputy Town Manager Wes Haskett

Community Members

- Michael Zehner
- Matt Price
- Jim Gould

- Linda Lauby

This group brings a mix of planning experience, community insight, and a vested interest in maintaining and improving Southern Shores' character.

Mayor pro tem Neal **moved** to nominate the proposed members to the entry corridor enhancement committee, Seconded by Council Member Batenic. The motion was carried unanimously.

The council unanimously approved the committee appointments, with members expressing optimism about the group's potential to positively impact Southern Shores' appearance and accessibility.

New Business

Channel Marker Maintenance Agreement

The council reviewed an agreement for the maintenance of channel markers between the Town of Southern Shores, Southern Shores Civic Association (SSCA), and Martins Point Homeowners Association. Amendments pertaining to the responsibilities and updates to official forms were discussed. Previously, each entity contributed \$400 annually for minor repairs to channel markers. The agreement outlines a collaborative approach for future maintenance without requiring annual contributions.

The town will handle permitting, and all parties will cover repair costs as they arise, based on invoicing rather than pooled funds. A Coast Guard form (CG-2554) must be updated to reflect current marker characteristics and responsible parties, following recent adjustments to marker locations.

Town Manager Ogburn recommended that additional language be added to ensure prompt payment (within 14 days) by all parties.

Mayor Morey **moved** to approve the MOA contingent upon the successful completion of the new CG 2554 private navigation application along with the town manager's recommended amendment, Seconded by Mayor pro tem Neal. The motion was approved unanimously.

Bid Award - NC 12 Path Construction Project

The agenda summary read as, the Town was awarded a Dare County Tourism Bureau Tourism Impact Grant in the amount of \$118,855, for construction of a new multi-use-path from East Dogwood Trail to Hickory Trail along the west side of NC12/Duck Rd. Budgeted funds, including the grant, total \$290,400. The current fiscal year budget also includes funding in the amount of \$150,000 for repairs to the existing path. Replacement of the current path from 3rd Ave to 5th Ave is recommended for funding.

Three contractors bid on the project with H&H Contracting submitting the low bid of \$452,583.21 for both projects including \$313,915.34 for the new construction and \$138,667.87 for the replacement. An additional \$12,183.21 will be transferred from the street maintenance budget to make up the shortfall, which will not require Council approval of a budget amendment.

Staff recommend awarding contracts of \$313,915.34 and \$138,667.87 to H&H Contracting for the construction and repair of multi-use-paths along NC 12/Duck Rd.

Council Member Neilson asked if cutting back vegetation was being considered to eliminate some root damage along the paths. Town Manager Ogburn stated that was one of the main reasons to switch to concrete.

Mayor pro tem Neal **moved** to authorize the town manager to enter into a contract with H and H Land Development for multi-use path repair and the new sidewalk on west side of Duck Road as stated, Seconded by Council Member Batenic. The motion carried unanimously.

Budget Amendments - Security Camera Software Replacement/Upgrade

Town Manager Ogburn explained the current security camera system for the Pitts Center, Town Hall, and the police department is outdated and no longer supported, limiting functionality and requiring a comprehensive upgrade. A budget amendment was proposed to replace the aging security cameras and supporting software within various town facilities.

Council Member Batenic **moved** to approve fund balance for camera replacement and software, Seconded by Council Member Sherlock. The motion carried unanimously.

General Public Comment

Len Schmitz, 184 Wax Myrtle Trail-again thanked the council for approving the budget amendment for the sand fence. He expressed concerns of the potholes on East Dogwood Trail.

Council Business

Council Member Batenic provided a July Tourism Board report, highlighting that occupancy was down 9% and 7.2% year to date. He reported the Airbnb area is struggling. Meals taxes were a better story, coming in slightly higher than the previous year. The Tourism Board has approved and given out several hundreds of thousands in event grants, as a means to draw in visitors.

Council Member Neilson provided an update on CurrentTV; highlighting the Blue Zone presentation, OBX Promise and a potential film festival he suggested.

Council Member Sherlock thanked the staff for an impressive audit.

Mayor pro tem Neal echoed Council Sherlock's comments on the town's annual audit, he also thanked the volunteers and staff on the Corridor Committee.

Mayor Morey stated in anticipation of receiving three bids as required by the North Carolina General statutes at the bid opening which is scheduled for 11 am on Friday, October 4th council needs to schedule a special meeting for Thursday, October 10th at 9:00 a.m., the only item on the agenda will be the consideration of awarding of bid for the construction of the new bridge to replace the Culvert at Juniper and Trinitie Trail.

Adjourn

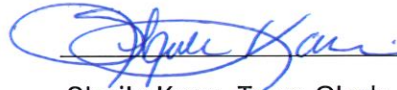
Council Member Batenic moved to adjourn this meeting and reconvene on October 10th at 9:00 am for a special meeting here in the Pitts Center, Seconded by Council Member Sherlock. The motion carried unanimously. The time was 6:30 pm.

ATTEST:


Elizabeth Morey, Mayor



Respectfully submitted,


Sheila Kane, Town Clerk

The attached documents are incorporated herewith and are hereby made a part of these minutes.