



Town of Southern Shores

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Southern Shores Council Meeting

November 12, 2024 5:00PM

Present

Mayor Morey

Mayor pro tem Neal

Council Member Sherlock

Council Member Batenic

Call Meeting to Order

Pledge of Allegiance

Moment of Silence

Amendments to / Approval of Agenda

Council member Sherlock **moved** to amend the agenda to remove item number 9 under new business, citing involvement in the cemetery project and the need for more time to discuss it with staff. The motion was seconded by Mayor Morey. The motion passed unanimously.

Council member Batenic **moved** to approve the agenda as amended, Seconded by Council member Sherlock. The motion passed unanimously.

Consent Agenda

The November 12, 2024 consent agenda consisted of the following:

- Budget Amendment-Recognize Revenues Received for Cemetery
- Resolution-A Resolution in Support of Reinstating an Area of Environmental Concern (AEC) Designation for Jockey's Ridge State Park
- Minutes Approval-October 1, 2024 & October 10, 2024
- Tax Pickups & Releases

Council member Sherlock **moved** to approve the consent agenda. Mayor Pro tem Neal seconded the motion. The motion passed unanimously.

Staff Reports

Planning / Deputy Town Manager Wes Haskett reported on permits issued for the month of October and provided a brief update on the Planning Board. The Planning Board will meet on November 18th

at 5:00 p.m. The purpose of the meeting is for the Board to consider ZTA-24-05, a Zoning Text Amendment application submitted by the Town of Southern Shores to amend Town Code Section 36-171 to establish exceptions from having to obtain a lot disturbance-stormwater management permit to remove a tree 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 zoning district when a tree emergency is deemed to exist.

Police Chief Kole provided crime statistics for September and October. He also reported on community engagement activities and hiring progress, noting they are still down a few officers.

Council member Sherlock inquired about the weapons violations reported in the staff report. Chief Kole explained a recent incident involving attempted breaking and entering, where suspects were found in possession of loaded handguns.

Fire Chief Limbacher reported on fire department activities for the month of October. He also reported on the successful open house event with good turnout during the Kitty Hawk Elementary School fall carnival.

Town Manager Cliff Ogburn reported on:

- Veterans Day ceremony, thanking those involved
- Mid-Currituck Bridge permit application public notice, with comments accepted through November 21st
- Bright Speed fiber installation beginning in town

Council member Sherlock inquired about the progress at the cemetery. Town Manager Ogburn provided updates on concrete work, signage, and landscaping plans.

Town Attorney Phillip Hornthal had nothing to report.

General Public Comment

- Leo Holland 23 Spindrift Trl- thanked the town for the Veterans Day ceremony and discussed plans for next year's event.
- Anthony Mina 75 E Dogwood- expressed concerns about information he was receiving regarding alleged false information and reports in the town.

Old Business

None

New Business

Town Hall Renovations - Consideration of Bid Award

The agenda item summary read as; the town bid the Southern Shores Town Hall Renovation project with bids due on October 10. Only two bids were received, and the project was readvertised. The same two companies submitted bids on October 18.

1. Sussex Development Corporation \$512,041.23
2. AR Chesson Construction \$522,000

Sussex is prepared to perform a Value Engineering (VE) exercise if they are selected as the contractor of choice. Staff would like to work with the project architect and with Sussex to see where savings can be made. The town manager would like council to authorize the town manager to provide Sussex Development Corporation with a Letter of Intent to enter into an agreement for the remodel construction project at town hall.

Town Manager Ogburn also discussed the scope of the project, which included a file room expansion, security improvements, and ADA accessibility upgrades.

As staff had previously shared, the town's door access control system is no longer supported and very near its end of use. A new system was included with the bids to remodel at an additional cost. This system needs to be replaced regardless of the remodeling project. In the event an agreeable price for the remodeling is not met, staff requests the Town Council authorize the town manager to enter into an agreement to replace the door access control system at an amount not to exceed \$94,573.

The council expressed concerns about the cost and long-term utility of the renovations given the age of the building. They discussed the need for a master plan for town facilities and agreed to add a master plan for the town hall complex to the next retreat's agenda.

Mayor Morey summarized what she felt she was hearing from council, a consensus on the door replacement, consensus on upgrades to the front of building (entrance), and consensus to have the town manager sit down with the low bidder to come up with a newly scoped out project and see what can be worked out with low bidder. The council confirmed their agreement.

MOTION: Mayor pro tem Neal moved to authorize the town manager to enter into a contract not to exceed \$94,573 for door replacement; and authorize the town manager to work with Sussex Development to look at alternate options at a lower cost, Seconded by Council Member Sherlock. The motion carried unanimously (4-0).

Mayor pro tem Neal thought that the reduced scope of the project would come back around \$200,000 with an additional \$94,000 (doors) for a total of \$300,000. Mayor Morey agreed that seemed to be more of a project cost the council was willing to consider.

Juniper / Trinitie Culvert Bridge Replacement - Consideration of Construction Administration & Construction Engineering Inspection Contract

Town Manager Ogburn explained after securing the contract for the construction of the Trinitie Trail Bridge, the town now needs to get Construction Administration (CA) and Construction Engineering and Inspection (CEI) services under contract. Construction Administration is the process where details of a construction project, from inception to completion, are carefully managed and controlled. This includes the evaluation and interpretation of construction documents, supervision during the construction phase, and ensuring that all aspects of the project are being conducted as per the pre-set guidelines. Tasks include visits to the site and observation of construction, review requests for information, plan revisions and providing as built drawings. Construction Engineering

and Inspection services provide materials sampling and testing, monitoring of the contractor's on-site construction activities, as well as inspecting materials in accordance with plans, specifications, and special provisions to ensure that the overall construction contract meets project guidelines.

The proposed contracts are from the engineer of record for the project, Kimley-Horn, for CA in an amount not to exceed \$60,000 and for CEI Services from NC DOT in an amount not to exceed \$125,038. The project is being built to NC DOT specifications so that it can be included in their bridge inspection program and become eligible for future State and Federal funding

Council Member Batenic inquired about the project start date. Town manager Ogburn stated the clock has already started and the contract calls for 210 days.

Mayor Morey stated there is the contractor that's doing the construction, NCDOT that's providing the daily inspection/oversight, and the consulting engineer Kimley Horn who is also providing another set of eyes. She asked what happens if there is an issue and the three entities start finger pointing at each other. Town manager Ogburn explained there are safeguards in place for dispute resolutions in the contract.

MOTION: Mayor Pro tem Neal **moved** to enter into a contract for construction administration services with Kimley Horn and the agreement for construction engineering and inspection services with the North Carolina Department of Transportation, Seconded by Council member Batenic. The motion passed unanimously.

Policy Amendment - Voluntary Leave Sharing

Finance Officer Bonnie Swain presented a new voluntary leave sharing policy for employee emergencies.

The purpose of voluntary shared leave is to provide economic relief for employees who are likely to suffer financial hardship because of a prolonged absence or frequent short term absences caused by a serious medical condition. A serious medical condition is defined by FMLA standards as an illness, injury, impairment, or physical or mental condition that involves either inpatient care in a hospital, hospice, or residential medical care facility, or that involves continuing treatment by a health care provider. Employees that experience prolonged medical conditions may exhaust all available leave and be placed on leave without pay. This will result in the employee going without pay during a critical point in their life. Under these circumstances, fellow employees may wish to voluntarily donate some of their vacation or sick leave in order help a fellow Employee.

MOTION: Council member Sherlock moved to approve the personnel policy that's been presented by staff for voluntary shared leave, Seconded by Mayor Morey. The motion passed unanimously.

Floating Holiday Policy

Finance Officer Bonnie Swain proposed adding a floating holiday to the existing 13 paid holidays to remain competitive with other municipalities.

A floating holiday is a flexible day off work that can be taken when an employee chooses, typically in place of a traditional fixed holiday. Floating holidays are not tied to a specific date or event and can "float" to the date selected by the employee each year. Paid holidays are set days off recognized by the Town, allowing all employees to observe significant events together, like New Year's Day, Christmas and Thanksgiving. Floating holidays, in contrast, offer employees the flexibility to choose days off that align with their personal or cultural significance. Not all employees observe the same holidays. Floating holidays recognize this diversity and provide opportunities to celebrate cultural or religious events that are meaningful to each employee. Flexible paid leave policies in general can help employees feel more appreciated, engaged and satisfied in their jobs and contribute to an overall positive and dynamic workplace culture. Floating holidays demonstrate an organization's commitment to fostering a flexible, inclusive, and engaging workplace environment. These policies allow companies to cater to the diverse needs of their workforce, acknowledging that employees' personal lives are varied and important.

MOTION: Mayor Morey moved to approve the floating holiday policy as presented, Seconded by Mayor pro tem Neal. The motion passed unanimously.

Dare County Tourism Board Reappointment

Council member Mark Batenic's term on the Tourism Board expires in December and he is eligible for reappointment (two-year term). The Tourism Board promotes travel to and tourism in Dare County and its municipalities. Their objective is to promote and encourage tourism in Dare County with the aim of increasing visitation and revenue.

MOTION: Mayor Morey moved to reappoint Council member Mark Batenic to the Tourism Board, Seconded by Mayor pro tem Neal. The motion passed unanimously.

General Public Comment

Len Schmitz 184 Wax Myrtle Trl-provided an update on beach grass planting efforts, reporting over 10,000 sprigs planted and plans to order more grass.

Council Business

Council members provided updates on various topics:

- Council member Batenic encouraged the locals to take advantage of the numerous events going on this fall throughout the county. The Tourism Board report shows occupancy is down 4.5% for the year, most of which is in the Airbnb area. Meals taxes are up 1.5% for the year.
- Mayor pro tem Neal thanked the Police and Fire Departments for their participation in the fall carnival. He reported the Dare County Housing Taskforce will be meeting on the 19th of November, followed by the Entry Corridor Enhancement Committee meeting on the 20th.
- Council member Sherlock reported she has been asked by several residents if Southern Shores was going to participate in the light pollution initiative, although she felt Southern Shores was not a big offender, she would discuss it with the town manager and look into it more.

- Mayor Morey encouraged the residents to submit their comments on the Mid-Currituck Bridge to the Corp of Engineers by the November 21 deadline. She asked that a special newsletter be sent out providing direction to the residents about the type of context in comments they are looking for; impacts to endangered species, historic properties, water quality, general environmental effects and other public interest factors. She also praised the staff and volunteers for their wonderful job putting together the Veterans Day ceremony.

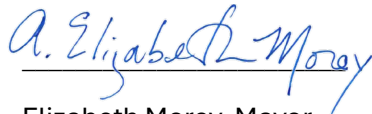
Adjourn

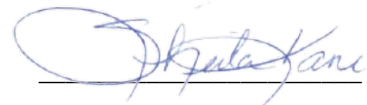
Mayor Morey stated the next council meeting is scheduled for December 3, 2024. Upon hearing no further business, she called for a motion to adjourn.

MOTION: Council member Batenic moved to adjourn the meeting at 6:38 PM, Seconded by Council member Sherlock. The motion passed unanimously.

ATTEST:

Respectfully submitted,


Elizabeth Morey, Mayor


Sheila Kane, Town Clerk