



Town of Southern Shores

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www.southernshores-nc.gov

Council Meeting Minutes

Tuesday, October 1, 2024

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9 Present

10 Mayor Morey

11 Mayor pro tem Neal

12 Council Member Sherlock

13 Council Member Batenic

14 Council Member Neilson

15 Call Meeting to Order

16 The meeting was called to order by Mayor Morey. It was noted to be the regular meeting of the Town

17 Council for the Town of Southern Shores.

18 Pledge of Allegiance

19 The attendees stood for the Pledge of Allegiance.

20 Moment of Silence

21 A moment of silence was observed.

22 Amendments to / Approval of Agenda

23 Council Member Sherlock **moved** for approval of the agenda as presented, Seconded by Council

24 Member Neilson. The motion carried unanimously.

25 Consent Agenda

26 The consent agenda was presented, which included the approval of annual Reconstruction Task

27 Force members and a budget amendment concerning the cemetery.

28 • Approval of Annual Reconstruction Task Force Members

29 • Budget Amendment (cemetery)

30 Council Member Sherlock **moved** to approve the consent agenda as presented, Seconded by

31 Council Member Neilson. The motion carried unanimously.

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33 Presentations

34 Audit Presentation

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

39 • Key Highlights:

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

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

48 Staff Reports

49 Planning/Deputy Town Manager

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

53 Comprehensive Land Use Plan

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

56 Planning Board

57 The Town Planning Board will meet on October 21st at 5:00 p.m. here in the Pitts Center. The
58 purpose of the meeting is for the Board, performing the duties of the Southern Shores Board of
59 Adjustment, to hold an evidentiary hearing to consider VA-24-01, a Variance application submitted
60 by Anthony Mina to seek relief from Town Code Section 30-96(f), Lots and Town Code Section 36-
61 202(d), Dimensional Requirements for the property located at 75 E. Dogwood Tri. The Board may
62 also consider ZTA-24-05, a Zoning Text Amendment application submitted by the Town of Southern
63 Shores to amend Town Code Section 36-171 to allow the removal of trees greater than 6 inches in
64 diameter, measured at 4.5 feet above the ground, within a front, side or rear yard (setback) on any
65 unimproved lot in the general commercial district without obtaining a lot disturbance-stormwater
66 management permit in emergency situations.

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70 Police Chief

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

74 Fire Chief

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

77 Town Manager

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

81 Town Attorney

82 Town Attorney Phillip Hornthal had nothing to report.

83 General Public Comment

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

86 Old Business

87 Southern Shores Entry Corridor Enhancement Committee Appointments

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

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

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

95 The committee includes:

96 Town Officials

97 - Mayor Morey

98 - Mayor Pro Tem Neal

99 - Planning Director/Deputy Town Manager Wes Haskett

100 Community Members

101 - Michael Zehner

102 - Matt Price

103 - Jim Gould

104 - Linda Lauby

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

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

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

112 New Business

113 Channel Marker Maintenance Agreement

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

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

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

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

129 Bid Award - NC 12 Path Construction Project

130 The agenda summary read as, the Town was awarded a Dare County Tourism Bureau Tourism
131 Impact Grant in the amount of \$118,855, for construction of a new multi-use-path from East
132 Dogwood Trail to Hickory Trail along the west side of NC12/Duck Rd. Budgeted funds, including the
133 grant, total \$290,400. The current fiscal year budget also includes funding in the amount of
134 \$150,000 for repairs to the existing path. Replacement of the current path from 3rd Ave to 5th Ave
135 is recommended for funding.

136

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

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

143

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.

180 **Adjourn**

181 Council Member Batenic moved to adjourn this meeting and reconvene on October 10th at
182 9:00 am for a special meeting here in the Pitts Center, Seconded by Council Member
183 Sherlock. The motion carried unanimously. The time was 6:30 pm

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