



TOWN OF SOUTHERN SHORES
TOWN COUNCIL MID-MONTH MEETING

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

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www.southernshores-nc.gov

PITTS CENTER

Tuesday, January 16, 2024 at 9:00 AM

MINUTES

1 **Call to Order**

2 Pledge of Allegiance

3 Moment of Silence

4 **Present**

5 Mayor pro tem Matt Neal

6 Council Member Paula Sherlock

7 Council Member Mark Batenic

8 Council Member Robert Neilson

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10 **Absent**

11 Mayor Elizabeth Morey

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13 **Approval of Agenda**

14 Motion made by Council Member Sherlock to approve the agenda as presented, Seconded by Council
15 Member Batenic. The motion passed unanimously.

16 Voting Yea: Mayor pro tem Neal, Council Member Sherlock, Council Member Batenic, Council Member
17 Neilson

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19 **Business Items**

20 1. Minutes Approval (11.14.2023 & 12.05.2023)

21 **Motion** made by Council Member Batenic to approve the minutes of November 14, 2023 and
22 December 5, 2023, Seconded by Council Member Sherlock. The motion passed unanimously.

23 Voting Yea: Mayor pro tem Neal, Council Member Sherlock, Council Member Batenic, Council
24 Member Neilson

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26 2. Budget Amendment #23 (file room addition-Planning Dept.) & Award of Contract

27 Town Staff is requesting Budget Amendment #23 for additional funding for a 101 sq. ft.
28 addition to the Planning & Code Enforcement Department's file room. Town Staff sent the
29 construction drawings and requested bids from six contractors. Only one contractor
30 submitted a bid.

31 Mayor pro tem Neal inquired about digitizing these files in the short term and looking at
32 maybe a larger renovation of town hall as has been discussed previously.

33 Town Manager Ogburn did not have a price for digitizing the documents. He stated, the
34 planning and permit department has everything that has ever been submitted for a property,
35 a benefit which the citizens, contractors and real estate agents have grown accustomed to
36 being able to come into town hall and sort through a file, making copies as necessary.
37 Digitizing everything would be a shift to this practice and being a three-person department,
38 the task would have to be contracted out.

39 Council Member Batenic asked Planning Director Haskett if other towns have digitized their
40 documents. Planning Director Haskett stated most of the other towns in the county probably
41 have purged the documents, as they are not required to keep them after a specific amount of
42 time. Southern Shores has never purged permitting documents and he guesses that the other
43 towns probably have purged their documents and not retained them as Southern Shores has
44 historically done.

45 Council Member Neilson felt digitizing documents and the ability to access them has become
46 common practice and digitizing the town's documents is important in the long term.

47 Mayor pro tem Neal stated depending on how pressing the need is for the Planning
48 Department, he would recommend getting a cost to digitize a portion and/or the entire
49 amount of documents and perhaps keep paper copies for a certain amount of years. Then
50 look at some of the other town hall upgrades that are being considered; security upgrades
51 and conference room upgrades, instead of dropping one lump sum on a small portion. There
52 are most likely cost savings by doing it all at once. If the department could spare 45 days, he
53 recommends looking into the concept of digitization.

54 Following the brief discussion, it was **consensus** of the council to get a quote on digital storage
55 of the records. The council tabled the agenda item until staff could obtain an estimate on
56 digitization of records and look at grouping together town hall improvements.

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58 3. Budget Amendment #24-Ripple Fiber Street Repair

59 The agenda summary read as, On December 16, 2023, a sub-contractor doing work on behalf of
60 Ripple Fiber cut a water line in the Town's right-of-way at approximately 156 S Dogwood Trl. The Dare
61 County Water Department repaired the line. Three days later, the Town's Public Works staff noticed
62 damage to the road caused by erosion from the leaking water line undermined the road putting it in
63 need of immediate repair. Due to the emergency need for repairs, the Town contracted Hatchell
64 Concrete for the work which was performed the same day the damage was noticed. The road was
65 repaved the following day. Prior to fiber being installed in the Town rights-of-way, the Town entered
66 into an encroachment agreement with Ripple Fiber and secured a performance guarantee to ensure
67 that repairs to the Town's infrastructure are completed in an efficient and full manner. The
68 performance guarantee is more than sufficient to cover the cost of repairs. This budget amendment is
69 necessary for the Town to recognize the guarantee and pay Hatchell Concrete. Town Staff has invoiced
70 Ripple Fiber for the expense which will return the performance guarantee to its full amount. Failure to
71 pay by Ripple Fiber will put them in default of the encroachment agreement and result in a stop work
72 order until payment is received.

73 **Motion** made by Council Member Batenic to approve budget amendment #24, Seconded by
74 Council Member Neilson. The motion passed unanimously.
75 Voting Yea: Mayor pro tem Neal, Council Member Sherlock, Council Member Batenic, Council
76 Member Neilson

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4. Consideration of Historic Landmarks Commission (HLC) Application Submittal -13 Skyline Rd.

Town staff is requesting that the Town Council direct staff to start the process for consideration of designating Town owned property at 13 Skyline Rd as a Historic Landmark. If directed, staff will submit the application for review and recommendation from the Town’s Historic Landmark Commission

All of the council was in favor of directing staff to submit an application to designate 13 Skyline drive as a Historic Landmark.

Motion made by Council Member Batenic to direct staff to apply for designation of 13 Skyline Rd., Seconded by Council Member Sherlock. The motion passed unanimously.

Voting Yea: Mayor pro tem Neal, Council Member Sherlock, Council Member Batenic, Council Member Neilson

General Public Comment

Linda Barker-231 13th Ave- speaking regarding the feasibility study in Duck as it pertains to 13th Avenue in Southern Shores. 13 Avenue homeowners greatly oppose the sidewalk installation on the west side of Route 12 from Duck south of Jay Crest to Sea Oats in Southern Shores, if installed an extraordinary number of Duck renters will cross Route 12 onto 13th Avenue to use our street to access our beach, reducing the character of our peaceful tranquil neighborhood and beach area for southern Shore homeowners and vacationers. The people renting in Duck need to use Duck access to their beaches. The intersection of Route 12 with Sea Oats Ave. and 13th Avenue has serious flooding issues when it rains, it is dangerous to navigate in a vehicle much less a sidewalk. This issue must be addressed and resolved before a sidewalk can be considered.

Closed Session-pursuant to N.C.G.S. § 143-318.11(a)(3)

Motion made by Council Member Sherlock to enter a closed session pursuant to N.C.G.S. § 143-318.11(a)(3) , Seconded by Council Member Neilson. The motion passed unanimously.

Voting Yea: Mayor pro tem Neal, Council Member Sherlock, Council Member Batenic, Council Member Neilson

Adjourn

Upon returning to open session and taking no further action, **Motion** made by Council Member Batenic to adjourn the meeting at 11:02 a.m., Seconded by Council Member Neilson. The motion passed unanimously.

Voting Yea: Mayor pro tem Neal, Council Member Sherlock, Council Member Batenic, Council Member Neilson