



AGENDA ITEM SUMMARY

MEETING DATE: November 1, 2022

ITEM TITLE: Amendment to SSVFD Contract to Accommodate EMS Renovations at East Station

ITEM SUMMARY: Dare County is in the process of making several renovations and improvements for buildings that house their Emergency Medical Services personnel and equipment. The County is proposing to demolish the East Station in Southern Shores located at 28 East Dogwood Trail. The County would then build a new facility for their use with space provided for use by the Southern Shores Volunteer Fire Department, Inc. (SSVFD). The property and building are owned by Fire Service Real Estate (FSRE) and utilized by the SSVFD.

In February of 2019 the Town and FSRE entered a contract that will now need to be amended to permit the EMS project described above to move forward. It is important to note that in the event the contract is terminated as a result of the SSVFD no longer being able to provide the Town fire protection services, the Town would have the right to take ownership of all Real Property and the Personal Property Assets including the East Station.

Attached, you will find the current contract as well as the proposed contract. There are two sections of the contract that need amending.

Section **(9) Permission to Use facilities** can now be removed entirely. When the 2019 contract was approved, the new Fire Station was still under consideration. Once the Fire Station was built, an easement from the Town over property utilized by the Public Works Department would be provided. In exchange for the easement, the Town would be permitted to use a portion of the East Station. These items have been settled and therefore are no longer applicable to the contract.

As mentioned above, the Town was granted use of the East Station as a condition of the provided easement. The new station is being designed to accommodate emergency services and meet the needs of Dare County EMS and the SSVFD. Providing space at this location for use by the Public Works Department would restrict the ability to meet those needs. Dare County has committed to providing the Town the equivalent space lost due to the new construction.

Section **(10) Additional Property Rights, Obligations and Covenants** contains the other amendments needing your approval to address the demolition and future use of the building. The new contract addresses, among other things, the right for FSRE or the SSVFD to lease the East Station, requires Town Approval of all plans for use of the East Station moving forward, and acknowledges conditions of the mortgage currently held by the FRSE.

STAFF RECOMMENDATION: Staff recommends the contract be amended as presented.

REQUESTED ACTION: A motion to authorize the Mayor to enter into the Amended and Restated Fire Services Contract between the Town and the Southern Shores Volunteer Fire Department and Fire Service Real Estate and to enter the associated Memorandum of Contract for recording at the Dare County Register of Deeds.

ATTACHMENTS: Current Fire Services Contract with proposed edits marked CURRENT.

Clean copy of new contract with amended language indicated in red type marked PROPOSED.