



**TOWN OF SOUTHERN SHORES**  
**TOWN COUNCIL REGULAR MEETING**

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

Phone 252-261-2394 / Fax 252-255-0876

[www.southernshores-nc.gov](http://www.southernshores-nc.gov)

**PITTS CENTER**

**Tuesday, March 04, 2025 at 5:30 PM**

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## **AGENDA**

### **Call Meeting to Order**

Pledge of Allegiance

Moment of Silence

### **Amendments to / Approval of Agenda**

#### **Consent Agenda**

1. Budget Amendment #25 Cemetery
2. Budget Amendment #26 -13 Skyline
3. Approval of 2025-2026 GEAC Budget
4. Resolution #2025.03.01 A Resolution of Support for Legislation Restoring Zoning Authority to Local Governments
5. Minutes Approval-January 7, 2025, January 17, 2025, February 4, 2025 Special Mtg., February 4, 2025 Regular Mtg. (all emailed)

#### **Presentations**

6. 2024 Dare Community Housing Task Force Report- Donna Creef

#### **Staff Reports**

Deputy Town Manager/Planning Director  
- Monthly Permit Report & Planning Board Update

Police Chief

Fire Chief

Town Manager

Town Attorney

#### **General Public Comment (Limit: 3 minutes per speaker.)**

#### **Old Business**

#### **New Business**

7. Consideration of Adoption of the Outer Banks Regional Hazard Mitigation Plan Update
8. Southern Shores Fire Department Consultant Findings

#### **Council Business**

#### **Adjourn**

# **Town of Southern Shores Budget Amendment Number #25**

## CEMETERY

## Increases

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
	<b><u>Revenues</u></b>				
30-40-36100	Cemetery Revenue	\$10,000			
	<b><u>Expenditures</u></b>				
30-06-50102	Utilities	\$7,500			
03-06-50908	Beautification	\$2,500			
TOTAL			TOTAL		

Explanation: To recognize cemetery revenues received for the sale of cemetery lots to cover the cost of hook up to DC Water and beautification work to cemetery.

Recommended By:

Approved By: Town Council

Cliff Ogburn, Town Manager

Elizabeth Morey, Mayor

Date \_\_\_\_\_

**Town of Southern Shores  
Budget Amendment Number #26**

[illegible]

Explanation: To recognize grant money from OBCF to pay to have new plumbing at 13 Skyline from meter to house.

Recommended By:

Cliff Ogburn, Town Manager

Approved By: Town Council

Elizabeth Morey, Mayor

Date

Current TV

2025-2026 Proposed Budget

The following items are presented to for review and approval.

**Board Action Requested:**

Approve the proposed 2025-2026 GEAC Budget.

**Budget Summary**

The Government Education Access Channels (GEAC) Committee has reviewed and approved the proposed 2025-2026 budget for the operation of the Government and Education Channels (Current TV). The proposed budget, which would take effect July 1, 2025 must be approved by every participating member entity of the Channels, which includes the towns of Duck, Southern Shores, Kitty Hawk, Kill Devil Hills, Nags Head, Manteo, Dare County, Dare County Schools, College of The Albemarle, and ECU Coastal Studies Institute.

The budget as proposed requires no additional funding from the participating entities above the current annual \$1,000 membership fee. The budget is funded primarily from the North Carolina Video Distribution proceeds, which are disbursed quarterly by the state to certified channels throughout the state. These funds must be used for the operations of the two channels and no other purpose.

Additionally, the legislation that originally established the Video Distribution funding required that the proceeds not supplant current funding. Accordingly, the annual \$1,000 membership fee that was in place when the program began must remain, or the Channels would lose all Video Distribution funding from the state.

The GEAC committee recommends the attached budget, which includes, in part, the following: funding for two full-time, and one part-time staff positions and the Local Programming Development Initiative to assist members in the development of programming for the Government and Education Channels. The funding also includes contractor funding to continue to produce two regular news magazine shows that highlight each of the participating members on the Education Channel and the Government Channel.

INCOME	2024/2025 Budgeted	2025/2026 Proposed
Supplemental PEG Channel *1	\$257,518.00	\$265,000.00
Member Fees *2	\$10,000.00	\$10,000.00
Interest Income *3	\$8,000.00	\$8,000.00
Appropriated Fund Balance *4	\$66,641.00	\$92,879.00
<b>Total Revenue</b>	<b>\$342,159.00</b>	<b>\$375,759.00</b>
<b>EXPENDITURES</b>		
Salaries (3 Positions) *5	-\$144,144.00	-\$163,719.00
Merit Pay *6	-\$3,000.00	-\$3,000.00
FICA	-\$11,027.00	-\$12,357.00
Retirement	-\$19,661.00	-\$20,863.00
401K	-\$4,324.00	-\$4,349.00
Health Insurance* 7	-\$24,596.00 [1]	-\$25,824.00
Life Insurance	-\$210.00	-\$210.00
Retiree Health	-\$252.00	-\$253.00
Insurance & Bonds	-\$3,361.00	-\$3,530.00
Contractual Services *8	-\$40,000.00	-\$40,000.00
Professional Services *9	-\$2,000.00	-\$2,000.00
Equipment Repair & Purchase *10	-\$5,000.00	-\$5,000.00
Supplies *11	-\$3,500.00	-\$3,500.00
Music Library	-\$350.00	-\$350.00
Training	-\$1,000.00	-\$3,000.00
Travel	-\$1,000.00	-\$1,000.00
Professional Memberships	-\$500.00	-\$500.00
<b>CHANNEL OPERATIONS *12</b>		
OBX Media	-\$4,200.00	-\$4,200.00
Adobe	-\$675.00	-\$830.00
Tightrope Hardware	\$0.00	\$0.00
Cablecast Software Assurance Service	\$0.00	\$0.00
Cable Subscription	-\$324.00	-\$324.00
Cablecast Reflect (Streaming/VOD Service)	-\$2,500.00	-\$2,600.00
Cablecast Closed Captioning Service (500 hours)	\$0.00	-\$3,750.00
Fiber internet upgrade		-\$4,800.00
Envato Elements Digital Assets Library	-\$385.00	-\$400.00
Marketing	-\$3,000.00	-\$3,000.00
Miscellaneous	-\$500.00	-\$500.00
Capital Outlay Projects	\$0.00	-\$0.00
Contingency (Reserve for unexpected expenses	-\$10,000.00	-\$10,000.00
Emergency Contingency (Storm related overtime)	-\$2,500.00	-\$2,500.00
Car Maintenance	-\$1,000.00	-\$1,000.00
Car Fuel	-\$2,000.00	-\$2,000.00
Uniforms	-\$400.00	-\$400.00
Verizon Wireless *13	-\$750.00	\$0.00
<b>Total</b>	<b>-\$292,159.00</b>	<b>-325,759</b>
<b>LPDI</b>		
LPDI 1- Coastal Studies Institute	-\$5,000.00	-\$5,000

LPDI 2- College of The Albemarle	-\$5,000.00	-\$5,000.00
LPDI 3 - Dare County Government	-\$5,000.00	-\$5,000.00
LPDI 4 - Dare County Schools	-\$5,000.00	-\$5,000.00
LPDI 5 - Duck	-\$5,000.00	-\$5,000.00
LPDI 6 - Kill Devil Hills	-\$5,000.00	-\$5,000.00
LPDI 7 - Kitty Hawk	-\$5,000.00	-\$5,000.00
LPDI 8 - Manteo	-\$5,000.00	-\$5,000.00
LPDI 9 - Nags Head	-\$5,000.00	-\$5,000.00
LPDI 10 - Southern Shores	-\$5,000.00	-\$5,000.00
<b>Total LPDI</b>	<b>-\$50,000.00</b>	<b>-\$50,000</b>
<b>Total Expenditures</b>	<b>-\$342,159.00</b>	<b>-375,759</b>

# Government and Education Access Channel

## Draft Budget Notes for Fiscal Year 2025/2026

### **Goals and Objectives to be achieved with this budget:**

To continue to fund the operation of the channels at a level that provides a professional, reliable and quality service to the citizens of Dare County. To increase awareness of Current TV.

**[1] NC PEG Supplemental Video Disbursement** - this is revenue that is collected by the state in the form of a use tax on cable and satellite providers. The money is pooled and disbursed to qualifying PEG operations within the state. PEG stands for Public, Education, and Government Access. Dare County has 10 qualifying PEG entities, each is a member of the Government and Education Access Channel Committee. Each quarter, this money is disbursed to the entities by the state, and then the Government and Education Access Channels invoices the entities for this money. These state funds are the main source of funding for the Government and Education Access Channels.

**[2] Member Fees** - Each entity member pays an annual membership fee to participate in the Government and Education Access Channels. This money must remain in place in order for each entity to receive the PEG Supplement from the state. There is no change to this amount from last year, so impact on each entity's budget is unchanged.

**[3] Interest Income** - The unappropriated fund balance is invested and earns interest. Dare County Finance had advised that \$8,000 be included for interest income for this budget.

**[4] Appropriated Fund Balance** -The appropriated fund balance is the amount pulled from the unappropriated fund balance to meet the obligations of the budget. The unappropriated fund balance was \$344,180 as of 2/1/25.

**[5] Salaries** - This budget currently funds two full-time positions that are Dare County employees, and includes a 3% COLA increase as recommended by Dare County Finance for planning purposes. This year's budget also includes pay to hire a part-time employee.

**[6] Merit Pay** - Merit pay is awarded based on employee performance. Dare County Finance has advised that \$3,000 be included for FY2025/2026.

**[7] Health Insurance** - Includes individual health insurance coverage for both full-time employees.

**[8] Contractual Services** - This is for assistance in the production of Destination Dare and Dare Education Awareness, our two main programming initiatives that highlight interesting aspects of government and education in Dare County. Each entity contributes one segment to each episode. Destination Dare is produced every other month, and Dare Education Awareness is produced in the alternate months.

**[9] Professional Services** - To pay for costs associated with professional services such as professional voiceover work, acting, and potential production support.

**[10] Equipment** - Monies set aside for the purchase and repair of large item video production equipment, such as cameras, editing computers, and lighting equipment.

**[11] Supplies** - This supports the purchase of supplies such as batteries, gaffers tape, lighting gels, accessories, and small equipment items that do not qualify as Capital Outlay or Equipment.

**[12] Channel Operations** - Expenses that support the day to day operation of the channels. This includes:

- \$4,200 - OBX Media: for website hosting and maintenance
- \$830 - Adobe: Creative Cloud subscription for professional non-linear editing tools.
- \$324 - Spectrum subscription to monitor channels in Current TV offices.
- \$2,600 - Reflect: streaming Video/VOD for on-line video streaming service.
- \$4,800 - Fiber Internet for streaming service and Video on Demand videos on Current TV website.
- \$400 - Envato Elements: Digital asset and stock footage library.

**[13] Verizon Wireless** - Line item dedicated to Verizon Wireless fee for use in mobile live broadcasting with Cradlepoint device-***discontinued for this year.***





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## **A Resolution of Support for Legislation Restoring Zoning Authority to Local Governments Resolution # 2025-0301**

**WHEREAS**, regulating development is considered the most basic tool local governments have access to stay consistent with their Land Use Plans, promote safety, maintain land use compatibility, achieve appropriate density, ensure orderly growth and development, and adequately address new land-use trends; and

**WHEREAS**, land-use trends are continually changing and evolving, and a local government's ability to govern land use is essential to maintain a safe and sustainable community, consistent with its adopted Land Use Plan; and

**WHEREAS**, communities in North Carolina deal with growth and development challenges routinely and their zoning authority is one of the only means to balance growth with the needs of the community and constituent concerns; and

**WHEREAS**, Senate Bill 382, entitled

“AN ACT TO MAKE MODIFICATIONS TO AND PROVIDE ADDITIONAL APPROPRIATIONS FOR DISASTER RECOVERY; TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2023; AND TO MAKE VARIOUS CHANGES TO THE LAW”

was enacted by the General Assembly on December 11, 2024; and

**WHEREAS**, Senate Bill 382 amended N.C.G.S. 160D-601, and eliminated or greatly diminished local government's ability to enact or enforce zoning ordinances or zoning map amendments that could be considered as down-zoning without written permission of any affected property owner; and

**WHEREAS**, down-zoning refers to any zoning provision that reduces development density to any degree, or removes any permitted uses of land from any zoning district; and

**WHEREAS**, the stringent requirements of Senate Bill 382 could result in the empowerment of a single property owner to override the will of a majority of affected property owners, a unanimous governing board, a municipality's Land Use Plan, and the will of the community, with regard to possible local legislation; and

**WHEREAS**, proposed legislation has been introduced in the General that would restore local government's ability to fulfill its obligation to its citizens through regulation of development to stay consistent with its Land Use Plans and maintain land-use compatibility, achieve appropriate density, promote safety, ensure orderly growth and development, and adequately address new land-use trends; and

**WHEREAS**, suggested legislation would restore local governments' ability to provide land-use regulations that support each municipality's infrastructure ability to serve and protect and are in the best interest of their communities to maintain sustainability; therefore, be it

**RESOLVED**, That the Southern Shores Town Council strongly supports the adoption of legislation that would modify GS 160D-601(d), restoring the ability of local governments across North Carolina to initiate and enforce down-zoning amendments, and also consider any local government regulatory ordinance enacted as down-zoning retroactively to December 11, 2024.

This 4<sup>th</sup> day of March, 2025.

SEAL

\_\_\_\_\_  
A. Elizabeth Morey  
Mayor

ATTEST:

\_\_\_\_\_  
Sheila Kane  
Town Clerk



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** March 4, 2025

**ITEM TITLE:** Consideration of Adoption of Outer Banks Regional Hazard Mitigation Plan Update

**ITEM SUMMARY:**

Local governments are required to have an adopted Hazard Mitigation Plan in order to be eligible for Federal and State grant funding and disaster assistance and they must be updated every five years. The main purpose of a Hazard Mitigation Plan is to reduce vulnerability to disasters. Hazard Mitigation Plans also enable local governments to gain points in the Community Rating System (CRS) program which results in lower flood insurance rates for property owners. The Town's currently adopted Hazard Mitigation Plan is the Outer Banks Regional Hazard Mitigation Plan that was adopted in August, 2020.

In April, 2024, work began on an update to the Outer Banks Regional Hazard Mitigation Plan which includes Currituck County, Dare County, and all of its municipalities with the assistance of the WSP consulting firm. The Town was represented on the Hazard Mitigation Planning Committee by Planning Board Chairperson Andy Ward, Planning Board Vice Chairperson Tony DiBernardo, Public Works Director David Bradley, and Deputy Town Manager/Planning Director Wes Haskett. The meeting agendas, meeting minutes, draft plan, and other project information can be found on the project website at <http://www.obx-hmp.com/> (link also on Town website under Planning & Code Enforcement Dept., Hazard Mitigation). The draft plan has a total of 709 pages. The pages that specifically address the Town of Southern Shores can be found on pages 526 to 546.

**STAFF RECOMMENDATION:**

Adoption of the Outer Banks Regional Hazard Mitigation Plan through approval of Resolution 2025-03-02.

**REQUESTED ACTION:**

Motion to adopt the Outer Banks Regional Hazard Mitigation Plan through approval of Resolution 2025-03-02.



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## **Town of Southern Shores Resolution Adopting the Outer Banks Regional Hazard Mitigation Plan Resolution # 2025-03-02**

WHEREAS, the citizens and property within the Town of Southern Shores are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the region are particularly vulnerable to drought, excessive heat, hurricane and coastal hazards, thunderstorm, tornado, winter weather, flooding, wildfire, hazardous substances, cyber threat, terrorism, and infrastructure failure; and

WHEREAS, the Town of Southern Shores desires to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Article 5, Section 160D-501 of Chapter 160D of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has enacted General Statute Section 166A-19.41 (*State emergency assistance funds*) which provides that for a state of emergency declared pursuant to G.S. 166A-19.20(a) after the deadline established by the Federal Emergency Management Agency pursuant to the Disaster Mitigation Act of 2002, P.L. 106-390, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, the Town of Southern Shores has performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management.

WHEREAS, it is the intent of the Town Council of the Town of Southern Shores to fulfill this obligation in order that the Town of Southern Shores will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

NOW, THEREFORE, be it resolved that the Town Council of the Town of Southern Shores hereby:

1. Adopts the Outer Banks Regional Hazard Mitigation Plan.
2. Vests the Town of Southern Shores Planning & Code Enforcement Department with the responsibility, authority, and the means to:

- (a) Inform all concerned parties of this action.
  - (b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts.
3. Appoints the Town of Southern Shores Planning & Code Enforcement Department to assure that the Hazard Mitigation Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Town of Southern Shores Town Council for consideration.
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Elizabeth Morey, Mayor

\_\_\_\_\_  
Date:

SEAL:

\_\_\_\_\_  
Sheila Kane, Town Clerk



## **Agenda Item Summary Sheet**

**Date:** 3/04/2025

**Item #:** 8

**Item Title:** Southern Shores Fire Department Consultant Findings

**Item Summary:** The Town of Southern Shores Volunteer Department has a long history of providing fire service throughout the community. Though chartered in 1982, its history dates to 1949. The department as well as those remaining volunteer departments locally, and even nationally, have seen a steady decline in the number of volunteer fire fighters for the past several years. The inevitable reality of the department shifting to a paid municipal department has come to the point that the Town and SSVFD must consider what is best for the citizens of Southern Shores moving forward.

At its December 2024, Town Council meeting, the Council directed staff to engage a consultant for the purpose of long-range planning. A joint letter signed by the Mayor and Chairman of the Southern Shores Volunteer Fire Department was distributed as information throughout the community. Both staff of the Town and SSVFD have been working closely with consultants with NC Fire Chief Consulting to aid in the evaluation of the feasibility of the SSVFD becoming part of the Town of Southern Shores municipal government.

NC Fire Chief Consulting serves as the NC League of Municipalities fire consulting partner, and they have worked with many North Carolina counties and municipalities to provide management guidance and technical expertise regarding recommendations, options, best practices, and considerations related to providing core, essential public safety services.

The Chief of the consulting group, Mr. Greg Grayson, will present the findings of his study.