



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

PITTS CENTER

Tuesday, September 03, 2024 at 5:30 PM

AGENDA

Call Meeting to Order

Pledge of Allegiance

Moment of Silence

Amendments to / Approval of Agenda

Consent Agenda

1. Surplus Resolution #2024.09.01 (Police Dept.)-Resolution Approving Conveyance of Personal Property to A Nonprofit Organization N.C.G.S.§160A-280
2. Surplus Resolution #2024.09.02 (Public Works)
3. Fee Schedule Amendment
4. Budget Amendment - Everyone's Playground
5. Approval of Planning Board Chairperson & Vice Chairperson
6. Minutes Approval (emailed)

Presentations

7. Years of Service Acknowledgement-Jennifer Couture 25 years

Staff Reports

Planning/Deputy Town Manager

Police Chief

Fire Chief

Town Manager

- Chicahauk Sidewalks Maintenance
- Channel Markers Maintenance Sharing
- Town Hall Renovations/Improvements Update
- Planning Department Document Scanning Project Update
- Cemetery Improvements Update
- Juniper Bridge Construction Update
- Street Improvements Update

Town Attorney

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

Old Business

New Business

[8.](#) Southern Shores Entry Corridor Enhancement Committee

[9.](#) Policy Amendments

- a) Benefits Program-Group Health Insurance
- b) Leave Without Pay

[10.](#) Sand Fence & Beach Grass

[11.](#) Tourism Impact Grant

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

Council Business

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

Adjourn



**Resolution Approving Conveyance of Personal Property to
A Nonprofit Organization
Pursuant to G.S. 160A-278
#2024.09.01**

WHEREAS, the Town of Southern Shores Police Department owns a 2014 Chevy Tahoe VIN # 1GNLC2E00ER143209; and

WHEREAS, North Carolina General Statute § 160A-280 authorizes a city or county to convey personal property for nonmonetary consideration to a nonprofit corporation if the governing board deems the property to be surplus, obsolete, or unused; and

WHEREAS, the Town of Southern Shores has determined that the personal property described above is surplus, obsolete, or unused; and

WHEREAS, the Town of Southern Shores finds that the public will benefit from the conveyance of the property described above by its donation to the College of the Albemarle, Basic Law Enforcement Training program (BLET) in which graduates will ultimately serve and protect the community that benefited them.

THEREFORE, THE SOUTHERN SHORES TOWN COUNCIL RESOLVES THAT:

1. The town manager is authorized to execute all documents necessary to convey title to the College of the Albemarle, Basic Law Enforcement Training program (BLET).
2. The consideration for the conveyance is to support a program which benefits and protects the citizens.
3. In accordance with the notice requirements of N.C.G.S. § 160A-280, public notice of this resolution was given by posting on the Town of Southern Shores, NC website on Wednesday, August 28, 2024.

Adopted this the 3rd day of September, 2024.

A.Elizabeth Morey, Mayor

Sheila Kane, Town Clerk



Town of Southern Shores

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Item 2.

A RESOLUTION DECLARING CERTAIN PROPERTY OF THE TOWN TO BE SURPLUS AND AUTHORIZING THE DISPOSITION OF SAID PROPERTY

#2024.09.02

WHEREAS, the Town Council of the Town of Southern Shores, North Carolina, has determined that the Town owns certain personal property that is no longer needed or usable by the Town; and

WHEREAS, the property is described below:

Surplus Property Information

Make	Model	Year	Department	V.I.N. / Description	Surplus
Ford	F250	2012	Public Works	1FTNF2IL93ED58844	Gov-Deals

NOW, THEREFORE, BE IT RESOLVED by the Southern Shores Town Council that the Town Manager or his designee are hereby authorized to dispose of the aforementioned property by any means allowable to include offering for sale at public auction, internet on-line offering, private negotiation and sale, upset bid process, or destruction.

AND BE IT FURTHER RESOLVED that property described in this resolution is surplus as of September 3, 2024.

ATTEST:

Elizabeth Morey, Mayor

Sheila Kane, Town Clerk

BE IT ORDAINED BY THE SOUTHERN SHORES TOWN COUNCIL AS FOLLOWS:

Item 3.

TOWN OF SOUTHERN SHORES FEE SCHEDULE

Adopted: 3/4/2003 | Amendment Date: 09/03/2024

* All fees shall include, whenever applicable, the reasonable cost of any expert advice obtained by the Town or other direct expenses incurred by the Town during the review of the application. All fees must be paid in full prior to any further reviews by the Town or prior to issuance of any permits sought, whichever comes first. Submitted fees shall not be refunded.

Item	Fee
Miscellaneous:	
Returned Checks/charge back (NSF)	Current Bank Fee
Credit Card Convenience Fee	
Credit card present	2.65%
Credit card not present	3.5%
Cemetery Lot Purchase:	
TOSS Property Owners	\$500.00
Non-property Owners	\$2,000.00
Cost of Copies	\$0.25 B/W \$0.30 Color
Annual Lease Fee –Town Canal-Street Right of Way	\$5.00
Beach Parking Tag or Sticker-Replacement	\$75.00
Receptacle Lid	\$45.00
Receptacle Wheels	\$40.00
Apparel Merchandise/T-Shirts	\$20.00
Planning	
Development Review:	
Zoning Map Amendment	\$300.00
Zoning Text Amendment	\$200.00
Zoning Compliance Letter	
a. Residential	\$35.00
b. Commercial	\$75.00
Application to Board of Adjustment	\$350.00
(includes cost of certified mailings and public notices)	
Conditional Use Permit	\$300.00
(includes cost of certified mailings and public notices)	
Filing fee for site plan for dwelling or lodging unit, other than single-family detached homes, per unit.	\$50.00
Filing fee for commercial structures and improvements	\$0.10/SF
Wireless Applications:	
a. Application for new tower	\$200.00
b. Tower annual renewal	\$100.00
c. New collocation	\$100.00
d. Collocation annual renewal	\$50.00
Subdivision Plat Review:	
a. Exempt	\$50.00/lot
b. Subdivision	\$100.00/lot
Building Inspections	
Plan Review:	
Lot Disturbance and Stormwater Management Permit	\$150.00
Zoning Permit	\$75.00
Single family new construction	\$150.00
Single family addition or renovation minimum	\$100.00
New Building Permits for Structures/Additions/Reconstruction:	
Heated/living areas - Single Family	\$0.60/SF
All Others	\$0.75/SF
Non heating areas, i.e., deck, porch, garages, etc. - Single Family	\$0.30/SF
All Others	\$0.35/SF
Remodeling and alterations to existing structures (no additional square footage, \$10.00 Per \$1,000 of Construction Cost)	\$10.00
Swimming Pools and Tennis Courts (flat fee)	\$250.00
Demolition	\$150.00
Generator	\$150.00
Sign	\$100.00
Bulkhead	\$150.00
Trade (HVAC, Mechanical, Plumbing, Gas, Electrical)	\$150.00
Re-inspection charge	\$100.00
Work Proceeding Without Necessary Inspections	1/2 Permit Fee

House Moving:

Out of Southern Shores	\$100.00
Within Southern Shores	\$250.00
Into Southern Shores from elsewhere	\$350.00

Miscellaneous:

Contractors Licensing Board Fee (Homeowner's Recovery Fund)	\$10.00
CAMA Permit: minor development permit if the project is within the Ocean Hazard or Estuarine AECs and does not qualify for an Exemption	\$100.00
Construction & Demolition Debris Disposal Permit	\$50.00

NOTWITHSTANDING THE ABOVE, THE MINIMUM FEE SHALL BE: \$100.00

Attest:

Sheila Kane, Town Clerk

Elizabeth Morey, Mayor

Adopted: 3/4/2003

Amended 1/6/04, 2/3/04, 6/27/06, 1/23/07, 2/26/08, 5/27/08, 3/2/2010, 11/3/10, 9/20/2011, 6/2/2015, 6/7/2016, 11/09/2021, 6/07/2022, 02/21/2023, 12/5/2023, 09/03/2024



AGENDA ITEM SUMMARY

Item # 5 (consent agenda)

MEETING DATE: September 3, 2024

ITEM TITLE: Approval of Planning Board Chairperson & Vice Chairperson

ITEM SUMMARY:

At the July 15, 2024 Planning Board Meeting the agenda included election of officers.

Charlie Ries nominated Andy Ward as Chairperson, Seconded by Jan Collins. The board unanimously agreed with a vote of 4-0.

Andy Ward nominated Tony DiBernardo to serve as Vice Chairperson, Seconded by Michael Zehner. The board unanimously agreed with a vote of 4-0.

REQUESTED ACTION:

A motion to support the Planning Board's nominations and approval of Andy Ward to serve as Chairperson and Tony DiBernardo to serve as Vice Chairperson.



Agenda Item Summary Sheet

Date: **9/3/24**

Item #: **8**

Item Title: Entry Corridor Enhancement Committee

Item Summary: At its August regular Council meeting, the Council discussed forming a committee that would make recommendations to the Town Council regarding a vision for the commercial area. The consensus was for staff to recommend a proposal for a committee charged with developing a comprehensive vision/plan for the 38 acres of commercial district.

Among other things, the committee should consider:

- Current Ordinances,
- Enhancements for pedestrians and bicyclists,
- Connectivity,
- Architectural standards,
- Economic vitality,
- Potential stressors,
- A process for continual review for compliance and success, and
- Maintaining the Town's identity.

Staff recommends the following positions to form a Working Group:

- Mayor or another Councilmember
- Mayor Pro Tem or other Councilmember
- 2 Commercial Property Owners
- 3 At Large members
- Deputy Town Manager/Planning Director

Staff Recommendation and Requested Action: Provided for Council discussion and consideration of a committee appointment.



Agenda Item Summary Sheet

Date: 9/3/24

Item #: 9

Item Title: Policy Amendments

Item Summary: Recent review of the Town’s Personnel Policy prompted recommendations for amendments to existing policies.

Recommended changes under Article 7. Employee Benefits include:

- 1- Since the Town’s chosen medical insurance providers set a requirement for the minimum number of hours worked for an employee to purchase from the available insurance options, the Benefit Programs heading is amended to better reflect this requirement. Currently it states a minimum number of hours worked that could change depending on the provider at the time.

- 2- Additional language is recommended under the Leave Without Pay (LWOP) heading clarifying an employee on LWOP does not accrue holiday, annual leave, or sick leave. It also explains the requirement listed in #1 above.

Staff Recommendation and Requested Action: Approval of attached personnel policies.

Attachments: amended sections of the Personnel Policy

ARTICLE 7. EMPLOYEE BENEFITS

Definitions Used in This Article

Full-time Employee. An employee who is in a position for which an average work week is 40 hours, and continuous employment of at least 12 months is required by the Town.

Part-time Employee. An employee who is in a position for which an average work week of at least 20 hours and less than 40 hours and continuous employment of at least 12 months are required by the Town.

Probationary Employee. An employee appointed to a full or part-time position who has not yet successfully completed the probationary period.

Regular Employee. An employee appointed to a full or part-time position who has successfully completed the probationary period.

Temporary Employee. An employee appointed to a position for which either the average work week required by the Town over the course of a year is less than 20 hours, or continuous employment required by the Town is less than 12 months.

Eligibility

All regular and probationary full-time and part-time employees of the Town are eligible for employee benefits as provided for in this Article which are subject to change at the Town's discretion. Temporary employees are eligible only for workers' compensation and FICA.

Benefit Programs

Group Health and Hospitalization Insurance

The Town provides group health and hospitalization insurance programs for full-time and part-time employees.

~~Employees who are scheduled to work 20 hours or more but less than 40 hours per week on a continuous year-round basis may,~~ Employees that work less than 40 hours per week and work at least the minimum hours per week, as required by the Town's medical insurance provider, may, if they so desire, purchase available group health insurance through the Town for themselves or for themselves and qualified dependents. A pro-rated amount of the cost of coverage paid for a full-time employee shall be paid by the Town with the remainder of the cost being paid by the employee. This pro-rated amount shall be based on regularly scheduled hours.

Sick leave may also be used for death in the employee's immediate family but may not exceed three days for any one occurrence. Additional leave time required for such occurrence may be charged to vacation or other approved leave when approved by the Department Head and/or Town Manager.

Sick leave may be used to supplement Workers' Compensation Disability Leave both during the waiting period before Workers' compensation benefits begin, and afterward to supplement the remaining one third of salary, except that employee may not exceed the regular salary amount using this provision.

Sick Leave: Accrual Rate and Accumulation

Sick leave shall accrue at a rate of one day per month of service or twelve days per year. Sick leave for full-time and part-time employees working other than the basic work schedule shall be pro-rated as described in this Article. Sick leave will be cumulative for an indefinite period of time and may be converted upon retirement for service credit consistent with the provisions of the North Carolina Local Government Employees' Retirement System.

All sick leave accumulated by an employee shall end and terminate without compensation when the employee resigns or is separated from the Town, except as stated for employees retiring or terminated due to reduction in force.

Transfer of Sick Leave from Previous Employer

The Town will accept the transfer of sick leave for employees from other employers who are participants of the North Carolina Local Government or State Employees Retirement System. The sick leave will be treated as though it were earned with the Town of Southern Shores. The sick leave amount must be certified by the previous employer. The sick leave must have been accrued under a leave system similar to that used by the Town.

Sick Leave: Medical Certification

A Department Head who believes that an employee is abusing the privilege of sick leave may require a physician's certificate. The Department Head is required to ensure:

- a) Employees shall not be on duty when they might endanger their health or the health of other employees or members of the public; and
- b) There will be no abuse of leave privileges.

Claiming sick leave under false pretense to obtain a day off with or without pay shall subject the employee to disciplinary action up to and including dismissal.

Leave Without Pay (LWOP)

A full or part-time employee may be granted a leave of absence without pay for a period of up to twelve months by the Town Manager. An employee ceases to earn holiday, annual leave or sick leave credits on the date leave without pay starts. In accordance with the policy set by the medical insurance company, the employee on LWOP will be responsible for paying the premiums for medical, dental, vision and supplemental insurances for the days

they are out. Payment must be made by the first of the month that LWOP starts to keep coverage.

The leave shall be used only for these reasons:

- a) personal disability after all other available paid leave has been exhausted,
- b) sickness or disability of immediate family members,
- c) continuation of education,
- d) special work that will permit the Town to benefit by the experience gained or the work performed,
- e) or for other reasons deemed justified by the Town Manager.

The employee shall apply in writing to the supervisor for leave. The employee is obligated to return to duty within or at the end of the time determined appropriate by the Town Manager. All certifications required for the position held must be kept up to date. Upon returning to duty after being on leave without pay, the employee shall be entitled to return to the same position held at the time leave was granted or to one of like classification, seniority, and pay. If the employee decides not to return to work, the supervisor shall be notified immediately. Failure to report at the expiration of a leave of absence, unless an extension has been requested, shall be considered a resignation.

Workers' Compensation Leave

An employee absent from duty because of sickness or disability covered by the North Carolina Workers' Compensation Act may elect to use accrued sick leave or vacation during the first waiting period. The employee may also elect to supplement workers' compensation payments after they begin with sick leave, vacation, or compensatory time, provided that the combination of leave supplement and workers' compensation payments does not exceed normal compensation. An employee on workers' compensation leave may be permitted to continue to be eligible for benefits under the Town's group insurance plans.

When worker's compensation leave extends long enough for the waiting period to be reimbursed, the employee shall return the reimbursement check to the Town and have leave hours re-instated for all time covered by paid leave. In such cases, the Town will pay the employee for any unpaid time that is owed the employee.

Military Leave

Regular employees who are members of an Armed Forces Reserve organization or National Guard shall be granted ten workdays per year for military leave with pay. On rare occasions due to annual training being scheduled on a federal fiscal year basis, an employee may be required to attend two periods of training in one calendar year. For this purpose, only, an employee shall be granted an additional ten days of military leave during the same calendar year. If such duty is required beyond these ten workdays, the employee shall be eligible to take accumulated vacation leave or be



Agenda Item Summary Sheet

Date: **9/3/24**

Item #: **10**

Item Title: Sand Fence and Beach Grass

Item Summary: Town staff would like to continue its aggressive approach to maintaining the dune system along the Town's beach. The Town is fortunate to have beach grass planted by a group of volunteers coordinated by town resident Len Schmitz. If approved, funding would provide for a second row of fence to be installed by a contractor from just south of Trout Run up to just north of Hickory Trail and beach grass planted from where the 2nd row of fence starts at Pelican Watch and go north approximately one mile. Funding would come from the annual beach nourishment maintenance appropriation of \$24,000 and supplemented with \$13,000 from the Town's Beach Nourishment Fund.

If needed, the beach nourishment capital reserve will be amended at a later date to reflect any necessary adjustments.

Staff Recommendation and Requested Action: Authorize the Town Manager to proceed with the project as outlined.



Agenda Item Summary Sheet

Date: 9/3/24

Item #: 11

Item Title: Tourism Impact Grant

Item Summary:

The Tourism Impact Grant is designed to help Governmental Units and Nonprofit organizations located in Dare County with programs or services needed due to the impact of tourism. Projects may include, but are not limited to, beach accesses, walkways, attraction capital projects, etc. Grants are disbursed on a reimbursement basis.

The Town Council has prioritized the repair and maintenance to existing multi-use-paths (mup). Currently replacement of the mup between 3rd and 5th Avenue is out to bid. This project involves replacing the existing asphalt with concrete. The Town was awarded a TIG in the present fiscal year for a mup from E Dogwood Trail to Hickory Trail and the year before for a mup from the Triangle Park to E Dogwood Trail.

Staff requests Council approve an application for continued replacement of sections of mup for 50% of a project in the amount of \$200,000.

Staff Recommendation and Requested Action: Authorize Town Manager to apply for a Tourism Impact Grant for existing multi-use-path repairs.