

Minutes of the Monday, October 10, 2022, regular meeting of the Kill Devil Hills Board of Commissioners held at 6:00 p.m. in the Meeting Room at the Administration Building, 102 Town Hall Drive, Kill Devil Hills.

Members Participating: Mayor Ben Sproul; Commissioners Ivy Ingram and John Windley

Members Not Participating: Commissioners Terry Gray and Bernard “B.J.” McAvoy

Others Participating: Debora P. Díaz, Town Manager; Meredith Guns, Planning Director; Cameron Ray, Assistant Planning Director; Casey Varnell, Town Attorney; and James Michael O’Dell, Town Clerk.

Call to Order

At 6:00 p.m., Mayor Ben Sproul opened this meeting of the Kill Devil Hills Board of Commissioners (BOC) and welcomed all present. He shared that Commissioners Gray and McAvoy had conflicts and were unable to attend tonight’s meeting.

Pledge of Allegiance and Moment of Silence

Mayor Sproul marked the passing of Bill Schmidt, longtime member of the Town’s Planning Board, which he chaired for over two decades. He asked everyone to keep his wife, Barbara, and the Schmidt family in their thoughts and prayers.

Agenda Approval

Commissioner Windley moved to approve the agenda, as presented. Commissioner Ingram seconded the motion, which passed by a unanimous, 3-0, vote.

Public Comment

Dr. Gerry Jordan, 1832 Bay Drive, Kill Devil Hills, NC – Dr. Jordan inquired which entity had legal jurisdiction over the Dock Street boat ramp and parking lots.

Response to Public Comment

Planning Director Meredith Guns stated that the N.C. Wildlife Resource Commission operated and maintained the Dock Street boat ramp. Town Manager Debora Díaz said that Staff would provide him contact information for the Commission.

Ongoing Business

1. Appointments

All applications on file from persons interested in serving in either capacity have been previously copied to the Board of Commissioners and no new applications for those purposes have been received.

A. Community Appearance Commission

A vacancy was created in March 2022 when a Community Appearance Commission member moved out of the area. As a result, one appointment to the Community Appearance Commission is available to fill, for a term that will expire in October 2024. At its August 8, 2022, meeting, the Board of Commissioners tabled this appointment to the Community Appearance Commission until this meeting.

Commissioner Windley moved to appoint Jenniffer Albanese as a member to the Community Appearance Commission, for a term that will expire in October 2024. Commissioner Ingram seconded the motion, which was approved by a unanimous, 3-0, vote.

New Business

Committee Reports

Dare County Tourism Board (DCTB) – Commissioner Ingram shared the meeting schedule for the DCTB, and noted a survey for the public would be distributed for Dare County residents soon.

Commissioners' Agenda

Commissioner Ingram

Ice Cream Social Commissioner Ingram and members commended Staff for the Town's annual Ice Cream Social, held at Aviation Park.

Mayor's Agenda

1. **Proclamations and Resolutions (Attached MA-1A and MA-1B)**
 - A. **Proclamation Declaring November 2022 as Alzheimer's Disease Awareness Month**
 - B. **Resolution in Support of Extending the Deceleration/Right Turn Lane from North Croatan Highway onto Colington Road**

Mayor Sproul shared that the proclamation highlights the importance of Alzheimer's disease awareness for our community. This dreadful disease affects 180,000 North Carolinians, and increased awareness of its effects on individuals, their families, and our health care system is vital.

He then presented a resolution that requests the N.C. Department of Transportation (NCDOT) design and construct an extended deceleration lane and right-turn lane for the US 158 southbound turn onto Colington Road. With both the Colington Road and the US 158 overlay projects ongoing, the Town would be served if this lane could be incorporated into either project.

Mayor Sproul moved to approve the proclamation and resolution, as presented. Commissioner Windley seconded the motion, which was approved by a unanimous, 3-0, vote.

2. Holiday markets (Attached MA-2)

With the overwhelming success of the First Flight Markets, KDH is marking their return at Aviation Park just in time for the holiday season. Four markets of spectacular vendors will be held in November and December, with a certain notable visitor from the North Pole stopping by on December 6th! Get all of your holiday shopping completed and enjoy the incredible seasonal lights.

3. Closed session

Mayor Sproul noted that at its September 12, 2022, meeting, the BOC scheduled time at this meeting for a performance evaluation of the Town Manager. In order to complete this, the Board will need to enter into closed session.

Mayor Sproul moved that pursuant to §143-318.11(a)(6), the Board of Commissioners enter into closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual, public officer, or employee. Commissioner Ingram seconded the motion, which was approved by a unanimous, 3-0, vote.

The Board entered closed session at 6:16 p.m. The Board resumed open session at 6:50 p.m.

Mayor Sproul reported that during closed session, the BOC conducted a performance appraisal of the Town Manager, and that he and Ms. Díaz had been authorized to implement the terms of the evaluation at a later date.

CRAC Appointment Mayor Sproul congratulated Commissioner John Windley, who was recently appointed to the Coastal Resources Advisory Council for a two-year term.

Joint Worksession with Planning Board Mayor Sproul reminded members that the BOC will be holding a special joint worksession with the Planning Board on Tuesday, October 18th at 6:00 p.m. to review and discuss Staff recommendations on long-term housing.

Fire Department Open House The Fire Department's Open House will be Tuesday, October 11, from 4:00 p.m. to 7:00 p.m. at Station 14. He encouraged everyone to stop by – learn something about fire safety, meet our great firefighters, and even have a hotdog or hamburger, cooked by our Police Department.

Bulk Item Collection The bulk item collection will begin on Monday, October 17. If anyone has any questions, please call our Public Services Department.

Town Hall as early voting site KDH Town Hall will be serving as an early voting site for the general election. Starting on Thursday, October 20, hours are 8:00 a.m. to 7:30 p.m., Monday through Friday, ending with the one Saturday date on November 5, from 8:00 a.m. to 3:00 p.m. Election Day will be Tuesday, November 8. He thanked everyone involved in conducting the elections, and encouraged everyone to express their appreciation to the poll workers. He noted that our friends and neighbors work long hours as poll workers to conduct the election.

Constituency Communications Mayor Sproul shared that he and the BOC regularly receive questions, concerns, and comments from KDH citizens on varying topics; he said they work diligently to respond. He shared that a citizen recently communicated about a water bill received following an unknown leak. Mayor Sproul noted that although the Town does have a process to moderate water bills to address leaks, the Town purchases its water from Dare County. Ms. Díaz shared that the new electronic meter system alerts Staff to potential leaks, and the Town also includes payment schedules as an additional option to assist property owners.

Town Manager's Agenda

Town Attorney's Agenda

Consent Agenda

- 1. Minutes (Attached CA-1A)**
 - A. September 12, 2022
- 2. Monthly Report (Attached CA-2A)**
 - A. August 2022
- 3. Budget Amendments and Transfers (Attached CA-3A)**
 - A. Budget Amendment #2 – to appropriate funds for the 2022-2023 Street, Drainage, and Right-of-Way Improvements Project

Budget amendment #2 appropriates funding for the 2022-2023 Street, Drainage, and Right-of-Way Improvements Project, which received prior Board funding authorization at the September 12, 2022, meeting.

4. Memorandum of Understanding with Dare County – use of fuel pumps for Dare EMS (Attached CA-4)

Dare County Emergency Medical Services (EMS) has requested use of the Town's fuel pumps at the Public Works Complex at 701 Bermuda Bay Boulevard. With a joint KDH Fire / Dare EMS station being built in Kill Devil Hills, an early consideration was for an EMS fuel station at this new facility. However, Fleet Maintenance has indicated that the Town's existing fuel station should be able to handle the additional EMS vehicle fuel needs, without the need for development of an additional fuel station, saving project cost and valuable space. The Memorandum of Understanding (MOU) sets out the system by which Dare County will reimburse the Town for the fuel and operational costs. Approval of the Consent Agenda will authorize the Town Manager to execute the MOU with Dare County.

Ms. Díaz presented the Consent Agenda, and recommended approval.

Commissioner Ingram moved to approve the Consent Agenda, as presented.

Commissioner Windley seconded the motion, which was approved by a unanimous, 3-0, vote.

Public Forum

No speakers were present for the public forum.

EMS Station Mayor Sproul shared that Dare County had inquired about the future use of the current EMS Station, which the Town leases to the County. Ms. Díaz stated that the Town was considering the building's potential use by Staff for Meekins Field Park.

Adjournment

There being no further business appearing before the BOC at this time, Commissioner Windley moved to adjourn the meeting. Commissioner Ingram seconded the motion, which was approved by a unanimous, 3-0, vote.

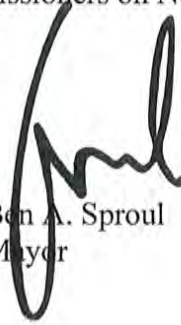
The time was 7:00 p.m.



Submitted by:

James Michael O'Dell
James Michael O'Dell
Town Clerk

These minutes were approved by the Board of Commissioners on November 14, 2022.

A handwritten signature in black ink, appearing to read "Ben A. Sproul". The signature is stylized and cursive.

Ben A. Sproul
Mayor