



# TOWN OF KILL DEVIL HILLS

*Land Where Flight Began*

MEMORANDUM

March 11, 2019

TO: Mayor and Board of Commissioners

FROM: Debora P. Diaz, Town Manager 

REF: New Business

### 3. Discussion on possible alternates on the Planning Board (Attached NB-3)

In 1993, at the request of the Planning Board, the Board of Commissioners amended Section 31.02 of the Town Code to establish seven regular members of the Planning Board, with no alternate positions. This was a change from five regular members of the Planning Board, with two alternates. The attached summary of research performed in March of 2018 provides additional information on how and why the requirement for seven regular members came to be adopted.

#### **§ 31.02 MEMBERSHIP; TERMS, VACANCY, ATTENDANCE.**

(A) The Planning Board shall be composed of seven members, appointed by the Board of Commissioners, who shall be residents of the town. The members of the Planning Board shall be appointed for terms of one, two and three years, and their terms of office shall be designated at the time of their appointment. The successor members of the Planning Board, after those first serving under this section, shall be appointed for a term of three years. A member may be reappointed upon the expiration of his term. Vacancies occurring in the regular Board membership shall be filled by appointment by the Board of Commissioners.

At the February 20, 2019 meeting the Board of Commissioners agreed to discuss this matter further. If the conclusion is for the Planning Board ordinance to be amended to create an alternate or alternates position, it will be available for action at the April 8, 2019 meeting.



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### **Planning Board membership March 15, 2018**

1. August 17, 1993 Planning Board meeting – discussion initiated on the requirement that all Planning Board alternate members had been required to attend Land Use Plan Update meetings and whether or not the requirement would continue once the Update was completed. PB Chairman Bill Schmidt felt that the requirement actually needed clarification, that it had been the true intent to have alternate members attend all meetings of the Planning Board to ensure they are well informed on all matters.

Discussion continued on possible expansion of the Planning Board to seven members with no alternates.

2. September 7, 1993 Planning Board meeting – Chair revisited the issue, bringing up the memorandum to the Board of Commissioners expressing the PB's favorable discussion of increasing the number of members of the Planning Board. He felt only a minor language change would be needed to the Planning Board ordinance to accomplish a membership change.

Chair Schmidt's memorandum is included with the minutes of this meeting.

2. September 13, 1993 Board of Commissioners meeting – under Commissioners' Agenda Commissioner (Terry) Gray called the Board's attention to a memorandum received from Chair Schmidt, which advised that the PB had informally discussed increasing the number of voting members to seven. The memorandum noted "...that such an increase would facilitate subcommittee formulation and would better serve the Commissioners needs in the areas of the Planning Board duties as an advisory group."

The Board of Commissioner suspended its rules of procedure to add this matter to its agenda and ultimately adopted ordinance language to eliminate alternate positions on the Planning Board and increase membership from five regular members to seven.

A copy of the ordinance is included with the minutes of this meeting.