



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

MEMORANDUM

January 13, 2020

TO: Mayor and Board of Commissioners

FROM: Debora P. Díaz, Town Manager

REF: New Business

1. Appointments

A. Government Education Access Channels Committee

Appointee: Must be a member of the Board of Commissioners

Oversight of the two government/education channels (Current TV) is the responsibility of the Government Education Access Channels Committee composed of all the Dare County local governments and three education entities (COA, the Board of Education & ECU CSI). The committee meets monthly / bi-monthly on the fourth Thursday of the month at 3:30 p.m. at the Dare County Administration Building in Manteo. Administration and coordination of Current TV is through the Dare County Public Information Office under direction of the committee. The Town's representative on this committee is required to be a member of the Board of Commissioners.

B. Street Improvement & Special Projects Committee

Appointee: From the Board of Commissioners (Attached NB-1B)

The Street Improvement and Special Projects Subcommittee's (SISPC) parent group is the Planning Board. The SISPC is tasked with:

1. Providing the Planning Board with a recommended list of streets and drainage improvements for each fiscal year. The Planning Board finalizes the list, which is then sent to the Board of Commissioners with a recommendation.
2. Updating the Street Improvements Master Plan, which is the guide document for upgrading and improving the Town's street system on a "pay-as-you-go" basis.
3. Updating the Town's Stormwater Management Plan.
4. Serving as the Town's Floodplain Management Committee and updating the Floodplain Management Plan. When acting as the Floodplain Management Committee (FMC), all SISPC members and all Staff Support persons comprise the FMC.

5. Such other special projects as may be assigned by the Board of Commissioners.

A majority of the members of the SISPC are appointed by the BOC. The Planning Board Chairman selects the Planning Board representative on the SISPC; a member of the Board of Commissioners serves as the de facto chair of the SISPC. The BOC member is selected by action of the BOC as a matter of organization or on an as-determined basis. The SISPC selects its vice-chair annually. There are no term limits established for the SISPC. The SISPC meets on an as-needed basis.

C. Personnel Board (Attached NB-1C)

Ms. Sue Kelly's position on the Town's Personnel Board expires at the end of January 2020, and she desires to be considered for another three-year term of appointment, which would expire in January 2023.

Applications on file from persons desiring to be considered for appointment to the Personnel Board have been previously copied to the Board of Commissioners. Section 2 in the attachments outlines the qualifications a person must meet in order to be considered for a position on the Personnel Board.

Ms. Kelly has served on the Personnel Board since 2007 and has personnel administration experience.

A motion will be in order to make an appointment to the Personnel Board for a three-year term to expire in January 2020.

D. Planning Board – a regular term (Attached NB-1D)

Mr. Mark Evans term on the Planning Board expires in February 2020 and he desires to be reappointed to the seat.

Applications on file from persons desiring to be considered for appointment to the Planning Board have been previously copied to the Board of Commissioners.

A motion will be in order to make an appointment to the Planning Board for a three-year term that will expire in February 2023.

TOWN OF KILL DEVIL HILLS

The Street Improvement and Special Projects Committee (SISPC) meets on an as-needed basis, usually prior to a Planning Board meeting, on either the first or third Tuesday of the month.

Street Improvement and Special Projects Committee – Five Regular Members, One Alternate Member

| | |
|---|--------------------|
| VACANT – BOC REPRESENTATIVE | |
| Seidman II, Ron, <u>Regular Member</u> 1405 West First Street Kill Devil Hills, NC 27948 (Planning Board Representative) | Home: 202-8936 |
| Cox, Kevin P., <u>Regular Member</u> 523 First Flight Lane P. O. Box 2435 Kill Devil Hills, NC 27948 | Home: 441-6389 |
| Froehlich, Jerry A., <u>Regular Member</u> 414 Wallace Street P. O. Box 1005 Kill Devil Hills, NC 27948 | Home: 480-3488 |
| Jones, Jr., Nelson “Skip”, <u>Regular Member</u> 1508 Captains Lane Kill Devil Hills, NC 27948 | Home: 441-7882 |
| Stoessner, Christopher, <u>Alternate Member</u> 314 W. Arch Street Kill Devil Hills, NC 27948 | Home: 757-508-2011 |

STAFF SUPPORT

Planning and Inspections Department 449-5318
 Planning Director Meredith Guns

Public Services Department 480-4080
 Public Services Director Steve Albright

TOWN OF KILL DEVIL HILLS

The Street Improvement and Special Projects Subcommittee's (SISPC) parent group is the Planning Board. The SISPC is tasked with:

1. Providing the Planning Board with a recommended list of streets and drainage improvements for each fiscal year. The Planning Board finalizes the list, which is then sent to the Board of Commissioners with a recommendation.
2. Updating the Street Improvements Master Plan, which is the guide document for upgrading and improving the Town's street system on a "pay-as-you-go" basis.
3. Updating the Town's Stormwater Management Plan.
4. Serving as the Town's Floodplain Management Committee and updating the Floodplain Management Plan. When acting as the Floodplain Management Committee (FMC), all SISPC members and all Staff Support persons comprise the FMC.
5. Such other special projects as may be assigned by the Board of Commissioners.

A majority of the members of the SISPC are appointed by the BOC. The Planning Board Chairman selects the Planning Board representative on the SISPC; a member of the Board of Commissioners serves as the de facto chair of the SISPC. The BOC member is selected by action of the BOC as a matter of organization or on an as-determined basis. The SISPC selects its vice-chair annually. There are no term limits established for the SISPC. The SISPC meets on an as-needed basis.

The Personnel Board meets on an as-needed basis, initially in public meeting and then in closed session. Two members shall constitute a quorum. The Town Clerk serves as ex officio secretary to the Personnel Board.

PERSONNEL BOARD – Three Regular Members

| | |
|---|--|
| Ricks-Sample, Jacqueline, <u>Chair</u> P. O. Box 1367 Kill Devil Hills, NC 27948 | Home: 441-4367 Term Expires: August 2022 |
| Kelly, Susanne “Sue” 211 Sea Village Lane Kill Devil Hills P. O. Box 743 Kitty Hawk, NC 27949 | Home: 441-7795 Term Expires: January 2020 |
| Stafford, Christine 412 Truxton Street Kill Devil Hills, NC 27948 | Home: 441-7323 Term Expires: April 2022 |

Personnel Policy. Article IX. Grievance Procedure.

Section 1. Policy

It is the policy of the Town to provide a just procedure for the presentation, consideration, and disposition of employee grievances. The purpose of this article is to outline the procedure and to assure all employees that a response to their complaints and grievances will be prompt and fair.

Employees utilizing the grievance procedures shall not be subjected to retaliation or any form of harassment from supervisors or employees for exercising their rights under this policy. Supervisors or other employees who violate this policy shall be subject to disciplinary action up to and including dismissal from Town service.

Section 2. Organization of Personnel Board

The Board of Commissioners may appoint a Personnel Board consisting of three members. Members of the Personnel Board shall serve three-year staggered terms. Members shall be appointed by the Board of Commissioners at their first regular meeting in January of each year. A member of the Personnel Board may be removed by the Board of Commissioners only for cause and after being given a written statement of the charges and a public hearing thereon, if so requested. Vacancies in an unexpired term shall be filled by the Board of Commissioners by appointment for the remainder of the term.

Each member of the Personnel Board shall be a qualified voter of the Town and shall be known to be in sympathy with the merit principle of personnel administration. No person who has actively participated in the immediately preceding municipal election by seeking office, soliciting funds or votes, either by letter, telephone, personal contact or speeches, in behalf of any candidate for municipal office, and no Town employee or officer shall be eligible to serve on the Personnel Board. One member of the Personnel Board shall have experience in public or private personnel administration. Any member of the Personnel

Board who becomes a candidate for political office or actively participates in town elections, in the manner hereinbefore set forth, shall be deemed to have vacated his/her position as a member of the Personnel Board.

In the event there exists a relationship of any kind between any member of the Personnel Board and an employee, group of employees or a witness appearing before the Personnel Board, the remainder of the members of the Personnel Board not affected, by majority vote, shall determine whether or not the affected Personnel Board member has a conflict of interest and whether he/she be allowed to sit in at the hearing and determination.

As necessary, the Personnel Board shall elect one of its members as chairperson, who shall preside at all meetings and shall be responsible for calling all such meetings. Meetings shall be held from time to time as necessary, and two members shall constitute a quorum. Members of the Personnel Board shall serve without compensation. The Town Clerk shall serve as official secretary to the Personnel Board and shall perform such duties as the Personnel Board may direct.

The Personnel Board shall:

- A) Advise the Board of Commissioners and the Town Manager on municipal problems;
- B) Conduct a hearing, either public or private at the employee's request, upon the request of discharged, suspended or demoted town employees. The Personnel Board shall have all powers necessary to complete investigation of the action taken, including the power to call and examine witnesses and papers. The Personnel Board shall inform the employee and the Town Manager in writing of its findings and recommendations; and
- C) Keep an adequate record of all proceedings, findings, and recommendations.

The Planning Board meets on the first and third Tuesday of each month at 5:30 p.m. The second meeting of the month is typically a planning session.

PLANNING BOARD – Seven Regular Members

| | |
|--|---|
| Buchanan, Howard, <u>Chair</u> 2058 Bay Drive Kill Devil Hills, NC 27948 | Home: 757-737-1131 Term Expires: April 2022 Chair Expires: June 2020 |
| Almoney, James “Chip”, <u>Vice Chair</u> 900 Ninth Avenue Kill Devil Hills, NC 27948 | Home: 441-5389 Term Expires: September 2021 Vice Chair Expires: June 2020 |
| Evans, Mark 507 Telegraph Court Kill Devil Hills, NC 27948 | Phone: 207-9505 Term Expires: February 2020 |
| Lowack, Michael 106 Porthole Court Kill Devil Hills, NC 27948 | Home: 480-1568 Term Expires: March 2021 |
| Seidman II, Ron 1405 West First Street Kill Devil Hills, NC 27948 | Home: 202-8936 Term Expires: September 2021 |
| Simpson, Mary 3210 Bay Drive Kill Devil Hills, NC 27948 | Home: 441-6368 Term Expires: September 2020 |
| Valdivieso, Eddie 515 Wax Myrtle Court Kill Devil Hills, NC 27948 | Phone: 449-5300 Term Expires: December 2020 |

Town Code. Chapter 31: Boards and Commissions

§ 31.01 ESTABLISHED; JURISDICTION.

There is established a Board to be known as the Town Planning Board, whose jurisdiction shall include the area within the corporate limits of the town.

§ 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.

(B) The Planning Board shall designate its Chairperson and Vice-Chairperson from its membership. The Deputy Town Clerk or designee shall provide secretarial duties for the Planning Board.

(C) The person acting as planning official for the town or Town Planner, by whatever name he may be designated, shall be an ex officio member of the Board in an advisory capacity and shall not be a voting member of the Board.

(D) Faithful attendance at the meetings of the Board is considered a prerequisite for the continuation of membership on the Board. The Board of Commissioners may take action to remove any Planning Board member who misses more than one-third of the meetings during any 12-month period.

§ 31.03 OFFICIAL RECORD; MEETINGS; QUORUM; VOTING.

(A) By virtue of the duties assigned to the Planning Board and which may be hereafter assigned to the Planning Board, there shall be an official record kept by the Secretary of the Planning Board as a permanent record for the use and benefit of the public and the applicants appearing before the Board with respect to projects within the town requiring Planning Board approval. Such record shall be a public record and shall be maintained at the Town Clerk's Office.

(B) The Planning Board shall meet at a specific time each month in order that its recommendations may be recorded and forwarded to the next regular meeting of the Board of Commissioners, which presently is set as the second Monday of each month. If the Board of Commissioners changes its meeting schedule, the Planning Board shall adjust its schedule so that its recommendations may be available to the Board of Commissioners at its regular meeting.

(C) There shall be a quorum of at least four members of the Board, and in the event only four are present, it shall take a unanimous vote of the four for official action.

(D) The Chairperson of the Board shall vote only in the event of a tie vote on a specific issue or question.

§ 31.04 POWERS AND DUTIES; COMPREHENSIVE PLAN.

(A) The Planning Board shall prepare plans and coordinate the plans of the municipality and those of others so as to bring about a coordinated and harmonious development of the area. The Planning Board is designated as the planning agency for the revision of the zoning code of the town under the authority of G.S. § 160A-387. In addition, the Planning Board is directed and authorized:

(1) To prepare and from time to time amend and revise a comprehensive and coordinated plan for the physical development of the area. The comprehensive plan shall be the Planning Board's recommendations to the Board of Commissioners for the development of the town, including, among other things, the general location, character and extent of streets, bridges, parkways, playgrounds, parks and other public ways, grounds and open spaces; the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power and other purposes; the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any of the foregoing ways, buildings, grounds, open spaces, property, utilities or terminals; and the most desirable pattern of land use within the area;

(2) To establish principles and policies and recommend their adoption to the Board of Commissioners for guiding the action of development in the area. The Planning Board may prepare a capital improvements program and report its recommendations to the Board of Commissioners upon the extent, location and design of all public structures and facilities, on the acquisition and disposal of public properties and on the establishment of building lines, mapped street lines and proposals to change existing street lines in order to insure that the goals of the comprehensive plan are furthered by a coordinated and efficient expenditure of public funds;

(3) To prepare and recommend amendments to existing ordinances promoting orderly development of the area along the lines indicated in the comprehensive plan, including a zoning ordinance and subdivision regulations. The Planning Board may initiate, from time to time, proposals for the amendment of the zoning code and the subdivision regulations based upon its studies and comprehensive plan. In addition, it shall review and make recommendations to the Board of Commissioners concerning all proposed amendments to the zoning code and subdivision regulations;

(4) To determine whether specific proposed developments referred to it by governmental or private agencies in the area conform to the principles and requirements of the comprehensive plan for the area and to make recommendations concerning them;

(5) To keep the Board of Commissioners and the general public informed and advised as to these matters and to make any other recommendations which it sees fit for improving the development of the area. In the development of these suggestions, the Planning Board shall acquire and maintain data and materials to show correlation of past, present and future needs and conditions;

(6) To perform any other duties, which may be lawfully assigned to it.

(B) The Planning Board is authorized to appoint such committees and employees and to authorize such expenditures as it may see fit, subject to limitation of funds provided for the Planning Board by the Board of Commissioners in the town's annual budget.

(C) The Planning Board may set up special committees to assist it in the study of specific problems.

(D) The Planning Board may perform any of the actions authorized for municipal planning boards by G.S. § 160A-387, as amended.