TOWN OF KILL DEVIL HILLS

Land Where Flight Began

MEMORANDUM June 8, 2020

TO: Mayor and Board of Commissioners

FROM: Debora P. Diáz, Town Manager

REF: Consent Agenda

1. Minutes (Attached CA-1A)

A. May 27, 2020

Staff recommends approval of the Consent Agenda as presented and a motion will be in order.

Minutes of the Wednesday, May 27, 2020 regular meeting of the Kill Devil Hills Board of Commissioners held remotely and electronically beginning at 6:00 p.m. using ZOOM software in order to maintain the safety of Town residents, Staff, and Board of Commissioners. There were several methods the public could use to participate in or view the meeting, which were detailed on the published and distributed meeting agenda.

Members Participating:	Mayor Ben Sproul; Commissioners Terry Gray, Ivy Ingram, B. J. McAvoy, and John Windley
Members Not Participating:	None
Others Participating:	Debora P. Diaz, Town Manager; Casey Varnell, Town Attorney; Planning Director Meredith Guns and Assistant Planning Director Cameron Ray, Planning Department; Mary E. Quidley, Town Clerk, and James Michael O'Dell, Deputy Town Clerk

Call to Order

At 6:01 p.m. Mayor Sproul called this meeting of the Kill Devil Hills Board of Commissioners (BOC) to order and welcomed all present via Zoom software. He conducted a roll call of members:

Commissioner Windley	Here
Commissioner McAvoy	Here
Commissioner Gray	Here
Commissioner Ingram	Here
Mayor Sproul	Here

There were six attendees, which later during the meeting increased to eight, representing Staff and members of the public, and ten panelists which included the BOC, Town Manager, Town Attorney, and representatives of the Planning Department, present and participating in this meeting. The meeting was managed by Deputy Town Clerk Michael O'Dell. Mayor Sproul reviewed the procedures the meeting would follow and explained to all, panelists and attendees, how they could participate and how they would be called upon to submit a verbal comment.

(Town Clerk's Note: For the first time, the BOC meeting was live-streamed on the Town's Facebook page. There were 31 devices listening to or watching the meeting using the Zoom media.)

Pledge of Allegiance and Moment of Silence

Agenda Approval

On motion by Commissioner McAvoy, seconded by Commissioner Gray, the agenda for this meeting was approved unanimously, 5-0, which was recorded by roll call vote:

Commissioner Windley	Yes
Commissioner McAvoy	Yes
Commissioner Gray	Yes
Commissioner Ingram	Yes
Mayor Sproul	Yes

Public Comment

Response to Public Comment

Introductions and Presentations

Old Business

1. Chapter 151, Flood Damage Prevention Ordinance – 2020 revision

The public hearing on the revised Flood Damage Prevention Ordinance and accompanying Flood Insurance Rate Maps is scheduled for Monday, June 8, 2020 at 6:00 p.m. The draft ordinance and relative maps appear on the Town's website, have been referenced for anyone interested on the Facebook page; many messages have gone out and steps have been taken to assure public awareness of the new ordinance and maps.

There were no additional comments or questions on this agenda item.

New Business

1. Recommended amendments to Chapter 153, Zoning (Attached NB-1A, 1B, 1C, 1D, and 1E)

At the direction of the BOC, Staff drafted the amendments A-D to Chapter 153, Zoning for review and consideration by the PB. Item E is a Staff-generated and recommended amendment, which the Planning Board supported, along with the other ordinance amendments. At its April 22, 2020 meeting, the BOC scheduled public hearings for May 11, 2020 at 6:00 p.m. The General Assembly's recent enactment of SB 704 requires electronically conducted public hearings to receive public comment any time between the notice of the public hearing up to 24 hours after the public hearing, during a State of Emergency. The Board took no action on these public hearing items at the May 11th meeting, but through consensus, agreed to place them on this meeting's agenda for further discussion and potential action. All public hearing comments have previously been forwarded to the Board and also included in the materials for the May 11th meeting.

The Town Attorney reviewed the proposed amendments and found them to be in compliance with applicable North Carolina law.

A. § 153.076 Off Street Parking and Loading— reduction in parking setbacks with marked access aisle (No Parking) for structures with 11 or more bedrooms

Approval of this amendment would establish a seven-foot parking setback from the property line for single-family and duplex structures with 11 or more bedrooms; however, parking setbacks are reduced to five feet with a clearly marked access aisle designed open and unobstructed within 20 feet of the dwelling.

Commissioner Windley stated and made the following motion: the BOC finds that the amendment to Chapter 153, Zoning, Off Street Parking and Loading— reduction in parking setbacks with marked access aisle (No Parking) for structures with 11 or more bedrooms – is consistent with all comprehensive plans or other officially adopted plans of the Town of Kill Devil Hills that are applicable and that the amendment is reasonable in the public interest because it provides additional safety and circulation within large single-family dwelling parking areas. Commissioner Ingram seconded the motion.

Mayor Sproul called for a vote and the motion was approved unanimously, 5-0, which was recorded by roll call vote:

Commissioner Windley	Yes
Commissioner McAvoy	Yes
Commissioner Gray	Yes
Commissioner Ingram	Yes
Mayor Sproul	Yes

B. §153 Setbacks in each Zoning District – additional two feet of side yard setback for single-family and duplex dwellings greater than 6,000 square feet with exception for fire suppression systems

This amendment establishes an additional two-foot side yard setback for single-family and duplex structures with a total gross floor area greater than 6,000 square feet; however, such structures are exempt from the additional setback if they are equipped with a fire suppression system reviewed, approved, and inspected annually by the Fire Chief or his designee.

Commissioner Gray stated and made the following motion: the BOC finds that the amendment to Chapter 153, Zoning, Setbacks in each Zoning District – additional two feet of side yard setback for single-family and duplex dwellings greater than 6,000 square feet with exception for fire suppression systems – is consistent with all comprehensive plans or other officially adopted plans of the Town of Kill Devil Hills that are applicable and that the amendment is reasonable in the public interest because it provides enhanced safety features for

large single-family dwelling, which will protect the occupancy and surrounding properties. Commissioner McAvoy seconded that motion.

Mayor Sproul called for a vote and the motion was approved unanimously, 5-0, which was recorded by roll call vote:

Commissioner Windley	Yes
Commissioner McAvoy	Yes
Commissioner Gray	Yes
Commissioner Ingram	Yes
Mayor Sproul	Yes

C. §153.073 Landscaping Requirements – modify landscaping requirements to include single-family and duplex dwellings with greater than 6,000 square feet lot coverage

This amendment will require single-family and duplex structures with greater than 6,000 square feet of lot coverage to establish vegetative buffering and ornamental landscaping, which will provide spatial separation of land uses and promote the visual aesthetic character of the Town.

Commissioner McAvoy stated and made the following motion: the BOC finds that the amendment to Chapter 153, Zoning, Landscaping Requirements – modify landscaping requirements to include single-family and duplex dwellings with greater than 6,000 square feet lot coverage – is consistent with all comprehensive plans or other officially adopted plans of the Town of Kill Devil Hills that are applicable and that the amendment is reasonable in the public interest because of safety and it provides buffering and screening to minimize the visual effects, mitigates impacts of light and noise, and protects the privacy of neighbors. Commissioner Gray seconded that motion and approval was unanimous, 5-0, by roll call vote:

Commissioner Windley	Yes
Commissioner McAvoy	Yes
Commissioner Gray	Yes
Commissioner Ingram	Yes
Mayor Sproul	Yes

D. §153.310 Cottage Court(s) and §153.311 Cluster Homes – modify cottage court(s) and cluster homes minimum lot dimensions abutting NC 12

If approved, this ordinance amendment will decrease the minimum lot width requirement for Cottage Courts and Cluster Homes abutting NC 12 from 100 to 75 feet.

Commissioner Windley stated and made the following motion: the BOC finds that the amendment to Chapter 153, Zoning, Cottage Court(s) and Cluster Homes – modify cottage court(s) and cluster homes minimum lot dimensions abutting NC 12 – is consistent with all comprehensive plans or other officially adopted plans of the Town of Kill Devil Hills that are

applicable and that the amendment is reasonable in the public interest because it promotes additional opportunities for development of cottage courts and cluster homes. Commissioner Gray seconded that motion.

Mayor Sproul called for a vote and the motion was approved unanimously, 5-0, which was recorded by roll call vote:

Commissioner Windley	Yes
Commissioner McAvoy	Yes
Commissioner Gray	Yes
Commissioner Ingram	Yes
Mayor Sproul	Yes

E. §153.355, §153.357, §153.359, §153.361 – modify approval process for permitted commercial uses to administrative approval process

This amendment to the Zoning Ordinance would establish a process for administrative approval of commercial site plans that meet the Town Code requirements for permitted uses. These permitted uses, or "uses by right," are listed within each zoning district in Chapter 153, Zoning. Each district has a different list of permitted land uses, which refer to a use consistent in the district where the property is located. In these instances, if a commercial site plan meets all requirements of the Town Code, and the use is permitted within its zoning district, then a municipality has no basis on which to deny approval of the site plan. This review process will decrease the time and financial burden for commercial site developers, with administrative approval within approximately 10 – 20 days from submission, subject to the presentation of a complete, compliant, site plan and the complexity of the development.

This item generated a great deal of discussion, beginning with Commissioner McAvoy who explained that he was not in favor of adopting this amendment as he felt members of the BOC have a responsibility to be involved in the commercial site plan review and approval process. He did not feel this task to be overly burdensome on the members of the BOC, nor on developers. He also explained that he had spoken with former members of the BOC who agreed that this specific task was not overly-burdensome to the BOC. Commissioner McAvoy concluded his comments by stating that he felt this to be an important part of checks and balances to the entire review process.

In response to comments from Mayor Sproul, Planning Director Meredith Guns explained that this amendment proposes that commercial site plans which meet the requirements of the Town Code would not be subject to review by either the PB or the BOC. They could be approved through administrative procedure by the Planning Department. Permitted uses meeting all Code requirements are not subject to either the PB or BOC imposing amended approval or approval with conditions, at this time, because they already meet the requirements of the Town Code. Or, she further explained, even if a site plan were submitted for a use that might be undesirable, as long as it met the provision of the Code no changes could be made and the development could not be prevented by the PB or the BOC; the Town Code would need to be

amended to prevent future such development, but even that would not affect the original site plan.

A calendar or update list for site plans in the process of administrative approval could be provided to the BOC to assure they are kept fully advised of commercial site plans moving through the process.

Commissioner Gray explained that when he originally considered this amendment he had felt it to be a good idea, but since then, after giving it more consideration and looking at commercial site plans that have made their way through the PB and BOC approval process, he felt he could not support the proposed amendment. Perhaps, he suggested, modifications could be considered that would allow the amendment to be brought back up. Commissioner Windley also stated that he did not support the amendment as presented and explained that sometimes when processes are streamlined too much, a decision is made before people even know what may be taking place and there is no opportunity for their comment. He appreciated the suggestion that there would be a way to keep the BOC informed, as it would help in being able to answer questions from the public, but at this time he did not support the amendment.

Commissioner Ingram clarified her understanding of the amendment. Ms. Guns explained that by law, conditional use site plans must be approved by the BOC; other site plans that would be presented to the BOC for approval would be those that fall into a category that includes "...unless otherwise approved by the Board of Commissioners..." Unless specified by the Code, the proposed amendment language would allow administrative approval of permitted use commercial site plans through an administrative review process by the Planning Department.

Ms. Guns also added that approval of this amendment would be a time-saving and expense-saving measure for developers as it would save time and copies of site plans would be reduced in number. Duck and Dare County both move commercial site plans through the approval process in this manner.

Commissioner McAvoy reiterated his position to not support the amendment.

Mayor Sproul explained his position, saying that he felt the amendment had merit and could be beneficial. Summarizing the comments, he believed that with additional consideration and perhaps some language changes the amendment could be approved. He suggested tabling the amendment and bringing it back to the June 29th meeting to see if it could be modified to become something all members of the Board could support. Mayor Sproul agreed that there is substance in the positions of the members of the BOC who do not support the amendment. He made a motion to table this item, and Commissioner Ingram seconded that motion.

At this time, the Town Manager called on the Town Attorney who explained that a tabling motion must be made for an item to return to a meeting agenda at a time and place certain, within a set period of time. If an amendment that returns to a future agenda is substantively modified then it must go back through the review and recommendation process. In order for it to be voted on when it returns to a meeting agenda, it must remain substantially unchanged. Town Attorney Varnell suggested that the amendment be denied as presented if the intent is to bring it back with substantive change(s). If, however, the BOC members want to speak with Staff to further explore adoption, substantively unchanged, then it could come back to the June 29th meeting for approval, or denial if further discussions do not succeed.

Commissioner McAvoy explained that he felt he had reached an opinion that would not change; Commissioner Gray reiterated that he felt the amendment needed to be something different in order for him to vote for its approval, not as it is currently written.

Mayor Sproul rescinded his motion and Commissioner Ingram rescinded the second to that motion. Mayor Sproul made a motion to deny this ordinance amendment and Commissioner Windley seconded that motion.

Commissioner Ingram expressed support for the BOC to revisit this issue in the future as she could see the value in either the current language, or some version of it, being approved because it would be a time-saving and cost-saving measure.

Mayor Sproul called for a vote on the motion and approval was unanimous, 5-0, with a roll call vote:

Commissioner Windley	Yes
Commissioner McAvoy	Yes
Commissioner Gray	Yes
Commissioner Ingram	Yes
Mayor Sproul	Yes

2. Appointments (Attached NB-2)

A. Zoning Board of Adjustment

1. Regular members

2. Alternate member

Michael Lowack's and Kevin Cox's terms as regular members of the Zoning Board of Adjustment expire May 2020, and Natalie Painter's alternate member term expires July 2020. All have expressed a desire to be considered for reappointment to another three-year term, and their appointment histories are included. No new applications were received since they were last copied to the Board.

Commissioner McAvoy made a motion for the BOC to reappoint Mr. Lowack, Mr. Cox, and Ms. Painter to the Board of Adjustment for single three-year regular terms for Mr. Lowack and Mr. Cox that will expire in May 2023, and for a three-year alternate term for Ms. Painter that will expire in July 2023. Commissioner Gray seconded that motion.

Mayor Sproul called for a vote and the motion was approved unanimously, 5-0, which was recorded by roll call vote:

Commissioner Windley	Yes
Commissioner McAvoy	Yes
Commissioner Gray	Yes
Commissioner Ingram	Yes
Mayor Sproul	Yes

B. Dangerous Animal Appeal Board

Sue Kelly's term as a member of the Dangerous Animal Appeals Board expires June 2020. She has expressed a desire to be considered for reappointment to another three-year term, and her appointment history is included. No new applications were received since they were last copied to the Board.

Commissioner Ingram made a motion to reappoint Ms. Kelly to the Dangerous Animal Appeal Board for a three-year term to expire in June 2023 and Commissioner Windley seconded that motion. Approval was unanimous, 5-0, by roll call vote.

Commissioner Windley	Yes
Commissioner McAvoy	Yes
Commissioner Gray	Yes
Commissioner Ingram	Yes
Mayor Sproul	Yes

C. Community Appearance Commission

With Robert Schiffer's resignation, there is a vacancy on the Community Appearance Commission that will expire in October 2021. No new applications were received since they were last copied to the Board.

Commissioner Gray spoke highly of Christine Malman's contribution to the Westside Recreation Group, which he chairs, and stated that he thought she would be great addition to the Community Appearance Commission. Commissioner Windley supported Ms. Malman. Commissioner Gray made a motion to appoint Ms. Malman to the Community Appearance Commission for the remainder of Mr. Schiffer's term, which expires in October 2021. Commissioner Windley seconded that motion and approval was unanimous, 5-0, by roll call vote:

Commissioner Windley	Yes
Commissioner McAvoy	Yes
Commissioner Gray	Yes
Commissioner Ingram	Yes
Mayor Sproul	Yes

3. Outer Banks Regional Hazard Mitigation Plan adoption (Attached NB-3)

The Town of Kill Devil Hills participates in a hazard mitigation plan program, which maintains the Town's eligibility for federal and state hazard mitigation grant funding and disaster assistance. It is also a major component in gaining credit towards Kill Devil Hills' Community Rating System (CRS) and associated discounts on flood insurance for property owners.

Since 2015, the Town has been part of the Albemarle Regional Hazard Mitigation Plan, which includes nine counties. A new plan must be developed and approved by the Federal Emergency Management Agency (FEMA) every five years to remain in good standing. As a part of this update, the Town, along with other Dare County local governments, has transitioned to a plan that covers only Dare and Currituck Counties, which have very similar hazards and

mitigation strategies. Planning Director Meredith Guns' packet memorandum detailed the Town-specific aspects of the plan, and noted the strong community stakeholder input utilized in its development.

Staff recommended the BOC approve the Outer Banks Regional Hazard Mitigation Plan by adopting the attached *Resolution of Adoption: Outer Banks Regional Hazard Mitigation Plan.*

Commissioner Gray made a motion for the BOC to adopt the Resolution of Adoption: Outer Banks Regional Hazard Mitigation Plan, as presented. Commissioner Ingram seconded that motion.

Mayor Sproul called for a vote and the motion was approved unanimously, 5-0, which was recorded by roll call vote:

Commissioner Windley	Yes
Commissioner McAvoy	Yes
Commissioner Gray	Yes
Commissioner Ingram	Yes
Mayor Sproul	Yes

4. LED accent lighting (Attached NB-4)

At the May 11, 2020, meeting, the Board briefly discussed LED (light-emitting diodes) commercial accent lighting standards for the Town. There is a business in Town that has installed a LED-type lighting band around the roof-line of its recently refurbished building, which is a violation of the current Town Code. Through consensus, the Board directed the item be placed on this evening's agenda to determine if there may be a desire to develop different regulations on commercial lighting. Planning Director Meredith Guns' accompanying memorandum provided an overview of the history and standards for lighting on commercially-zoned properties.

The Town's lighting ordinance prohibits external commercial lighting that glares onto adjacent properties, and neon (a type of gas-discharge light tubing) and LED lights. LED lights are more environmentally friendly and because of their energy efficiency and longer life, they have been allowed as internal lighting and internal signage since 2011. However, there was concern that LED-type external lights would change the Town's appearance due to their brightness and the ability to create animated signs, "moving" lights on buildings, etc. In 2012 the BOC, in a workshop setting, agreed that external LED/LCD (liquid crystal displays) lighting and signage were attractive but distracting and quite bright and not what they envisioned in Kill Devil Hills. Maintaining a darker sky for night-time viewing was also a factor of consideration.

Regulations in Kill Devil Hills prohibit strings of lights on commercial sites except during specific times of year, such as 4th of July, Christmas and the New Year holidays. Ms. Guns added that the Town of Duck does not allow LED lighting, nor does Nags Head. She did not know about other local municipalities.

Mayor Sproul explained that there may be a shifting position on this issue by members of the BOC, and on the Town's approach to decorative lighting, LED lighting, including strings of lights (aka café lighting or event lights).

Mayor Sproul asked about Rooster's Restaurant, and the fact that there is non-conforming lighting at that location. How it is allowed was the question and Ms. Guns explained that when the former restaurant was converted to Rooster's the non-conforming lighting was able to remain because corrections had been made to other non-conforming elements which added up to enough points that the lighting could remain.

Commissioner Gray stated his desire to revisit the Town's lighting ordinance. He indicated that he has viewed the original site with the lighting around the roof-line and found it to be not over-powering, obnoxious or offensive. It does not emit lighting off-site; the lighting at issue is white LED lights in a blue tube that accent the fascia board of the building. He suggested a close review by the Board and Staff development of an ordinance that would allow accent lighting of the type in question on this commercial structure. He concluded by stating that he would not want to see much more lighting than what is on this building, maybe two strings of LED lighting but probably not more.

Mayor Sproul explained that he has had some experience with different types of lighting and that just by viewing the site there is not much light coming from those in question.

Commissioner McAvoy stated that he felt the Board needs to be careful in its consideration of lighting. Those lights in question, he felt, are not offensive or extraordinary. Modification of the Town's regulations would bring the standard of the ordinance out of the 1990s, allow use of today's technology, and with a narrow approach would allow businesses to feature themselves more than is currently allowed. He did not support framing an entire building in lighting. He also did not feel that tasteful LED lighting would be a safety concern. He added that lighting is be a measurable element.

Commissioner Gray felt a new ordinance could establish allowable lighting features and that with defined standards, such as two lines within "x" number of feet from the bottom of the fascia of the building then that will be what is allowed and it would be unlikely for a developer to install some arbitrary lighting that doesn't comply with those standards.

Commissioner Windley also supported giving businesses more leeway to highlight their structures and make them look nicer.

Commissioner Ingram felt this to be an issue that requires very careful consideration. She does not find minimum LED lighting to be particularly offensive, but would not want a wide-spread application.

The Board agreed that café lighting, strings of larger-bulb lighting typically found on streets with outdoor lighting (such as that the Country Deli utilizes at this time) would be alright. Assistant Planning Director Cameron Ray advised that the Planning Department has numerous requests for this type of lighting and he cautioned that strings of bulbs can be not so attractive if bulbs are blown out or the lights not maintained properly. The Town Manager suggested language could be added, as had been done some years ago with respect to free-standing flags on commercial properties, that would require a certain level of maintenance.

Mayor Sproul summarized discussions: the BOC was not opposed to LED lighting; there is some concern about proliferation and height location of such lighting; if a way can be found to allow some LED lighting for decorative/accent purposes, then the BOC might be supportive of new regulations for commercial lighting. Proposed options will be presented to the BOC at a future meeting.

5. Presentation of Town Manager's Recommended Budget Fiscal year 2020/2021

The proposed budget for the Town of Kill Devil Hills for fiscal year 2020/2021 will be presented to the BOC at this meeting.

In accordance with the provisions of NCGS 159-13, the governing board shall adopt a budget ordinance not earlier than ten (10) days after the budget is presented to the Board, and not later than July 1. Before adopting the budget ordinance, the BOC will need to hold a public hearing at which time any person(s) who wish to be heard on the Recommended Budget may appear; it may be held at any time after presentation of the budget, and the budget may be adopted at any time but not sooner than 10 days after its presentation to the governing board.

Staff recommended the Board set the budget public hearing for Monday, June 8, 2020 at 6:00 p.m., which is also the date and time for the public hearing on the new flood regulations and maps. A recessed meeting to adopt the new flood regulations needed to be scheduled after a 24-hour extended public comment period after the public hearing and prior to June 18, 2020, the deadline to avoid suspension from the National Flood Insurance Program. The Board's second regular meeting in June is scheduled for the 29th.

Staff also recommended the Board consider:

- Setting the date and time to recess the June 8, 2020 meeting prior to June 18, 2020 for the purposes of adopting the new flood regulations and maps, and conducting a worksession on the Recommended Budget;
- Adopting the budget, either as recommended or amended at the conclusion of the budget worksession.

Commissioner Gray made a motion for the BOC to schedule the Fiscal Year 2020/2021 Recommended Budget public hearing for Monday, June 8, 2020 at 6:00 p.m., and, to schedule the meeting recessed from June 8th to 6:00 p.m. on Wednesday, June 10, 2020. Commissioner Windley seconded that motion.

Mayor Sproul called for a vote and the motion was approved unanimously, 5-0, which was recorded by roll call vote:

Commissioner Windley	Yes
Commissioner McAvoy	Yes
Commissioner Gray	Yes
Commissioner Ingram	Yes
Mayor Sproul	Yes

Committee Reports

Commissioners Agenda

Commissioner Gray

- Explained how it had been a pleasure and honor for him to attend and participate in a neighborhood parade in honor of Mr. Clay King, a Kill Devil Hills resident who fought in World War II and the Korean Conflict, and was present in Tokyo Bay when the armistice papers were signed ending World War II with the surrender of Japan. He congratulated Mr. King on his birthday, commended the community and family members who organized the parade, in his honor. Commissioner Gray thanked Mr. King for his service to this nation.
- The BOC agreed to take action on a resolution or proclamation at the next meeting in honor of Dare MedFlight Director of Operations Chad Jones who recently passed away after illness. Commissioner Gray will provide the Administration Department with information about Mr. Jones so that a fitting tribute can be drafted.

Mayor's Agenda

Fireworks 2020

Kill Devil Hills has held 4th of July Fireworks celebrations for many years; however, with the Covid-19 threat, social-distancing advisories, and all the uncertainties surround what regulations may or may not be in place on July 4, 2020, the BOC discussed the Town's options for this year. There were also financial issues to consider, which might impose rescheduling fees or cancellation fees, depending on when the vendor is advised of changes to the original schedule. Also under consideration is the 50% grant funding for the event from the Outer Banks Tourism Board, which can be used if the event is postponed, or rolled over to the 2021 event.

Among the options the Board considered were: maintaining the July 4th date; rescheduling for Labor Day weekend 2020; rescheduling for some other time during the remainder of 2020; or, cancelling the 2020 event.

The BOC's first preference would have been to hold the event on the 4th of July, the traditional night of fireworks nation-wide for the 1776 signing of the Declaration of Independence. However, the BOC recognized the potential safety and health hazards associated with the Covid-19 virus, and realized that it is too early to know what stage of response the State of North Carolina, and Dare County, might be in on July 4, 2020.

For maximum enjoyment of all, the BOC felt it prudent and sensible to postpone the fireworks event to Labor Day Weekend, Saturday, September 5, 2020, with the rain date being Sunday, September 6th. Staff was given its instructions and publicizing the change in schedule will begin immediately upon contract execution.

MSNBC appearance

Mayor Sproul recently appeared in a segment on MSNBC broadcast channel and spoke about how Kill Devil Hills will work to be prepared for the summer visitation season, including the thousands of people who will vacation here in 2020 amid Covid-19 concerns.

Town Manager's Agenda

Town Attorney's Agenda

Consent Agenda

1. Minutes (Attached CA-1A)

A. May 11, 2020

2. Monthly Report (CA-2A and CA-2B)

A. March 2020
B. April 2020

3. Request to waive late listing penalty for personal property listings

The deadline for filing personal property tax listings without a late penalty was April 15, 2020. With the various COVID-19 restrictions, local accountant firms have expressed difficulty in acquiring the information needed to file the personal property tax listing in a timely manner. Restrictions and safety precautions have prevented them from meeting with clients in person, and mail and e-mail communication have created delays. The Town Manager explained that the Town is not authorized to extend the deadline for filing personal property tax listings; however, Kill Devil Hills can waive the late listing penalty.

Approval of the Consent Agenda will waive the late penalty for individual and business personal property tax listings filed by June 30, 2020.

Staff recommended approval of the Consent Agenda as presented.

Commissioner Gray made a motion for the BOC to approve the Consent Agenda as submitted and approval was unanimous, 5-0, by roll call vote:

Commissioner Windley	Yes
Commissioner McAvoy	Yes
Commissioner Gray	Yes
Commissioner Ingram	Yes
Mayor Sproul	Yes

Public Comment

Response to Public Comment

Adjournment

There being no further business before the BOC at this time, Commissioner McAvoy made a motion to adjourn this meeting. Commissioner Windley seconded that motion and approval was by unanimous vote, 5-0, which was recorded by roll call vote:

Commissioner Windley	Yes
Commissioner McAvoy	Yes
Commissioner Gray	Yes
Commissioner Ingram	Yes
Mayor Sproul	Yes

It was 8:00 p.m.