TOWN OF KILL DEVIL HILLS

Land Where Flight Began

MEMORANDUM September 13, 2021

TO: Mayor and Board of Commissioners

FROM: Ben Sproul, Mayor

REF: Mayor's Agenda

1. Proclamations and Resolutions (Attached MA-1A, MA-1B, MA-1C, and MA-1D)

- **A. Proclamation Declaring September 17 – 23, 2021, as Constitution Week**
- **B. Proclamation Declaring September as Suicide Prevention Awareness Month**
- **C. Proclamation of the Kill Devil Hills Board of Commissioners Declaring October 3-9, 2021, as Fire Prevention Week**
- **D. Resolution Opposing the United States Fish & Wildlife Service's Proposed Designation of Critical Habitat Unit NC-4 (Emerald Isle – Atlantic Beach) for the Red Knot Rufa Shorebird**

These proclamations and resolutions highlight areas of importance for our citizens, including our constitutional form of government and recognizing the struggles faced by those considering or affected by suicide. Additionally, Fire Chief Tilley's attached memorandum shares information on "Learn the Sounds of Fire Safety," the theme for this year's Fire Prevention Week, set for October 3-9, 2021. The Fire Department encourages everyone to learn the sounds of their carbon monoxide and smoke alarms, which are vital in securing your safety.

Area localities have been asked by Dare County to consider the resolution regarding designation of a critical habitat area by the U.S. Fish and Wildlife Service for the Red Knot Rufa shorebird. Some beach areas of southern Dare County are included in this designation, and there is concern that such a designation could significantly impact summer construction windows and increase costs for future beach nourishment projects, if beach areas were to be closed for critical habitat areas.

I recommend approval of these items and a motion or motions would be in order for their adoption.

2. Ice Cream Social (Attached MA-2)

The KDH Ice Cream Social has returned! This year's event is scheduled for Tuesday, September 28, 2021, from 5:30 – 7:00 p.m. Staff is preparing for a COVID-responsive event; however, music is planned and our grill masters will be turning out hot dogs and hamburgers. And don't forget the ice cream! Please mark your calendars. Should it be necessary to change the event, Staff will inform the BOC and public as soon possible.

TOWN OF KILL DEVIL HILLS

Land Where Flight Began

A Proclamation Declaring September 17 – 23, 2021 as Constitution Week

WHEREAS, September 17, 2021, marks the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and,

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and,

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America, designating September 17 through 23 as Constitution Week; and,

WHEREAS, the State of North Carolina ratified the Constitution of the United States of America on November 21, 1789, 232 years ago, becoming the twelfth state to do so;

NOW, THEREFORE the Board of Commissioners of the Town of Kill Devil Hills does hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

and we ask our citizens to reaffirm the ideals of the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

This 13th day of September 2021.

SEAL

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Benjamin A. Sproul
Mayor

ATTEST:

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James Michael O'Dell
Deputy Town Clerk

ATTACHMENT MA-1A

TOWN OF KILL DEVIL HILLS

Land Where Flight Began

A Proclamation Declaring September 2021 as
Suicide Prevention Awareness Month

WHEREAS, suicide is a huge but largely preventable public health issue and with over 47,500 resultant deaths, it is the tenth leading cause of death in the United States; and

WHEREAS, the number of deaths by suicide continues to grow in our country, our state, and in Dare County; and

WHEREAS, the 2019 Community Health Needs Assessment identified suicide as the eighth leading cause of death amongst residents in Dare County and the second leading cause of death in the age group 20-39 years of age; and

WHEREAS, for every suicide death there are numerous family and friends whose lives are devastated emotionally, socially and economically by said death; and

WHEREAS, a lack of awareness, understanding, and stigma is prevalent globally, in our nation and within our community; and

WHEREAS, the Dare County Department of Health and Human Services is committed in its effort to promote awareness understanding and reduce the stigma associated with suicide;

NOW, THEREFORE, the Board of Commissioners of the Town of Kill Devil Hills hereby adopts this proclamation in support of Dare County Department of Health and Human Services in its quest to promote suicide awareness and prevention, and does hereby proclaim September 2021 as

SUICIDE PREVENTION AWARENESS MONTH

and urges Kill Devil Hills citizens and interested groups to promote awareness of this debilitating public health issue and reach out to someone with kind words of inspiration that might save a life.

This the 13th day of September 2021.

SEAL

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Benjamin A. Sproul
Mayor

ATTEST:

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James Michael O'Dell
Deputy Town Clerk

ATTACHMENT MA-1B

THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

FIRE DEPARTMENT

Date: September 1, 2021

To: Debbie Diaz
Town Manager

From: Troy N. Tilley
Fire Chief

Re: Fire Prevention Week – October 3 – 9, 2021

The National Fire Protection Association (NFPA) has proclaimed October 3 – 9, 2021 as Fire Prevention Week. The attached proclamation recognizes Kill Devil Hills' participation in spreading the NFPA's important message: ***"Learn the Sounds of Fire Safety™"***, which effectively serves to remind everyone how important it is to learn the different sounds of smoke and carbon monoxide alarms. We respectfully request the Board of Commissioners adopt this proclamation.

At this time, we have scheduled our annual Open House, for Wednesday, October 6, 2021; however, due to the global pandemic, there continues to be uncertainties, about COVID-19 restrictions and challenges the pandemic may bring. We will continue to monitor local and state guidelines and/or requirements and provide updates to ensure the fire service and public are aware of any tightening of restrictions allowing participation.

We have a very proactive social media campaign lined up to ensure our fire prevention and educational programs will not be adversely affected if we are unable to hold the Open House. We are in the planning stages of developing alternative methods of delivering fire prevention messages to the public.

Should you have any questions, or require additional information, please do not hesitate to contact me.

ATTACHMENT MA-1C

TOWN OF KILL DEVIL HILLS

Land Where Flight Began

A Proclamation Declaring October 3 – 9, 2021 as Fire Prevention Week

WHEREAS, the Town of Kill Devil Hills is committed to ensuring the safety and security of all those living in and visiting our Town; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,770 people in the United States in 2019, according to the National Fire Protections Association® (NFPA®), and fire departments in the United States responded to 339,500 home fires; and

WHEREAS, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as 2 minutes to escape safely; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, Kill Devil Hills' residents should be sure everyone in the home understands the sounds of the alarms and knows how to respond; and

WHEREAS, Kill Devil Hills' residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, Kill Devil Hills' residents will make sure their smoke and carbon monoxide alarms meet the needs of all their family members, including those with sensory or physical disabilities; and

WHEREAS, Kill Devil Hills' first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Kill Devil Hills' residents are responsive to public education measures are better able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2021 Fire Prevention Week™ theme, "Learn the Sounds of Fire Safety™," effectively serves to remind us it is important to learn the different sounds of smoke and carbon monoxide alarms.

NOW, THEREFORE, the Board of Commissioners hereby proclaims October 3 – 9, 2021 as

FIRE PREVENTION WEEK

throughout the Town of Kill Devil Hills, and urges its citizens to "Learn the Sounds of Fire Safety" for Fire Prevention Week 2021 and to support the many public safety activities and efforts of Kill Devil Hills' fire and emergency services.

This 13th day of September 2021.

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Benjamin A. Sproul
Mayor

ATTEST:

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James Michael O'Dell
Deputy Town Clerk

TOWN OF KILL DEVIL HILLS

Land Where Flight Began

Resolution Opposing the United States Fish & Wildlife Service's Proposed Designation of Critical Habitat Unit NC-4 (Emerald Isle-Atlantic Beach) for the Red Knot Rufa Shorebird

WHEREAS, on December 11, 2014, the United States Fish and Wildlife Service (USFWS) listed the Red Knot Rufa shorebird as a threatened species under the auspices of the Endangered Species Act and disclosed a compulsory critical habitat designation would be forthcoming in 2015; and

WHEREAS, the designation of critical habitat can impact a wide variety of coastal projects involving federal action, which include activities or programs of any kind authorized, funded, or carried out, in whole or in part by federal agencies pertaining to coastal and inlet management activities, such as dredging and beach renourishment projects that are permitted, and/or funded and implemented by the United States Army Corps of Engineers and hurricane recovery activities financially supported by the Federal Emergency Management Agency; and

WHEREAS, other federal actions can involve the administration of the National Flood Insurance Program, implementation of building codes, federal grants for public access and infrastructure improvements, and other programs/policies; and

WHEREAS, on July 15, 2021, and nearly seven years after listing the Red Knot Rufa as threatened, the USFWS is proposing to indiscriminately designate **ALL** of the Bogue Banks oceanfront shoreline (25.4 miles) as critical habitat identified as "Unit NC-4 (Emerald Isle-Atlantic Beach)," encompassing a total geographic footprint of 2,030 acres (1,908 acres State + 122 acres private), including the entire shoreline; and

WHEREAS, Bogue Banks (Unit NC-4) has never been identified as an important stopover for the Red Knot Rufa in any previous publication authored by the USFWS; and

WHEREAS, the USFWS also specifically disclosed special management considerations for the Red Knot Rufa will be necessitated to address threats to critical habitat and are divided into seven categories, and moreover, some of the activities citied in these categories include recreational beach use, beach driving, predation, beach nourishment, sand fencing, dredged material disposal, inlet relocation, and human-caused disasters; and

WHEREAS, these special management considerations therefore can unnecessarily and negatively impact the local, State, and federal economies, and the public's access and enjoyment of the beach; and

WHEREAS, not only has the USFWS proposed all of Bogue Banks to be designated as critical habitat but all of the remaining beaches of Carteret County, which includes over 56 miles of oceanfront shoreline encompassing the entire Cape Lookout National Seashore as Units NC 2A,

2B, and 3, resulting in all Carteret County oceanfront shoreline being proposed as Red Knot Rufa critical habitat; and

WHEREAS, the USFWS has also proposed to extend the continuous Red Knot Rufa critical habitat in Carteret County along the entire oceanfront shoreline of the Cape Hatteras National Seashore, as well as Units NC-1A and 1B, representing approximately 70 miles of oceanfront shoreline and, when combined with the Carteret County, reach of 81 miles; totaling over a 150 continuous mile stretch of North Carolina oceanfront that is proposed as Red Knot Rufa critical habitat; and

WHEREAS, the proposed designation of a 150-mile continuous stretch of Red Knot Rufa oceanfront shoreline strongly implies the USFWS designation methodology is too sensitive and broad, and therefore is capturing all habitat instead of critical habitat for the Red Knot Rufa.

NOW, THEREFORE BE IT RESOLVED that the Town of Kill Devil Hills is strongly opposed to the USFWS proposed designation of Red Knot Rufa critical habitat along the shorelines of Bogue Banks (Unit NC-4) as set forth in Document Number 2021-14406 of the Federal Register and will work with State and federal resource officials and elected representatives to ensure the critical habitat designation, as proposed, is not included in the final rule.

BE IT FURTHER RESOLVED the Town of Kill Devil Hills hereby requests the USFWS revisit the Red Knot Rufa critical habitat designation methodology in a manner resulting in a more fine-tuned designation of important habitats for the Red Knot Rufa rather than broad, indiscriminate continuous stretches of oceanfront shoreline; most notably, an unprecedented 150-mile continuous stretch in North Carolina that includes proposed unit NC-4 and subsequently planned areas.

This 13th day of September 2021.

SEAL

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Benjamin A. Sproul
Mayor

ATTEST:

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James Michael O'Dell
Deputy Town Clerk

The Kill Devil Hills Board of Commissioners
& Town of KDH
proudly present the

Ice Cream Social

AVIATION PARK

Tuesday, September 28
5:30 - 7:00 p.m.

Please join us for
hamburgers & hotdogs,
chips & drinks,
ice cream,
music,
and a good time
catching up with neighbors and friends

ATTACHMENT MA-2