



# TOWN OF KILL DEVIL HILLS

*Land Where Flight Began*

MEMORANDUM

January 15, 2024

TO: KDH Board of Commissioners  
FROM: Debora P. Díaz, Town Manager  
REF: New Business

**2. Subscription type residential curbside recycling service (Attached NB-2A and NB-2B)**

Bay Disposal has been responsive and cooperative with Town Staff and its customers in Kill Devil Hills. The Town has enjoyed a 16-year relationship that has worked well in providing a convenient, voluntary opportunity to recycle for those property owners who want it, without imposing it on those who prefer to utilize the Town's Recycle Center. In 2023, Bay Disposal provided service to approximately 1,050 customers in our community.

**A. Annual Rate Increase Request**

The attached Public Services memorandum highlights the request by Bay Disposal for a subscription increase to \$13.99 per cart, per month (\$41.98 per quarter). This is a 6.0% rate increase from its previous rate of \$13.20, which was implemented in April 2022. The requested rate increase is to address Bay Disposal's rising operational costs.

Staff recommends the Board of Commissioners approve the rate increase to \$13.99 per cart, per month, for the subscription type residential curbside recycling program.

A motion will be in order.

**B. Franchise Extension Request**

The Town's franchise agreement with Bay Disposal to provide a voluntary subscription curbside recycling program for Kill Devil Hills was last renewed for a five-year term in 2019. The attached Public Services memorandum details the history of the franchise agreement, noting that the current services term will expire May 1, 2024. Bay Disposal has expressed interest in continuing its service relationship to the Town and its citizens for another five-year term.

Staff recommends the Board of Commissioners the continuation of franchise agreement with Bay Disposal for a five-year extension, to conclude May 1, 2029.

A motion will be in order.



# TOWN OF KILL DEVIL HILLS PUBLIC SERVICES

Post Office Box 1719, 107 Town Hall Drive  
Kill Devil Hills, NC 27948  
Administration (252) 480-4080 Fax (252) 441-6136  
Office Hours: 8:00 a.m. – 5:00 p.m. Mon. – Fri.  
Water Plant (252) 480-4090  
www.kdhnc.com

**STEPHEN F. ALBRIGHT**  
Director

January 15, 2024

**DEREK A. DAIL**  
Assistant Director

## **Memorandum**

**MARCIA K. OLLIS**  
Administrative Services

To: Debora P. Diaz, Town Manager

**ALFRED W. BURTON**  
Water Plant

From: Stephen F. Albright, Public Services Director *SK*

**WILLIAM H. WATERFIELD**  
Water Systems

*Subject: Subscription Type Residential Curbside Recycling Annual Rate Increase Request*

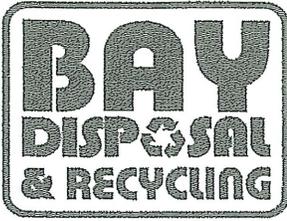
**L. RANDOLPH TURNER**  
Streets

The Town updated the voluntary subscription curbside recycling program franchise agreement in May 2019 following over a decade of collections by Bay Disposal (formerly Outer Banks Hauling). The franchise agreement has provisions for an annual rate increase request.

**LYNN E. LINDSEY**  
Solid Waste

Attached is a request from Bay Disposal dated December 1, 2023 requesting a rate increase to \$13.99 per month per cart or \$41.98 per quarter. This reflects an approximately 6.0% rate increase over the previously approved \$13.20 rate to accommodate rising operational costs. Bay Disposal's last rate increase request was approved on April 11, 2022. No rate increase was implemented in 2023.

Thank you for your consideration of this request.



December 1, 2023

Town of Kill Devil Hills  
107 Town Hall Drive  
Kill Devil Hills, NC 27948

Dear Board of Commissioners,

We are writing to let you know that the Town of Kill Devil Hills Recycling Collection will be increasing 6% from \$39.60 on a quarterly basis to \$41.98 on a quarterly basis effective February 1<sup>st</sup>, 2024. As always, we are committed to providing quality service and thank you for your loyalty and support.

Please do not hesitate to contact me if you have any questions or need any additional information.

Sincerely,

Jeremy Savage  
Site Manager

A handwritten signature in black ink, appearing to read "Jeremy Savage", is written over a light gray circular stamp or watermark.



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## **Memorandum**

MARCIA K. OLLIS  
Administrative Services

To: Debora P. Diaz, Town Manager

ALFRED W. BURTON  
Water Plant

From: Stephen F. Albright, Public Services Director 

WILLIAM H. WATERFIELD  
Water Systems

*Subject: Subscription Type Residential Curbside Recycling Franchise  
Extension Request*

L. RANDOLPH TURNER  
Streets

The Town last updated the voluntary subscription curbside recycling program franchise agreement with Bay Disposal in early 2019 following the completion of the first term. The current five-year term of the franchise will expire May 1, 2024. The franchise agreement allows by mutual consent of the parties up to two five-year extensions as outlined in the current agreement dated March 11, 2019 and effective May 1, 2019.

LYNN E. LINDSEY  
Solid Waste

Bay Disposal has indicated an interest in continuing the subscription curbside service and requests approval of the second five-year extension on the attached correspondence dated December 15, 2023.

Bay Disposal provided the subscription based curbside recycling to approximately 1,050 customers during 2023. Town staff fielded very few, if any, concerns regarding their services. They continue to maintain their facility in Powells Point while servicing most of the surrounding jurisdictions with recycling services.

Staff recommends the continuation of the program by Bay Disposal to include the final extension of the franchise agreement for an additional five years.

Thank you for your assistance.



December 15, 2023

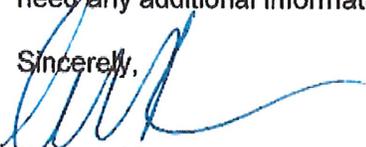
Town of Kill Devil Hills  
107 Town Hall Drive  
Kill Devil Hills, NC 27948  
ATTN: Steve Albright

Dear Mr. Albright,

As you are probably aware, the current franchise agreement for curbside recycling for the Town of Kill Devil Hill expires on April 30, 2024. However, page 4 Section IV "Terms of a Franchise" allows for one five year extension with mutual consent of both parties. Bay Disposal & Recycling is willing to extend the agreement for an additional five year period and is asking the Town if they would consider to agree to extend the contract as well.

Thank you for your consideration. I am happy to discuss this with you if you have any questions or need any additional information.

Sincerely,



Emmett Moore  
District Manager

Cc Jeremy Savage, Outer Banks Site Manager