

**MINTUES**  
***Special Meeting***  
**KITTY HAWK TOWN COUNCIL**  
**Monday, March 15, 2021**  
**Kitty Hawk Town Hall, 6 PM**

Agenda

1. Call to Order
2. Moment of Silence/Pledge of Allegiance
3. Discuss Recreational Uses and the Proposed Kitty Hawk Park to Birch Lane Connector Trail Project in the Kitty Hawk Woods Coastal Reserve
4. Public Comment
5. Closed Session pursuant to N.C.G.S. 143-318.11(a)(3) To consult with the town attorney/ protect the attorney-client privilege with regards to the Kitty Hawk Woods Conservation Easement and Management Plan
6. Adjourn

**COUNCILMEMBERS PRESENT:**

Mayor Gary Perry, Mayor Pro Tem Craig Garriss, Councilman David Hines, Councilwoman Lynne McClean and Councilman Jeff Pruitt

**STAFF MEMBERS PRESENT:**

Town Manager Andy Stewart, Town Clerk Lynn Morris, Town Attorney Casey Varnell and Police Chief Joel Johnson

**1. CALL TO ORDER**

Mayor Perry called this special meeting to order at 6 p.m.

**2. MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE**

Mayor Perry welcomed everyone and asked those in the audience to join in a moment of silence and reciting of the Pledge of Allegiance to the flag.

**3. RECREATIONAL USES AND THE CONNECTOR TRAIL PROJECT IN THE KITTY HAWK WOODS COASTAL RESERVE**

**Perry:** *Good evening. Almost three years ago the idea of building an access from the county owned Kitty Hawk Park to town owned conservation land seemed like a good idea. The access would have proper parking, which is not available to any other access point anywhere in the conservation zones. The Recreation Committee and council both agreed and the manager, with staff, put in a*

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*lot of effort and two separate attempts to get a PARTF grant plus a Tourism Bureau grant for the project. The North Carolina Division of Coastal Management has been aware of the intent and progress of the project. After receiving the PARTF grant it came as something of a shock when the Coastal Reserve Program staff informed the manager that the town would be required to participate in a Memorandum of Understanding, known as a MOU, regarding construction of the access and that bikes and horses would not be allowed on the town owned land.*

*Subsequent conversation backed off on the horse prohibition but was steadfast in the biking issue. The reserve program staff at that point proceeded to post "NO BIKES" on existing trails that have been in use and maintained by volunteers for many years. To date the town has not received a draft of any MOU. The PARTF grant has a footnote that requires the Reserve Program staff to sign off on the contract before construction can start. Program staff has indicated they will not sign off if the town insists on pushing for the historical use of bikes on conservation land.*

*Before proceeding with possible options available to the town to fight for the right of citizens to access and enjoy properly regulated and monitored historical use of conservation land I will read into the record the Executive Summary of the 1998 Kitty Hawk Woods Reserve Management Plan for the benefit of those watching or listening remotely.*

*Executive Summary: Kitty Hawk Woods is an exceptionally beautiful and special natural area. It is very valuable in an ecological sense due to the presence of rare species, extensive forested wetlands and a high diversity of flora and fauna. The Maritime Deciduous and Maritime Swamp Forest communities found in Kitty Hawk Woods are known to exist in fewer than five locations worldwide. The woods also mean a lot to the local residents who see the area as a part of their heritage. Others enjoy the woods through hiking, hunting, biking, and horseback riding. This plan strives to balance the research, education and recreational uses of the woods always keeping in mind that we are striving to preserve the natural, cultural, scientific and aesthetic values of the woods.*

*Management and ownership of Kitty Hawk Woods Reserve is a joint effort among the North Carolina Division of Coastal Management/Coastal Reserve Program, Town of Kitty Hawk and local residents. This plan was developed through the efforts of all these groups. This plan outlines the roles that specific organizations and individuals will play in managing the reserve; includes regulations to protect the area; and recommends several long- and short-term management actions. It is important to keep in mind that this is a fluid document and will change as needed to meet the conservation goals of the Kitty Hawk Woods Reserve. (end of summary)*

*At my instruction, the town attorney reviewed pertinent documents and believes citizens have a valid right to continue historical use of bikes, horses, hiking and hunting on town owned conservation land. What option does the town have to get this project underway and fight for those historically documented uses?*

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*Acceptance of the PARTF grant commits the town to accept whatever the Reserve Program staff decides to impose in order to sign off on the contract. That acceptance also limits town push back on uses such as biking on trails.*

*A decision to forgo the PARTF grant and use town funds for crossover construction removes the contract requirement for Reserve staff sign off. The town believes it also removes any requirement for an MOU since the crossover becomes a town owned project connecting county property to town owned property. It also puts us in a better position to fight for continued bike use on trails that were in use for years prior to recent restrictive postings.*

*We are faced with a couple of issues. Continuing with what we have and acceptance of the Program staff or fight back.*

*Council, normally we hear from people at the end, after we have had discussion. There are a lot of people here and they have something to say. Do you want to hear them before we make any decision? (Councilmembers replied yes.)*

*We are going to open this up for discussion. If you are speaking for a group of people, please tell us how many, if you know, and we will limit you to 5 minutes. If you are speaking for only yourself, we are going to limit you to 3 minutes. We do not want to all be here all night and I think the point you are going to make will be made within those time frames.*

#### **4. PUBLIC COMMENT**

**1. Paul Henriques, 4517 Beacham Lane, Kitty Hawk, NC:** *Thank you Mr. Mayor and town council for holding this special meeting. It is really appreciated that you are listening to the people of not only Kitty Hawk but Dare County. I have owned a house in Kitty Hawk for 18 years and have been a resident for 25 years living in Kitty Hawk.*

*I have been riding bikes for 46 years of my life. I have competed in most forms of cycling. Currently I have been riding mostly mountain bikes, keeping active. It is safe and it keeps me happy. It is certainly safer than riding on the roads and that is why I have been concentrating on having that be my fun.*

*These are probably at this point more props than anything, but I brought two documents. My plan was to go through and be very specific and state percentages and statistics and wow you with my knowledge of all this stuff, but I have decided against that. Mr. Mayor you said most of what I was going to say in the Executive Summary and that is that bicycles are part of the management plan and they have been a part of the management plan since it was created in 1998.*

*I am going to get to the second ... this is the North Carolina Outdoor Recreational Plan and there again I am not going to go through all my statistics on what this says but in general it represents the increased popularity of things like mountain biking ... and it is through surveys how grants*

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*are rated and how funds are allocated. It is through this document. Within this document, if anybody wants to take it home and read it, it is only 179 pages, but within this document it is reiterated time after time the percentages surveyed. There are statistics in here that says recreational managers have ranked which type of facilities are urgently needed and unpaved trails topped the list. Mountain bikes were the second ranked group for mountain biking. This was above natural park area, nature trails, baseball/football fields, and no disrespect to the horse enthusiasts here, we all want access to this plan, but it was actually 25% higher than horseback riding trails. So, this is a statewide recreational need and desire and that is all I will say about this document here.*

*The Kitty Hawk Woods Reserve Management Plan, by reading the Executive Summary, you hit on probably three of my first points, so I am not going to reiterate those. Created in 1998 it states it is supposed to be an active, live document that is looked at every year and is supposed to be looked at by the Local Advisory Committee, the state and the town. Has this been updated or looked at since 1998?*

**Perry:** *I am not aware of one.*

**Henriques:** *The reason I ask is because I think since 1998 things like mountain biking have become a lot more popular and much more of a need. It was stated in there from day one and now it is becoming even more popular and more of a need. People are seeking activity through that positive activity. Exercise makes people happy, gets them outdoors to enjoy this land. In the summer riding a bike through that land you stay ahead of the mosquitos. There is not going to be people wanting to go hike back there in the summer, but you can ride through there and stay ahead of all the bugs. Still use the property and enjoy it.*

*Biking is listed throughout the plan. There is also reference to a volunteer program by the Wheels of Dare Bike Club. It states this club was included in the plan for things like maintenance and upkeep of the trail. I am all over the trails. Walking, hiking, biking and I can say one thing. I know nobody from the Coastal Reserve is maintaining and keeping these trails open, safe, cleared. There are downed trees all over the place. (5-minute timer)*

*Let me just say one final thing. An acknowledgement in the Coastal Reserve Management Plan was to George Wood. George Wood is a local environmental professional. He helped create this document and was specifically thanked in this document. I talked to him for two hours last week and I just want to quote something he said because I think he put it very, very well. He said just like most management plans they reflect the compromised needs of the community at the time. Management plans benefit from periodic updates that reflect the consideration of balanced use that reflect not only uses even imagined in earlier times. This project embraces healthy lifestyle options that recognizes activities that are currently desired but also projects into the future for the next generation. I encourage people not only of my age but of my children's age to lead the effort. Kitty Hawk has a forward-thinking leadership so I feel confident that not only this project can proceed but also lead other communities to follow. And I think he could not have put it better.*

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**Perry:** *Thank you. I have two questions. You have been riding the trails for how many years? Along with the people standing outside that are showing support.*

**Henriques:** *Fifteen years plus and Joe Anlauf here has been building trails in Kitty Hawk and riding them for at least that long.*

**Perry:** *During all that time has anybody from the Reserve staff said you should not be doing this?*

**Henriques:** *No. Two weeks ago they started posting NO BIKES allowed and tearing out logs. Dead "log overs" that had been built.*

**Perry:** *Thank you.*

**2. Joe Anlauf, 4721 W. Eckner St., Kitty Hawk, NC:** *Good evening. I have lived at 4721 W. Eckner Street since 1999. I live on the east side of that 460-acre reserve, and I have been hunting in there since 1999. I have probably tread on ground that no one for a 100 years has set foot on.*

**Perry:** *You are speaking for yourself?*

**Anlauf:** *Speaking for myself, my wife and children. I am an avid cyclist both road and off road. I have been riding since I was 16 and racing like Paul. It is a part of our lives. My wife and daughters own three horses, so I am here for both groups. This Executive Summary says biking and horseback riding is part of the program. What I feel is happening is that there is an anti-bike movement where we are seeing hiking is plausible, horseback riding will be tolerated, but no bikes. No go. To me that is unacceptable. You started your statement by saying are we going to cooperate or fight. I want you to fight for bikes. That is it.*

**3. Jesse Davis, 639 Vista Lake Dr., Manteo, NC:** *I just need the timer set for three minutes. I am a Dare County resident and have been a mountain biker my whole life. I just want to make three quick points. The first point relates to cycling in general. I do not have to say to anybody here that exercise is a good thing, that being outdoors is a good thing, that being in the woods is even a better thing. Mountain biking combines all those things. It is fun for kids; it is fun for adults and it gets cyclists away from the roads and from the cars. I think cycling in Dare County is a bit of a challenge at times so I think anytime we can provide a safe environment that is a good thing.*

*The second point I want to make relates to precedence. Mountain bike trails exists within nature preserves all over the world. Here in North Carolina, the Brumley Nature Preserve, located near Chapel Hill has eleven miles of mountain bike trails. Recently on a trip to Florida I rode the Mabry Carlton Memorial Reserve. It had over twenty miles of mountain bike trails. I am sure these places are just as dedicated to their mission of preservation as Kitty Hawk Woods is and they have figured out a way to make it work.*

*The third point I want to make relates to advocacy and volunteers. By bringing mountain bikers*



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*into Kitty Hawk Woods, you are essentially adopting an advocacy group that would be available if you need them. Also, and perhaps most importantly, you are taking on a volunteer labor force because I can tell you this trail we are talking about accessing essentially does not exist. If you were to try and walk it, you would get about a third of the way into it and then the trail would just disappear into the woods. A mountain biker will stop and move a stick off the trail before proceeding. That is the kind of meticulous care you get.*

*Finally, I just want to say I grew up in a National Park Service family. I understand the importance of preservation and I understand the rules are there for a reason, but I think where there is a will and there is a need, there is a way. I think it can be made to work. That is all I have to say.*

**Perry:** *While the Chief Johnson is getting the next speaker from outside, I will let those that are listening on the telephone know we are rotating people in and out of the town hall because of covid restrictions.*

**4. Jeff Scott, 4317 Shady Lane, Kitty Hawk, NC:** *Good evening. Thanks for letting me talk tonight. I have lived on Shady Lane since 1997. It is off Worthington and I spend quite a lot of time back in Kitty Hawk Woods. Exercising, walking and running. Probably in there 200 times over the last year. Occasionally I will run into somebody on a bike back there and never had a problem with any of them. Always friendly so I feel fine sharing the trails with them. I think if they are allowed then they will help maintain those trails as well. Also, I think it would be good to keep people off the roads. The trails are a lot safer place than being on the side of one of the roads to and from the main part of Kitty Hawk. So, I am for it. I think it would be good to allow them to be in the woods in Kitty Hawk. Thank you.*

**5. Summer Casper, 4000 Poor Ridge Rd., Kitty Hawk, NC:** *Hi. I am a local, a native. I am speaking on the behalf of people on Midgett Road. We have had several instances that have been documented where we have destruction of property from people using the trail already. What local and native people call the secret trail is known to the people that use it frequently. I have a scrap book full of pictures of families and dogs and people that come through the gates that we have up because we butt up to the conservancy itself. At the end of the trail is our property and at the end of the trail instead of people turning around and leaving they come through our property.*

*They have taken down pieces of fencing ... we are also horse owners. We have about 4,000 pounds of animals that these people choose to walk through. Some carrying bikes, some carrying strollers and other people. So, we support people using it for all kinds of things. It is beautiful. It should be left untouched. It is beautiful just the way it is.*

*There is no management or regulation to it as is. We have had people shoot deer on our property and drag them off even while our children and horses are there. Whatever you choose is completely up to y'all but the management, how it has been handled has tied the sheriff's office hands and the town's hands because of it being Coastal Reserve. When we contact Coastal Reserve, they say you must contact Fish and Wildlife or a game warden. It is a run around.*

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*I do not mean any disrespect whatsoever but there is no management to what is already there. Hunting is already allowed. Hiking is already allowed. Biking, horses ... all those things that we have fought hard to keep especially as a horse community. But the safety of our animals, of my kids, of the people that are coming into private property, that is a huge issue. And when you are opening an access and you are bringing people in from all over that are not aware of the other landowners that butt up against it, it is a disaster waiting to happen. A 1,200-pound animal, a biker and a pedestrian all on the same bike path.*

*That is kind of where we are with the questions and concerns that we have. Also, how will it be maintained and managed. The town maintains the bike path and keeps it clean. This is Coastal Reserve which means there will be waste and trash that will be left behind with people coming in and out. I appreciate your time and our concern for it. Thank you very much.*

**Perry:** *You are worried about people that have come into the trail from Kitty Hawk Estates or someplace like that but if we put in the crossover then they have an in and an out that does not involve your property. You do not have that now.*

**Casper:** *No there is not an in and out to it. Apparently, according to the map, they are supposed to be told to turn around when they see the part that says Coastal Reserve and the other part that says, "No Trespassing." It is not managed already so our concern is with nobody paying attention to the maps that are published or the signs that are put up or the pieces of ribbon that have been tied for these people to use already, it is still a free for all. With the access being there it draws in more people, it draws more attention, it draws more traffic.*

**Perry:** *You are against the access?*

**Casper:** *Yes sir.*

**Perry:** *Thank you.*

**6. Jesse Costin, 2705 S. Meekins Ave., Nags Head, NC:** *Hello. I will be brief, there are a lot of people here. I grew up here. I have lived here 35 years, born and raised. I think I got my first bicycle from Chip when I was 10 years old, and I just want to say that I think it would be a really good thing to have a bike access on these trails in Kitty Hawk. Everybody I know has been excited about it. Family people that have lived here for 20 or 30 years. I think it would be a good influence on our community, the young people and just a positive thing. I like to bike in the woods right now and there have been no issues with the pedestrians and the people on their bikes thus far. Everybody gets along and the bikers definitely care about not harming anything, any vegetation or anything like that. That is all I wanted to say. Thank you.*

**7. Jessica Stumpf, 837 N. Midgett Rd., Kitty Hawk, NC:** *Good evening everybody. I just want to say on behalf of the Kitty Hawk horse owners we appreciate continued support of us and our horse endeavors. We are small but mighty. We have been in Kitty Hawk since 1986 and we really*

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*appreciate the town and everything that you guys have done to allow us to have access. I am all about sharing. I think it is great that we could have a beautiful trail to share with everybody and as long as everybody is respectful towards each other I think it will be beneficial to everybody.*

*I loved hearing what you guys said about maybe having a bigger cutoff just so folks cannot come further towards the private property. We know kind of that to the left of wherever the trail will be is access for the trail versus coming over towards the Casper's land. I think that would alleviate a lot of concerns from the folks that I have talked to. Thank you for your support and I hope everybody takes as good of care of the preserve as we have tried to over the years. Thanks guys.*

**8. Valerie Netsch, 321 Nags Way Ct., Nags Head, NC:** *Good evening. I reside in Nags Head North Carolina and I am not a great public speaker, but I am very passionate about bicycling. My husband Robert, he is not here tonight because he had to go get his covid shot, but we have been cyclists since we have been in our 20's. Rode across the country when we graduated from college. Have been bicycle racers for well over 10 years and did the whole criterium thing, road races and cycle cross and then we discovered mountain biking which is really a love of our life right now that we are late in our 50's. We do not want to get banged up bicycle crashing any longer. I was hit on my bicycle in Southern Shores probably 10 years ago and I was on a bike path and I still got hit. So, I am kind of over riding on the road and having the access here in Kitty Hawk and these bicycle trails is amazing for my husband, myself, our community. There are so many people standing out in that parking lot right now that are supporting this effort to keep the trails open, but I feel like they are not confident enough to come in here and speak.*

*Incidentally, my husband and I got in the car this weekend and drove two and half hours to ride freedom trails in Virginia. Amazing, amazing trails much, much, much, much bigger than this but what that community did for their community in allowing mountain bike accessing and some of them are multi-use trails. Some of them are just biking, some of them are just pedestrian but they made it work for everyone.*

*And I heard about management. I was listening on YouTube outside of the woman that lives on Midgett Road. I get that. People cannot go onto other people's property. They cannot damage other people's property. I mean using a gun to kill a deer I mean it is just absurd. Yes, there must be management and right now many of us are managing the trail on our own, keeping it groomed, keeping the trash picked up and so on and so forth. Does there need to be more management? Absolutely, especially after listening to her. I had no idea that anything like that could happen. So yes, access points, ins and outs, more stringent guidelines of where you ride and how you ride so you are not encroaching on other people's property. That should be worked out absolutely, but it can be if we all work together. There are little kids out there, it is safe to ride off the road. As much as I love having the bicycle trails and every town is making exorbitant efforts in making these trails link up to keep people and pedestrians safe off the road but when people are riding their bicycles there are parking lots and driveways and whatnot. When you are out in the woods and you are in nature (3-minute timer) we do not have the cars there and it is just really needed. Thank you for your time.*



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**Perry:** *Do you have some sense of how many more speakers and of how many people are out in the parking lot?*

**Johnson:** *About 3 more speakers and there are about 30 or 40 outside.*

**9. Robert Netsch, 321 Nags Way Ct., Nags Head, NC:** *I am from Nags Head and I like to ride my bike quite a lot on the road and on the trails. I think if we had some more trail riding on the Outer Banks, Kitty Hawk in general, it would be a fantastic thing. That is pretty much all I have to say.*

**10. Chip Cowan, 83 S. Dogwood Tr., Southern Shores, NC:** *Good evening. Thanks for having this tonight. I appreciate it. I own Outer Banks Bicycle and we have had that business for 26 years. We provide a lot of the people of this town with their cycling needs. I just want to say what a great thing the trails are for the community. We have been riding some trails recently and to see the people out there when it is nice, kids, parents, adult cyclists, walkers, dog walkers. It is wonderful. So, I hope you take that into consideration when you decide to yay or nay this project. How great of a resource for the town it is. For everyone. Thank you.*

**Perry:** *There are mountain bikes, then there are hybrid bikes ...*

**Cowan:** *Cruisers.*

**Perry:** *Yes, but a cruiser would not work in that environment.*

**Cowan:** *Well, in fact at some of the trails we are riding right now there were probably 30 kids on tiny, single speed bikes with their parents. If you cannot ride up the hills, they are walking their bikes up. You can pretty much ride anything. Now it is easier when there is a bike with some gears, but it is just about enjoying nature and being outside more than anything else.*

**Perry:** *This riding you are talking about. Is it on the reserve or somewhere else?*

**Cowan:** *Somewhere else. Private property. When we are out there, we see so many people enjoying themselves and if the town has the opportunity to make that available to everyone, man, how wonderful would that be.*

**Perry:** *They seem to be targeting on a mountain bike.*

**Cowan:** *That is what they call it. If you want to ride a bike in the dirt you generally want a wider tire, so it is safer, but a beach cruiser has a wide tire. I could ride my beach cruiser through the trails we are contemplating. It would just be a little more difficult because there are no gears. So, you get to a little hill and it is hard to get up. But I could hop off and walk up the hill. Mountain bikes generally have wide tires. A road bike has a thinner tire so you would not really want to do that unless you are showing off in the dirt. But you could ride a hybrid.*

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**Perry:** *The point I was trying to make is they seem focused on bikes called mountain bikes.*

**Cowan:** *Correct. And I think that may be narrowing the focus. If I were going to ride from here to Corolla, I would not be mountain biking technically. I could ride my mountain bike from here to Corolla and not to confuse things more I could ride my beach cruiser to Corolla. If I were going to ride from here to Corolla and back, I would take my road bike because I am a bicycle shop guy and I have lots of bicycles. If I were going to fish for bass in the canals behind my house, I would use one fishing rod. If I were going to fish in the ocean, I would use a different fishing rod, but I could use both. My bass rod and my trout rod are not that dissimilar, but they are calling it mountain biking just to sort of give it a name.*

**Perry:** *Okay*

**Cowan:** *Generally, it is riding bicycles and we are not walking dogs. Just to give that a name. So that way I think that term is more relative than you are thinking it is.*

**11. Hunter Crum, 4006 Parker St., Kitty Hawk, NC:** *Hello, I am a resident of Kitty Hawk. My friends and I, typically on the weekends, walk out in the early mornings to trails or to the beach sometimes to get exercise and to be out in nature. To just generally be healthier with our lives. On the roads I have seen people get hit, almost get hit and there is just a lot of danger. I think that for the general help of all people around our area it would probably be in the best interest that we extend the trails and make accesses. Thank you.*

**12. Alex Harvey, 111 Crestwood Ct., Kitty Hawk, NC:** *Hello, I am a resident of Kitty Hawk. I have lived on the Outer Banks all my life. My friend, who just spoke, and I walk in the early mornings. I am an average cyclist and on occasion we ride mountain bikes on the trails where it is permitted. I would just like to say that this crossover would be a huge boon as it allows for people to safely cycle to the areas where they might have previously not been able to so easily and safely. I have never felt safe riding my bicycle on Kitty Hawk Road because no number of helmets, knee pads or arm pads is going to protect you from someone texting and driving, a drunk driver going around a corner at any amount above the speed limit. I personally feel like this also allows for more people to participate in healthy activities. Thank you.*

Mayor Perry asked if there is anyone else who wishes to speak. No one else came forward or answered on the telephone.

**Perry:** *Council we have two different things to deal with in a sense. How do we handle the crossover? Do we allow the state to dictate to us or do we do something different on our own.*

**Pruitt:** *I think the residents have pretty much said it loud and clear tonight. They have shown up. It has taken a lot of courage and I thank everybody. I feel like maybe we should try to go about this some other way personally.*

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**Garriss:** *I think we have a lot of concerns on the table here. I am very much in favor of the mountain bikes. I would really hate to turn down some state grant money but if they are going to tell us what we can and cannot do ... we need management, that has come out tonight. Mrs. Casper's concern is very important to me. The signs have been posted ... why were they posted two weeks ago and what can we do about that? I am very much in favor of this crossover connecting the two trails. Again, I would hate to turn down state grant money but if we can do it on our own and alleviate some of these issues, I am for it.*

**McClean:** *So-called management obviously was unaware of it or once we decided to give good access, they decided oh no we cannot have that now. But Kitty Hawk is a town of traditions and it is a town of the people doing things for generations. If the PARTF grant comes with restrictions, then I think we need to go ahead and say thank you very much, but no. Kitty Hawk has always been willing to do things their way when they can.*

**Perry:** *Yes, there is truth to that. Stubborn I think it is called. David?*

**Hines:** *I tend to agree with what everybody is saying. I think the residents of Kitty Hawk and Dare County have come out and let us know how they feel. I hate to turn down state money, but I am prepared to make a motion whenever the time is appropriate to move forward.*

**Perry:** *Before you do that, I want to state for the record one thing. The management plan relies heavily on volunteer effort. The volunteers must have a starting point, someone to say let's get together today, tomorrow, whenever and go out and work on the trail. That is something that has been lacking. That can be taken up at the Local Advisory Committee meeting and should be pushed in that direction. Volunteers are important and if you want volunteers to participate, they need to be able to use what is there for them. Are you ready to make a motion?*

**Hines:** *I want to add I think it should be properly marked. I do not think people should be trespassing on private property.*

**Perry:** *What we are proposing should eliminate that.*

**Pruitt:** *Paul really was a spearhead on this project. He took a drone and tried to find places that would be easiest. I put on a set of chest waders and crossed the swamp into the area where we are talking about, where Paul sent us. I went to see what it would take to get to Sandy Run just if someday there was a loop that has been mentioned. It is quite a walk with a set of waders on.*

*On my way back I kind of missed where I came in, which took me going towards the Casper property. I spent many an hour in those woods since I was born and raised here and I have hunted in there. It is easy to get turned around folks. I hate to tell you next thing I knew I really was not quite sure where I was. Thank God for cell phones. Now you can pinpoint yourself. Well, I was at Casper's horse pen. If I had not had my waders on, and I had come in from Kitty Hawk Estates ... I was turned around ... I would have probably gone out at the Casper's to be honest. Then to try*

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*to cross the swamp without waders ... so if we do what we are talking about, the crossover is quite a way from Casper's property and with plenty of time to say this is the end of the trail. Divert all that crowd right into the parking lot. I do not think you will have the problem I had. I think people will exit where the exit is. I do not think they will choose to go there and if they do, they are going to spin around and go back. It is easier to walk back and go across a walkway than it is to go through all those horses. I do not like horses very much. No offense guys. You all know that. They are too big for me. Most people do not want to go through a horse pen to get out. I think a lot of those people did not know what else to do.*

*I have been on the Local Advisory Committee since it was formed. There is a lot of change over there. Sometimes we have good management and sometimes we do not. It depends on the site manager. Since 1998 there have been quite a few as we all know.*

*There is a need for signage. That would help, especially the situation of the property owners we are talking about, particularly Miss Casper's property and the property owners on that street. Management is a big thing for sure, but this will help all the problems I think as far as people wandering off the trail. When you do not know where the trail is it is not hard to wander off. Clear markings of entry and exit points, parking, it has all been needed. It has all been talked about. There have been studies by independent groups probably three or four since I have been on that committee and we have not seen any parking. Access is big but parking is bigger. Most of our parking is taking place on rights-of-way and controversial land so it is a two way. We are alleviating two things here.*

**Garriss:** *If we decline the grant and decide to proceed on our own, which I am in favor of, do we foresee any permitting issues?*

**Stewart:** *Permits are not needed in that area to traverse the wetlands. It is just a boardwalk going over the wetlands like at Sandy Run Park.*

**Varnell:** *From a permitting standpoint, no issues there.*

**Garriss:** *Thank you. I just wanted to be sure.*

**Hines:** *I think the land should be enjoyed by all the people, that is what it is here for and for that reason I am going to make a **motion instructing the town manager to inform the state that the Town of Kitty Hawk declines a much-appreciated grant for a crossover access in the conservation area. The town takes this action to preserve the ability to work toward restoring all historical use by our citizens of conservation lands owned by the Town of Kitty Hawk.** MPT Garriss seconded and it passed unanimously, 5-0.*

**5. CLOSED SESSION PURSANT TO N.C.G.S. 143-318.11(a)(3)**

**Mayor Perry made a motion to go into closed session pursuant to N.C.G.S. 143-318.11(a)(3).**

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**To consult with the town attorney/protect the attorney-client privilege with regards to the Kitty Hawk Woods Conservation Easement and Management Plan.**

**Perry:** *I do not foresee any announcement after the closed session. We are instructing the attorney how to proceed to protect your rights and those are not things that will be made public. You may stay outside if you want but we need you to leave the Smith Room so we may continue.*

**Councilman Hines seconded and the vote was unanimous, 5-0.** Council entered closed session at 6:53 p.m.

**6. RETURN TO REGULAR SESSION and ADJOURNMENT**

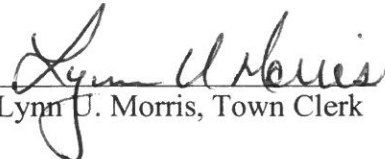
**Mayor Perry made a motion to return to regular session. It was seconded by Councilman Pruitt and the vote was unanimous, 5-0.** Time was 7:06 p.m.


While waiting for the press and public to return to the meeting MPT Garris noted he is in favor of having public comment at the beginning of the agenda. It allows for council to hear what people want to say before any action is taken or discussed.

**Varnell:** *We just met in closed session pursuant to N.C.G.S. 143-318.11(a)(3). The purpose was to consult with me regarding matters specific to the Kitty Hawk Woods Conservation Easement and Management Plan. I have been given direction and I will act on that direction.*

**Mayor Perry made a motion, seconded by Councilwoman McClean to adjourn. The vote was unanimous, 5-0.** Time was 7:08 p.m.

These minutes were approved at the June 7, 2021 council meeting.

  
Lynn J. Morris, Town Clerk

  
Gary L. Perry, Mayor