

**MINUTES**  
**KITTY HAWK TOWN COUNCIL**  
**Monday, November 5, 2018**  
**Kitty Hawk Town Hall, 6 PM**

Agenda

1. Call to Order
2. Moment of Silence/Pledge of Allegiance
3. Approval of Agenda
4. FY 2017-18 Audit Presentation
  - Teresa Osborne, CPA, Dowdy & Osborne, L.L.P.
5. Public Comment
6. Consent Agenda
  - a.) Approval of October 1, 2018 Council Minutes
  - b.) Disposal of Fire Department Boat
7. Reports/General Comments from Town Manager  
Alert/Notification Signup Campaign
  - a.) Sandy Run Park/Kitty Hawk Park Connector Trail
8. Reports/General Comments from Town Attorney
9. Reports/General Comments from Town Council
10. Public Comment
11. Adjourn

**COUNCILMEMBERS PRESENT:**

Mayor Gary Perry, Mayor Pro Tem Craig Garriss, Councilman Ervin Bateman, Councilwoman Lynne McClean and Councilman Jeff Pruitt

**STAFF MEMBERS PRESENT:**

Town Manager Andy Stewart, Town Clerk Lynn Morris, Town Attorney Casey Varnell, Finance Officer Liliana Noble, Finance Technician Jessica Barnes, Police Officer III Jimmy Helms, Fire Chief Mike Talley and Public Works Director Willie Midgett

**1. CALL TO ORDER**

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

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

Following a moment of silence, the Pledge of Allegiance was recited.

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#### 3. APPROVAL OF AGENDA

Councilman Bateman made a motion to approve the agenda. It was seconded by Councilwoman McClean and passed unanimously, 5-0.

#### 4. FY 2017-18 AUDIT PRESENTATION/Teresa Osborne, CPA, Dowdy & Osborne, L.L.P.

Ms. Osborne reviewed the highlights of the audit and said the Town has ended the fiscal year in strong financial condition.

#### 5. PUBLIC COMMENT

There were no public comments.

#### 6. CONSENT AGENDA

a.) **Approval of October 1, 2018 Council Minutes.** *(An approval of the consent agenda will approve these minutes.)*

b.) **Disposal of Fire Department Boat.** Staff requests permission to auction the department's 2008 Tracker Grizzly, Model 1754 aluminum boat. It will no longer be utilized for conducting water rescue operations. *(An approval of the consent agenda will approve this request.)*

MPT Garriss made a motion, seconded by Councilwoman McClean, to approve the consent agenda. The vote was unanimous, 5-0.

#### 7. TOWN MANAGER

##### a.) Alert/Notification Signup Campaign

**Stewart:** *We are going to kick off an alert and notification signup campaign tomorrow on Election Day. During the last tropical storm the sound side flooding kind of snuck up on us. We had a debriefing meeting and the mayor brought up a good point about notifying the general public. The Town purchased an alert and notification system with the county a year ago. We are going to set up a table tomorrow and citizens can sign up for notifications and/or signup for the newsletter. (To be notified text: join TownofKittyHawk 230890.)*

**Perry:** *I asked for the debrief and what they are doing is a result of my request to do something specifically for Kitty Hawk residents. Some of us knew the sound was up and we knew if we got any wind from the southwest, we were going to get some sort of flooding. Even with that it surprised us because the waves on top of the surge was not accounted for. If we had been a little more present, we could have broadcast through this system to Kitty Hawk folks this might be worse than we think. It is because we have some local knowledge. The county did not call something together because it was not that big enough of a situation for them. We may not get it right but at least we can give that little extra caution. If we get it wrong, it will all be on me.*

**7(b.) Sandy Run Park/Kitty Hawk Park Connector Trail**

**Stewart:** *This is intended to connect the Dare County Kitty Hawk Park to the Birch Lane Trail. We submitted a grant to the NC Recreational Trails Program for about \$98,000 and a grant to the Tourism Board. We were awarded a grant from the Tourism Board, but we did not get any money from the state. We can reapply in 2019 but I want to bring this before council now given that it has so much momentum behind it. Maybe after hearing the audit there is a way we can accomplish this without the state. Also, a contractor would probably want to work on this in the winter. We have not gotten a hard number from any contractor through a bid process but if council is interested, we could proceed with a bid of the project and bring it back before council to determine moving forward.*

**Perry:** *One of the reasons a PARTF grant is hard to get is because they want a lot of bells and whistles added to whatever the project is, and Sandy Run Park is a prime example. We had to have some things there that I do not know if they were really necessary, but it was necessary to get the grant. Another problem with a PARTF grant is once it is built the Town is forever more required to maintain it, keep it in perpetuity. That does not apply to the Tourism Board grant.*

The mayor asked Public Works Director Midgett if he thinks the pipe at Tateway will be fixed by the contractor Hatchell Concrete, Inc. It needs to be fixed ASAP. Midgett replied he has spoken with them and believes it will be fixed. The reason he asks is he does not know if the Town is going to pay to fix it or if the contractor is.

Mayor Perry then made the following motion, **I move to allow the Town Manager, based upon his computations, to move forward with the bid and to activate the bid based upon getting Tateway fixed and sooner than later on both of those benefits all of us. MPT Garriss seconded.** Council discussed how much this connector will benefit access to the trail and parking. **The vote was unanimous, 5-0.**

Manager Stewart reported the **vegetative debris contractor** is in Town and is picking up in the Landing. They have been here since Friday.

He also announced **trash pickup** is normally on Mondays but because Monday is observed as Veteran's Day it will be on Tuesday November 13<sup>th</sup>.

**Perry:** *The FEMA damage in Kitty Hawk was very light but the damage to all of Dare County seems to be quite heavy. Are they meeting a threshold for FEMA?*

**Barnes:** *They do not know what the threshold is yet.*

**Perry:** *When we ordered three pumps we had them at standby. We did not use them and the man called and asked if we can turn them loose and we did. Are we going to be charged a full week?*



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**Midgett:** *Yes sir.*

**Perry:** *Did he send them to somebody else?*

**Midgett:** *We are only going to get charged for the time we had them on standby.*

**Perry:** *Not a full week.*

**Midgett:** *A full week is cheaper than the three days we had them on standby so we will pay that rate.*

**8. TOWN ATTORNEY**

There were no comments from the attorney.

**9. TOWN COUNCIL**

**Change of Council Meeting When the Town Hall is used for an Election:**

**Garriss:** *First, I would like to thank Andy and others for the great audit report we had. I really appreciate the hard work.*

*Second, tomorrow is Election Day and I see some election staff eagerly waiting for us to leave so they can set up. I was approached by a member of their staff and asked about the possibility of us moving our council meeting when it falls before an Election Day. I said I had never thought about it. Our meetings may last 25 minutes or may last 2 hours and 25 minutes and they are sitting here waiting for us to finish. I said I will do some checking and I talked to Lynn. I knew she had been here a long time and asked if she has any background on this. She said she did not, but said she would do some homework.*

*When we move a council meeting it is traditionally to the following day (Tuesday) or the following Monday. Tuesday will not work because the following day is Election Day. If it were to be the following Monday it will not work because it is when the Town observes Veteran's Day and offices are closed. Lynn had an idea, and I agree with it. Instead of moving the day why don't we move the meeting time up to 4 p.m. to accommodate the Board of Elections staff. It happens in November and the primaries are normally in May. I want to get your input.*

**Perry:** *Word of caution. We had a problem in manning the Board of Adjustment a while ago because the applicant could not make the 4 p.m. meeting time. Whatever we do will not happen right now because we are set tonight.*

**Pruitt:** *I have no problem moving it to a different day. I mean could it be advertised for a Wednesday instead of Monday?*

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**Morris:** *It could but it gets confusing when adding another day into the mix. If we know that anytime there is an Election Day, we are moving up the time to 4 or 5 o'clock it keeps us more structured.*

**Garriss:** *Would 5 p.m. help?*

**Perry:** *Better than 4 but we have already established next year's dates.*

**Morris:** *We can amend the schedule.*

**Perry:** *I want you to go home tonight and think about it and decide. We will talk about it at the next meeting.*

**Thank You/Alert and Notification System:**

**McClellan:** *I am delighted the Town is in great financial position right now. Thank you to everybody that helped make it possible.*

**Pruitt:** *I hope everybody is as glad as I am we purchased the truck to pick the debris up off the side of the road. I think it has really helped in cleaning and Willie thank you very much for all the work getting it picked up as fast as possible.*

*I would also like to thank the police department. I understand they were scrambling trying to keep stuff above water in the police department which seems to be happening quite a bit.*

*I think the alert system is a great idea. I anticipated the water all the way up to my patio. I think this is a great idea and I will take the heat with you Gary. I heard a lot of people say they woke up and when they put their foot on the floor there was water already there. It came in really fast this time. We have a couple of great places that you can move your vehicles to. The Catholic Church seems to work very well and is safe. I think the parking lot was full during Hurricane Florence and empty during Hurricane Michael. I think this alert system would have helped. Even if we just said we have a bad feeling. Let everybody know. Then maybe we could send a second one when it is running through their house.*

**Potential Vacancy on the Town Council:**

**Perry:** *Wednesday morning we are going to wake up and determine whether substance and good judgement has trumped party affiliation. Just that simple. I am going to hope that the citizens of Dare County have good judgment and go for substance. With that in mind it means we will have to replace Ervin. I have talked to Craig a little about this and how we go about doing it. Our thought at the moment is to put out feelers and ask for candidates. Give us your resume and give us a chance to look at who is available, who is interested.*

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*If Ervin is elected as a Dare County Commissioner, I would like to give instruction to the manager to put out something in the newsletter and other media sources asking for people that are interested in serving on the Town Council. Does anyone have a problem with that? Once we know?*

Council concurred with the mayor's suggestion.

**10. PUBLIC COMMENT**

**1.) Brian Morgan, 4900 Lunar Dr., Kitty Hawk, NC:** *I am the chief judge for elections in the Kitty Hawk precinct and I appreciate you addressing moving up your meeting time. It has not been a terrible burden for me personally, but I know most of us would appreciate getting out of here earlier. If it causes undue hardship, I get it. If you do move it up to 4 or 5 o'clock it would be greatly appreciated. Thank you very much.*

*With respect to the alert/notification signup campaign I personally do not feel it will be a problem impeding the election having your signup desk on the porch, but I have one caution. Try not to obstruct the voter coming in. Announce what you are doing, do not impede, then make yourselves available on the way out. This has been a very touchy election for a lot of reasons. There have been many people looking for opportunities to complain so I would like to nip that in the bud.*

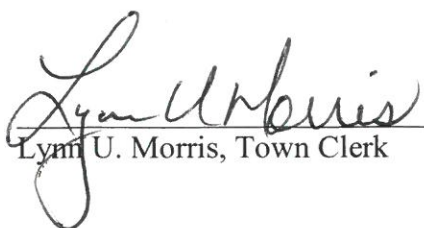
*The water did happen very quickly. Some friends on the point called in a panic and asked if we could help them out. Is there any way that someone who sees it happening could call the Town and tell them to check it out? This is happening right now. The alert is fine, but you have to know what to alert people to.*

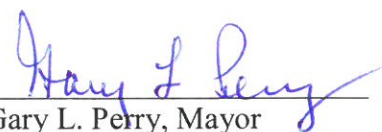
*Other than that, thank you very much. I appreciate you looking out for us when we set up and look forward to as many people as possible to come out and vote tomorrow.*

**11. ADJOURN**

**Mayor Perry made a motion, seconded by MPT Garriss, to adjourn. The vote was unanimous, 5-0. Time was 6:35 p.m.**

These minutes were approved at the December 3, 2018 council meeting.

  
Lynn U. Morris, Town Clerk

  
Gary L. Perry, Mayor