

Minutes of the Wednesday, May 22, 2024, regular meeting of the Kill Devil Hills Board of Commissioners held at 6:00 p.m. in the Town Hall Meeting Room, 102 Town Hall Drive, Kill Devil Hills.

Members Participating: Mayor John Windley; Commissioners Terry Gray, T. Dillon Heikens, Ivy Ingram, and Bernard “B.J.” McAvoy

Members Not Participating:

Others Participating: Debora P. Díaz, Town Manager; Meredith Guns, Planning Director; Casey Varnell, Town Attorney; and Jennifer R. Stecher, Deputy Town Clerk

Call to Order

At 6:00 p.m., Mayor Windley opened this meeting of the Kill Devil Hills Board of Commissioners (BOC) and welcomed all present.

Pledge of Allegiance and Moment of Silence

Mayor Windley recognized and welcomed the previous mayors of the Town: Commissioner Gray, and in the audience, Dr. Sheila F. Davies and Benjamin A. Sproul.

Agenda Approval

Commissioner Ingram moved to approve the agenda, as presented. Commissioner Gray seconded the motion, which passed by a unanimous, 5-0, vote.

Public Comment

Response to Public Comment

Ongoing Business

New Business

1. Appointments

All applications on file from persons interested in serving in any capacity have been previously copied to the Board of Commissioners and no new applications for those purposes have been received. Appointment histories were included in the meeting materials.

A. Board of Adjustment

Toni Dorn’s term as a regular member of the Board of Adjustment will expire June 2024. She has expressed a desire to be considered for reappointment to an additional three-year term.

Commissioner Ingram moved to reappoint Toni Dorn as a regular member to the Board of Adjustment for a term that will expire June 2027. Commissioner Heikens seconded the motion, which was approved by a unanimous, 5-0, vote.

B. Dangerous Animal Appeals Board

Temple Heggie’s term as a member of the Dangerous Animal Appeals Board expires June 2024. She has expressed a desire to be considered for reappointment to another three-year term.

Commissioner Gray moved to reappoint Temple Heggie as a regular member to the Dangerous Animal Appeals Board for a term that will expire June 2027. Commissioner Ingram seconded the motion, which was approved by a unanimous, 5-0, vote.

2. Recommendation for Workforce Manpower Study and Comprehensive Pay & Classification Study (Attached NB-2)

Town Manager Debora Díaz noted that from time to time, it was necessary to assess the Town’s staffing levels, compensation, and classification structures to maintain our high standard of services for our residents, businesses, and visitors, and remain competitive in today’s market.

Assistant Town Manager Charlene Allen’s meeting memorandum highlighted that a Workforce Manpower Study was budgeted for FY 2023-2024, with a separate Comprehensive Pay & Classification Study budgeted for FY 2024-2025. Upon detailed research, Staff has noted that the two studies overlap in multiple areas. As a result, the Administration Department has recommended the studies be combined, which will result in savings of staff’s time in participation and decreased costs.

The Town sent a request for proposals (RFP) for an Organization and Workforce Study and Comprehensive Pay & Classification Study to five vendors, with three vendors responding. Staff has reviewed the three proposals and recommends Piedmont Triad Regional Council (PTRC) to complete study, due to its best responsiveness to the Town’s RFP needs and for the substantial cost savings. If approved by the Board, the study’s anticipated timeline would begin late May 2024 and conclude January 2025. Once completed, the study’s results would be reported to the Board, along with any Staff recommendations.

Commissioner Ingram moved to approve the combined Workforce Manpower Study and Comprehensive Pay & Classification Study, to accept Staff’s recommendation of Piedmont Triad Regional Council, and to authorize Staff to execute contracts necessary for the study. Commissioner Gray seconded the motion, which was approved by a unanimous, 5-0, vote.

3. Presentation of the Town Manager's Recommended Budget Fiscal Year 2024 / 2025

The proposed budget for the Town of Kill Devil Hills for Fiscal Year 2024 / 2025 was presented to the Board of Commissioners at this meeting. Ms. Díaz noted that the proposed budget did not include a tax increase.

In accordance with the provisions of N.C.G.S. §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 Board of Commissioners will need to conduct a public hearing, at which time any persons(s) wishing to be heard on the Recommended Budget may appear. The public hearing may be held at any time after presentation of the budget, either prior to, or subsequent to, the Board's budget worksession.

Staff recommended the Board consider holding its budget public hearing on Monday, June 10, 2024, at 6:00 p.m., and conducting a subsequent budget worksession at the same meeting, its first regular meeting of the month.

Commissioner Ingram moved to schedule its budget public hearing on the Town Manager's Recommended Budget Fiscal Year 2024 / 2025 for Monday, June 10, 2024, at 6:00 p.m., and to conduct a subsequent budget worksession at the same meeting. Commissioner Heikens seconded the motion, which was approved by a unanimous, 5-0, vote.

Committee Reports

Commissioners' Agenda

Commissioner Gray

Beach Access Parking - Commissioner Gray brought up the issue of overflow parking from large homes parking at beach accesses overnight. He suggested a windshield sticker for residents to be able to park overnight at KDH beach accesses, possibly delivered to residents in their water bill. Commissioner Gray also recommended Staff and the Town Attorney look into a resident beach access parking permit system, making sure it will address the problem without violating any ordinances or statutes. Commissioner Gray believes citizens are being deprived of going to the beach when beach accesses are full of overflow parking from large beach houses.

Commissioner McAvoy believed such a plan will cause a lot of upset people and other town residents will be upset. He supported a time slot when a car can be ticketed, between 3:00 a.m. and 4:00 a.m. Commissioner McAvoy stated that plenty of people go to the beach after midnight and walk. He believed the permit plan was too strict. Commissioner McAvoy thought the Town did not need to change anything.

Commissioner Ingram thought Commissioner Gray's idea of beach parking permits for residents makes sense and asked whether it would be possible. Board members expressed interest in getting feedback from the Police Department about its preferable mechanism for enforcement and / or restricting overnight overflow parking at beach accesses from large beach houses.

Mayor Windley noted that the Board had scheduled a public hearing on proposed overnight parking for June 26, 2024 at 6:00 p.m.

Kitty Hawk Housing Options - Commissioner Gray said he forwarded an article to Staff about the Town of Kitty Hawk Planning Board recommending a proposal to permit businesses to create more worker housing and believed it might solve some housing issues.

Mayor's Agenda

Board Retreat - Mayor Windley reminded members about the Board Retreat that will be held on June 8, 2024, at 9 a.m. in the Town Hall Meeting Room. Board members were asked to email their ideas and priorities to the Town Clerk by June 1. This will help to facilitate a productive retreat.

Recognition of Town Manager's Service to the Town – The Board recognized Town Manager Debora P. Díaz for her 40 years of service to the Town, with 31 years as Town Manager. In honor of Ms. Díaz's service, the Board then presented a photo opportunity feature, which will be an addition to Mary's Paws Park. Former Mayors Sheila Davies and Ben Sproul shared remarks to the group about Ms. Díaz's longtime dedication to the Town.

Town Manager's Agenda

Town Attorney's Agenda

Town Attorney Varnell noted that the North Carolina House Bill 259, a local bill that exempted affordable housing developers from local zoning ordinances, has officially been repealed. The Town has a pending lawsuit in opposition to House Bill 259 and Mr. Varnell has spoken with the other parties involved with the lawsuit and he recommended to dismiss the lawsuit with a consensus by the board. The board gave its consensus to repeal the lawsuit regarding House Bill 259.

Consent Agenda

1. Minutes (Attached CA-1A)

A. May 13, 2024

2. Budget Amendments and Transfers (Attached CA-2A, CA-2B, and CA-2C)

A. Budget Amendment #12 - To appropriate funds for the street, drainage, and right-

of-way improvements project for Wrightsville Boulevard Phases 1 and 2 as approved at the May 13, 2024, meeting.

- B. Budget Amendment #13 - To appropriate funds for the Southeast Area Water Improvements Project, approved at the May 13, 2024, meeting.
- C. Budget Amendment #14 - To record the revenues and associated expenditures for the ClearGov budget software agreement in accordance with the GASB 96 standard.

Budget Amendments #12 and #13 were previously approved through actions taken at the Board's May 13, 2024, meeting. Their inclusion on the Consent Agenda enters them into the record of this meeting.

Ms. Díaz presented the Consent Agenda, and recommended approval. Commissioner Gray moved to approve the Consent Agenda, as presented. Commissioner Heikens seconded the motion, which was approved by a unanimous, 5-0, vote.

Public Comment

Commissioner Gray said Ms. Díaz was the guiding hand in working with the Dare County Board of Education and the Nature Conservancy to facilitate a plan that allowed First Flight High School to be built. He commended her for building a great team and doing a great job.

Response to Public Comment

Adjournment

There being no further business appearing before the BOC at this time, Commissioner Heikens moved to adjourn the meeting. Commissioner Gray seconded the motion, which was approved by a unanimous, 5-0, vote.

The time was 6:43 p.m.

Submitted by:

Jennifer R. Stecher
Deputy Town Clerk