



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

MEMORANDUM

June 26, 2024

TO: Mayor and Board of Commissioners

FROM: Debora P. Díaz, Town Manager 

REF: New Business

1. Recommended Action to adopt an operating budget FY 2024 / 2025 Budget Ordinance, Sidewalk and Multi-Use Path Capital Reserve Ordinance, and consolidated fee schedule for the Town of Kill Devil Hills (Attached NB-1)

The Town Manager's Recommended Budget for Fiscal Year 2024 / 2025 was presented to the Board of Commissioners at its May 22, 2024, meeting, in accordance with the Local Government and Fiscal Control Act. The Board scheduled a public hearing and subsequent budget worksession for its June 10, 2024, meeting; through consensus, the Board directed Staff to set the Cost of Living Adjustment (COLA) for employees to 4.5%, increased from the recommended 4.0%. That change has been reflected in the final operating budget for FY 2024 / 2025.

The Town's website provides links to the full budget document and a budget portal gateway, where the public has had the opportunity to share its comments on the Recommended Budget. Bound copies have been available for inspection in the Town Hall lobby and the KDH Library as additional options for public access.

Staff recommends the Board of Commissioners adopt the Budget Ordinance, Sidewalk and Multi-Use Path Capital Reserve Ordinance, and consolidated fee schedule for Fiscal Year 2024 / 2025.

A motion would be in order.

Adopted Budget Ordinance

Town of Kill Devil Hills, North Carolina Adopted Budget Ordinance

For the Fiscal Year 2024-2025

Budget Ordinance _____

BE IT ORDAINED by the Board of Commissioners of the Town of Kill Devil Hills, North Carolina:

Section 1.

The following amounts are hereby appropriated in the General Fund for the operation of the Town government and its activities for the fiscal year beginning July 1, 2024, and ending June 30, 2025, in accordance with the chart of accounts heretofore established for this Town:

Administration	\$	1,567,358
Administration – Buildings and Grounds		3,280,334
Finance and Taxes		2,304,418
Finance – Management Information Systems		523,692
Finance – Fleet Maintenance		682,407
Planning and Development		1,350,216
Planning and Development – Beach		
Nourishment		809,940
Police		5,079,590
Police – Animal Control		231,328
Fire – Station 14		3,458,777
Fire – Ocean Rescue		1,027,768
Public Works – Streets		2,670,019
Public Works – Powell Bill		272,000
Public Works – Solid Waste		3,737,542
	\$	<u>26,995,389</u>

It is estimated that the following revenues will be available to the General Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Ad valorem taxes	\$	11,523,430
Tax penalties and interest		13,000
Other taxes and licenses		10,174,872
Unrestricted intergovernmental revenues		1,028,500
Restricted intergovernmental revenues		284,200
Permits and fees		284,600
Sales and services		79,750
Investment earnings		500,000
Other revenues		227,612
Other finance source		605,151
Undesignated Fund Balance Appropriated		2,274,274
	\$	<u>26,995,389</u>

Section 2.

The following amounts are hereby appropriated in the Capital Reserve Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Reserved for future projects – Streets	\$	1,070,000
Reserved for future projects – Sidewalk		153,000
Reserved for future projects – Shoreline Access		75,000
Reserved for future projects – Recreation		75,000
Reserved for future projects – Beach Nourishment		600,000
	\$	<u>1,973,000</u>

It is estimated that the following revenues will be available in the Capital Reserve Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Transfer from General Fund to Street Construction CRF	\$	1,070,000
Transfer from General Fund to Sidewalk Construction CRF		153,000
Transfer from General Fund to Shoreline Access Const. CRF		75,000
Transfer from General Fund to Recreation CRF		75,000
Transfer from General Fund to Beach Nourishment CRF		600,000
	\$	<u>1,973,000</u>

Section 3.

The following amounts are hereby appropriated in the Water Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Water Administration	\$	1,247,954
Water Treatment Plant		2,278,088
Water Systems		1,615,925
Cost allocation - General Fund		585,151
	\$	<u>5,727,118</u>

It is estimated that the following revenues will be available in the Water Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Water sales	\$	5,259,678
Taps and connections		50,000
Interest on investments		150,000
Miscellaneous revenues		15,500
Wastewater debt repayment		18,750
Retained Earning Appropriated		233,190
	\$	<u>5,727,118</u>

Section 4.

The following amounts are hereby appropriated in the Water Capital Reserve Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Water System development – Expansion and Replacement	\$ 324,000
	<u>\$ 324,000</u>

It is estimated that the following revenues will be available in the Water Capital Reserve Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Water System Development Fees	\$ 324,000
	<u>\$ 324,000</u>

Section 5.

The following amounts are hereby appropriated in the Wastewater Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Wastewater System	\$ 230,660
	<u>\$ 230,660</u>

It is estimated that the following revenues will be available in the Wastewater Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Wastewater charges	\$ 224,090
Taps and connections	6,570
	<u>\$ 230,660</u>

Section 6.

The following amounts are hereby appropriated in the Wastewater Capital Reserve Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Wastewater System development - Expansion and Replacement	\$ 18,750
	<u>\$ 18,750</u>

It is estimated that the following revenues will be available in the Wastewater Capital Reserve Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Wastewater System Development Fees	\$ 18,750
	<u>\$ 18,750</u>

Section 7.

There is hereby levied a tax at the rate of \$.355 per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2024, for the purpose of raising the revenue listed as "Taxes - Current Year" in the Annual Budget Estimate-Revenue section of this proposed budget.

The rate of tax is based on an estimated total valuation of property for the purpose of taxation of \$3,121,333,295 and an estimated collection rate of 99.20 percent.

There is hereby levied an additional tax at the rate of \$.24 per one hundred dollars (\$100) valuation of property listed in the Municipal Service District (MSD) for taxes as of January 1, 2024, for the purpose of raising the revenue listed as "Taxes – Municipal Service District" in the Annual Budget Estimate-Revenue section of this proposed budget.

The rate of tax is based on an estimated total valuation of property in the Municipal Service District for the purpose of taxation of \$212,330,206 and an estimated collection rate of 100 percent.

Section 8.

The Budget Officer is hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

A. The Budget Officer may transfer amounts between objects of expenditure (line item) within a department without limitation and without a report being requested.

B. The Budget Officer may not transfer any amounts between departments of the same fund with the following exceptions:

1. Amounts may be transferred between the following departments:

Administration
Administration - Buildings and Grounds

2. Amounts may be transferred between the following departments:

Finance
Finance - Management Information Systems
Finance - Fleet Maintenance

3. Amounts may be transferred between the following departments:

Planning
Planning – Beach Nourishment

4. Amounts may be transferred between the following departments:

Police
Police - Animal Control

5. Amounts may be transferred between the following departments:

Fire – Station 14
Fire - Ocean Rescue

6. Amounts may be transferred between the following departments:

Public Works - Streets
Public Works - Solid Waste

7. Amounts may be transferred between the following departments:

- Water Administration
- Water Plant
- Water Systems

These departments are accounted for individually for reporting purposes. However, only one department head presides over Administration; one over Finance; one over Planning; one over Police; one over Fire; one over Public Works; and one over the Water Department. Transfers between a single department head's programs may become necessary and may be expended through approval by the budget officer. Any such transfers shall be reported to the governing board at its next meeting and shall be entered into the minutes.

C. The Budget Officer may not transfer any amount between funds nor from any contingency appropriation within any fund.

Section 9.

The budget is presented in object of expenditure (line item form) for detail purposes only. The budget is adopted on a departmental appropriation basis.

Section 10.

Fees. (Non-refundable)

Charges for services and fees by Town departments, excluding those established by state statute, are levied in the amounts set forth in the attached fee schedule (see Attachment 1).

Section 11.

Water Rates
Quarterly Minimum Charge for the
First 5,000 Gallons
 (Zero to 5,000 Gallons)

<u>Meter Size</u>		<u>*KDH System</u>		<u>*Out of Town</u>
5/8 inch	\$	81.00	\$	101.00
1 inch		147.00		
1 ½ inch		340.00		
2 inch		630.00		
3 inch		1,213.00		
4 inch and up		2,299.00		

*Ocean Acres/Wastewater Accounts incur additional wastewater minimum and commodity rates.

Commodity Rate
(Per 1,000 Gallons Over Minimum)

<u>Gallonage</u>		<u>Kill Devil Hills</u> <u>Customers</u>		<u>Out of Town</u> <u>Customers¹</u>
6,000 – 40,000	\$	8.75	\$	9.25
41,000 – 250,000		9.25		9.75
251,000 – 1,000,000		9.75		10.25
1,001,000 and over		10.25		10.75

Surety Deposits

Meter Size	Rate
5/8 inch	\$ 100.00
1 inch	200.00
1 ½ inch	350.00
2 inch	550.00
3 inch	1,100.00
4 inch and up	2,200.00
Hydrant Meter	1,000.00

*Ocean Acres/Wastewater Accounts have additional surety deposit fees.

Tap Fees (Installation Charges)

Meter Size	Fee
5/8 inch	\$ 1,355.00
1 inch	1,680.00
1 ½ inch	4,535.00 **
2 inch	4,945.00 **
3 inch and up	***

** Additional fees apply if a road bore is needed

*** Cost (materials, labor, equipment, engineering, etc.)

Water meter service size shall be determined by the Public Services Director or his/her designee based on American Waterworks Standards.

Water charges: Begin with the date of meter installation.

System Development Fee, or SDF, represents each new customer's "buy-in" to the Town's water treatment, storage and distribution facilities, and helps pay for capital improvements to assure the capacity and reliability of the overall system.

\$6,000 per 5/8" unit or 5/8" "equivalent meter unit" in the KDH System. An "equivalent meter unit" shall equal one 5/8" system connection fee charge as follows:

Single Family Residence: One 5/8" system development fee per unit. Single family residences requiring larger meters will follow the meter size chart in paragraph 3 below.

Multifamily:

1. Condominium units, townhouses, cottage courts, apartments, duplexes, mobile homes, accessory dwelling units, and other types of multi-family units:

one (1) system development fee per unit.

2. Hotel, motels, assisted living, and nursing homes –

a. **One (1) system development fee per each unit** which provides independent living accommodations including separate areas for: (1) sleeping (bedroom) **and** (2) bathing and waste disposal (bathroom) **and** (3) food preparation with cooking facilities (kitchen or kitchenette).

b. **One (1) system development fee per every two (2)** "efficiency" or "kitchenette" units, including hotel or motel units, which provide an area for food preparation **with** cooking facilities (kitchen or kitchenette) but **without a separate** sleeping area (bedroom).

c. **One (1) system development fee per every three (3) standard room units without** food preparation and/or cooking facilities (kitchen).

Other Uses:

3. Per §51-35 of the KDH Town Code, "The Town reserves the right in all cases to stipulate the size, type, and make of the meter to be used on any connection." Meters other than ordinary single-family residences shall be sized according to the American Waterworks Association (AWWA) Manual M-22, latest edition. Once the meter size has been calculated and approved by the Town, **the SDF shall be determined by the meter size in accordance with the following table:**

<u>METER SIZE</u>	<u>SDF</u>	<u>METER SIZE</u>	<u>SDF</u>
1"	\$10,400.00	3"	\$30,500.00
1 1/2"	\$15,800.00	4"	\$41,400.00
2"	\$20,900.00	6"	\$62,700.00

Miscellaneous Fees:

Turn Off Fee: (Winterizing): \$25.00

Reconnect Fee: \$50.00 (for non-payment/application)

Re-Read Fee/In-House Meter Testing: \$25.00 (if nothing is wrong with meter)

Locks: \$100.00

Coppersetter: (includes lock & angle valve): \$350.00

Orion Transmitter: \$150.00

Service Line: \$100.00

Administration Service Penalty: \$50.00 (for non-payment/water bill)

Return Check Fee: \$25.00

Penalty: 10 percent (late payment of water bill)

Angle Valve: (includes lock): \$250.00

Meter: 5/8" (includes lock, angle valve & coppersetter) \$500.00

Meter Box &/or Lid: (5/8" & 1"): \$100.00

Drop In Fee (existing service but no meter): Cost of materials plus 25%

Section 12.

Wastewater Rates

**Minimum Quarterly Charge for the
First 4,000 Gallons**
(Zero to 4,000 Gallons)

	<u>Southern Sanitary District</u>
Minimum	\$ 72.00

Commodity Rate
(Per 1,000 gallons over minimum)

<u>Gallage</u>	<u>Southern Sanitary District</u>
5,000 and over	\$ 17.70

Surety Deposits

All meter sizes	\$ 144.00
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Connection Fees

All meter sizes	\$ 1,500.00 (cost +25%)
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Wastewater Charges: Begin with the date of water meter installation.

System Development Fee: \$12.95/gallon. Gallons based on design flow

Reconnect Fee: \$50.00 (for non-payment of application)

Penalty: 10% (late payment of water bill)

Section 13.

Copies of the Budget Ordinance shall be furnished to the Budget Officer, the Finance Officer, and the Tax Collector for direction in the carrying out of their duties.

Adopted this ____ day of June, 2024, upon motion by _____, seconded by _____, the *KILL DEVIL HILLS BOARD OF COMMISSIONERS BUDGET ORDINANCE FOR THE FISCAL YEAR 2024-2025* was passed by a vote of ____ in favor and ____ opposed.

SEAL John Windley
Mayor

ATTEST:

James Michael O'Dell
Town Clerk

APPROVED AS TO FORM:

Casey C. Varnell, Town Attorney

I, James Michael O'Dell, Town Clerk of the Town of Kill Devil Hills, do hereby certify that the foregoing entitled *KILL DEVIL HILLS BOARD OF COMMISSIONERS BUDGET ORDINANCE FOR THE FISCAL YEAR 2024-2025* was placed in the Town Code on the ____ day of June, 2024, at ____ o'clock __ m.

James Michael O'Dell
Town Clerk

General Fund - Fee Schedule (Non-refundable) Attachment 1

General Fund - Fee Schedule (Non-refundable) Attachment 1

Planning & Development Review Fees

Additions for existing single-family and duplex dwellings (less than 50% of the value of the structure). Heated space only.	\$100 per addition.
Additions for existing single-family and duplex dwellings (less than 50% of the value of the structure) and accessory structures to single-family and duplex dwellings (excluding pools and hot tubs). Unheated space only.	Exempt from the development review fee schedule provided it is in compliance with the National Flood Insurance Program and Dare County Health Department. A building permit shall be required with appropriate building permit fees paid.
New or substantially improved one and two family dwellings.	\$150 per unit up to 3,000 square feet. Structures over 3,000 square feet is \$150 plus 5 cents for each additional square foot over 3,000 (heated space).
Commercial, warehouse, motel, hotels, multi-family dwellings, condominiums, townhouses and apartment buildings. Heated space only.	50 cents per square foot, minimum fee of \$150
Commercial, warehouse, motel, hotels, multifamily dwellings, condominiums, townhouses and apartment buildings. Unheated space only.	30 cents per square foot, minimum fee of \$150
Commercial parking spaces; commercial, business and multi-family accessory parking areas excluding single-family residences.	This fee is in addition to required review fees - \$20 per space
All other new development not included elsewhere in the fee schedule excluding open decks and walkways.	30 cents per square foot, minimum fee of \$150
Lots in proposed subdivision.	\$100 per lot
Exempt plat fees.	\$150 each
Review for private development of public right of way.	\$150 each
Inspection prior to moving a structure.	Within town - \$100 each Outside town - \$250 each
Administrative site plan review fee.	\$200 each
Certificates of Appropriateness review fee.	\$100 each
Special Use Application - Multi-family dwellings, workforce housing, wastewater treatment facilities, planned unit development, body piercing and sexually oriented businesses.	\$300 in addition to required review fees
Special Use Application - Private lifeguard services, outdoor recreational activities, wind turbine, event gardens and outdoor dining areas.	\$200 in addition to required review fees
Application for Town Code Amendment (no more than 2 revisions per application)	\$500.00
Application to Board of Adjustment (variances and appeals)	\$500.00
Encroachment Application Fee	10 cents per linear foot, minimum fee of \$100
Non-charitable Special Events (Board of Commissioners approval required)	\$100 per event
Commercial Yard Sales	\$50 per yard sale
ABC compliance review and inspection	\$100.00
Zoning Permit (no Change of Use)	\$75

Building Permit Fees. *Prior to the issuance of any permit, all building permit fees shall be paid, along with all other required town fees. All permits shall be consistent with the North Carolina Uniform Building Code.*

All new structures and additions including covered decks and all structures moved within or into town, excluding those structures relocated on the same lot. This fee includes plumbing, electrical and mechanical permits in one joint permit.	Residential heated space - 75 cents per square foot, Residential unheated space - 40 cents per square foot, Commercial heated and unheated space - 80 cents per square foot, minimum fee of \$150.
Piers, bulkheads, open decks, new roofs and any activity which requires a building permit not addressed in this schedule.	\$200 each
Fences, demolition and land disturbance.	\$100 each
Certificate of Occupancy for single-family and duplex dwellings	\$50 each up to 3,000 square feet. Structures over 3,000 square feet are \$50.00 plus 5 cents for each additional square foot over 3,000 (heated space)
Certificate of Occupancy for commercial, warehouse, motel, hotels, and multifamily dwellings	\$100 each up to 5,000 square feet. Structures over 5,000 square feet are \$100.00 plus 5 cents for each additional square foot over 5,000 (heated space)
Temporary Certificate of Occupancy for single-family and duplex dwellings	\$100 each
Temporary Certificate of Occupancy for commercial, warehouse, motel, hotels, and multifamily dwellings	\$300 each
Signs	\$100 per sign
Banners	\$100 each
Renovation/remodeling and relocation (on same lot) of existing structures without a change in the footprint including electrical, plumbing and/or mechanical upgrades.	45 cents per square foot, minimum fee of \$100
Electrical permits, plumbing permits, mechanical permits.	\$150 each
Pool and hot tub	\$200 each
Accessory use structure (excluding pools, hot tub and heated space).	Residential - 30 cents per square foot, minimum fee of \$100 Commercial - 45 cents per square foot, minimum fee of \$150
Temporary poles, phone booths and CATV amplifiers.	\$50 per installation
Re-inspection fee for all required re-inspections.	\$100 each
Homeowner recovery fee.	\$10
Temporary electric service (prior to occupancy).	\$100 per unit
A penalty fee shall be charged for starting work without a permit.	Amount equal to the permit fee in addition to the permit fee.
Driveway permit	\$50 each
Permit Reinstatement Fee	One-half the cost of the original permit with a minimum fee of \$100. (Reinstated permits will be inspected under the applicable codes in effect at the time of reinstatement).

Miscellaneous Fees. *Miscellaneous fees shall include but not be limited to the following*

Cook Book - \$5.00 to McCown Scholarship Fund, \$20.00 subject to NC sales tax ¹	\$25.00
License plates (regular) ¹	\$5.00
Birdhouse/Bird Feeder ¹	\$10.00
Paws Park T-Shirt ¹	\$14.99
Town Flag (3ftx5ft) ¹	\$90.00
Animal adoption fee	\$10.00
Animal shelter boarding fee – per day	\$50.00
Dog tag fee; male or female intact, or without proof of being spayed or neutered	\$5.00
Dog tag fee (issuance) with proof of being spayed or neutered	\$2.50
Dog tag fee (replacement tags)	\$2.50
Rabies inoculation	\$7.00
Annual Comprehensive Financial Report ¹	\$25.00
Copies B/W ¹	6 cents per page
Copies Color ¹	9 cents per page
Copies (large format sheets 18" and above) B/W ¹	\$5.00 per sheet
Copies (large format sheets 18" and above) Color ¹	\$50.00 per sheet
Photography Copies - Printed ¹	\$2.00 per sheet
Photography Copies - Digital ¹	\$10 per CD
Video copy fee ¹	Actual cost of media
Recycle bag ¹	\$2.81
Return payment fee	\$25.00
Town budget ¹	\$25.00
Fingerprint fee	\$10.00
Police or accident reports	\$5.00
Precious Metals: NC 66-165	
Annual permit fee	\$180.00
Employee permit (initial)	\$10.00
Employee permit (renewal)	\$3.00
Sunshine list	\$10.00
Taxi cab companies application review fee	\$50.00
Taxi cab driver permit	\$15.00
Taxi cab driver fingerprint fee	\$45.00
Taxi cab driver renewal fee	\$5.00
Business registration fee	\$25.00
Daycare, retirement daycare, adult daycare inspection fee (annual or initial)	\$100.00
Town Code book ¹	\$125.00
Zoning Ordinance (small map included) ¹	\$20.00
Zoning compliance letters	\$75.00
Beach driving permit - seasonal	\$25.00
Beach driving permit - short-term (up-to-14-day time period)	\$10.00
Commercial dumpster container ¹	Cost plus \$75 administrative fee
Commercial dumpster lid for baker containers ¹	\$50.00
Commercial dumpster lid rod and hardware ¹	\$20.00
Commercial dumpster lid limiters ¹	\$55.00
Residential refuse containers (new and replacement) ¹	\$100.00
Residential refuse containers (overflow - winter only) ¹	Cost plus 10% administrative fee
Residential refuse container replacement 2 wheels and axle ¹	\$40.00
Residential refuse container replacement lid ¹	\$35.00
No trespassing Sign ¹	\$27.17

¹ Subject to NC sales tax

Water Fund - Fee Schedule Attachment 2

Miscellaneous Fees

Turn off fee (winterizing)	\$25.00
Administrative service penalty (non-payment)	\$50.00
Reconnect fee (non-payment of application)	\$50.00
Re-read fee/in-house calibration (if nothing is wrong with the meter)	\$25.00
Return payment fee	\$25.00
Locks	\$100.00
Angle valve (includes lock)	\$250.00
Coppersetter (includes lock and angle valve)	\$350.00
Meter – 5/8" (includes lock, angle valve and coppersetter)	\$500.00
Drop-in fee (existing tap but no meter)	Cost of materials plus 25%
Orion Transmitter	\$150.00
Meter box and/or lid (5/8" and 1")	\$100.00
Service line	\$100.00
Penalty – (late payment of water bill)	10 percent

Distribution System – any damage to our Distribution System (meters larger than 5/8", hydrants, water mains, main line valves, fire hydrants, etc.) - the fee will be a total of actual costs for labor, materials, equipment, water loss, plus an administrative charge equal to 25 percent of the costs for labor, materials, equipment and water loss.

¹ Subject to NC sales tax

Capital Project and Capital Reserve Budget Ordinances

Kill Devil Hills Board of Commissioners

Capital Reserve Ordinance

Budget Ordinance Number 15-4

CAPITAL RESERVE ORDINANCE FOR THE PURPOSE OF THE CONSTRUCTION OF AND IMPROVEMENTS TO STREETS AND RELATED STORM WATER MANAGEMENT

BE IT ORDAINED by the Honorable Mayor and Board of Commissioners of the Town of Kill Devil Hills, North Carolina, that the following Capital Reserve Fund is hereby established:

Section 1.

The Board of Commissioners hereby creates a capital reserve fund for the purpose of the construction and improvements of streets and related storm water management improvements.

Section 2.

The Kill Devil Hills Board of Commissioners will make appropriations from this fund to finance capital projects which are part of a multi-year program of streets construction and improvements and related storm water management improvements.

Section 3.

This capital reserve fund combines our capital reserve fund for street construction and improvements and our capital reserve fund for storm water management improvements which were previously accounted for in separate reserve funds.

Section 4.

This fund will remain operational for a period not to exceed ten years beginning July 1, 2015 and ending June 30, 2025.

Section 5.

The Kill Devil Hills Board of Commissioners will strive to appropriate or transfer an amount each year to this fund which will provide funding for the stated purpose.

Section 6.

A percentage of the ad valorem tax revenue will serve as the source of revenue for the capital reserve fund.

Section 7.

This ordinance shall become effective upon its adoption.

Adopted June 24, 2015

Kill Devil Hills Board of Commissioners

Capital Reserve Ordinance

Budget Ordinance Number 17-13

CAPITAL RESERVE ORDINANCE FOR THE PURPOSE OF WATER SYSTEM DEVELOPMENT AND EXPANSION

BE IT ORDAINED by the Honorable Mayor and Board of Commissioners of the Town of Kill Devil Hills, North Carolina, that the following Capital Reserve Fund is hereby established:

Section 1.

The Board of Commissioners hereby creates a Capital Reserve Fund for the purpose of funding capital projects related to the town's water system.

Section 2.

The Kill Devil Hills Board of Commissioners will make appropriations from this fund to finance capital projects of the Water System.

Section 3.

All system development fees will serve as the source of revenue for this Capital Reserve Fund.

Section 4.

This ordinance shall become effective upon its adoption.

Adopted November 13, 2019

Kill Devil Hills Board of Commissioners

Capital Reserve Ordinance

Budget Ordinance Number 17-14

CAPITAL RESERVE ORDINANCE FOR THE PURPOSE OF WASTEWATER DEBT SERVICE, SYSTEM DEVELOPMENT AND EXPANSION

BE IT ORDAINED by the Honorable Mayor and Board of Commissioners of the Town of Kill Devil Hills, North Carolina, that the following Capital Reserve Fund is hereby established:

Section 1.

The Board of Commissioners hereby creates a Capital Reserve Fund for the purpose of funding capital projects related to the Town's wastewater system.

Section 2.

This fund is to finance debt service payment.

Section 3.

The Kill Devil Hills Board of Commissioners will make appropriations from this fund to finance capital projects of the wastewater system.

Section 4.

All system development fees will serve as the source of revenue for this Capital Reserve Fund.

Section 5.

This ordinance shall become effective upon its adoption.

Adopted November 13, 2019

Kill Devil Hills Board of Commissioners

Capital Reserve Ordinance

Budget Ordinance Number 18-10

CAPITAL RESERVE ORDINANCE FOR THE PURPOSE OF NOURISHING APPROXIMATELY 2.6 MILES OF OCEANFRONT BEACHES IN THE TOWN OF KILL DEVIL HILLS

BE IT ORDAINED by the Honorable Mayor and Board of Commissioners of the Town of Kill Devil Hills, North Carolina, that the following Capital Reserve Fund is hereby established:

Section 1.

The Board of Commissioners hereby creates a Capital Reserve Fund for the purpose of nourishing approximately 2.6 miles of oceanfront beaches in Kill Devil Hills.

Section 2.

The Board of Commissioners will make appropriations from this fund to finance the Town's portion of expenses to achieve this multi-year, long-term beach nourishment program in accordance with funding ratios to be established by the participating Dare County local governments based on equitable distribution of nourishment benefits.

Section 3.

The fund will remain operational for a period not to exceed ten years beginning July 1, 2021, and ending June 30, 2031.

Section 4.

The Kill Devil Hills Board of Commissioners will strive to appropriate or transfer an amount each year to this fund.

Section 5.

A percentage of the ad valorem tax revenue will serve as the source of revenue for the capital reserve fund.

Section 6.

This ordinance shall become effective upon its adoption.

Adopted June 23, 2021

Kill Devil Hills Board of Commissioners

Capital Reserve Ordinance

Budget Ordinance Number 18-11

CAPITAL RESERVE ORDINANCE FOR THE PURPOSE OF DEVELOPMENT OF RECREATIONAL FACILITIES

BE IT ORDAINED by the Honorable Mayor and Board of Commissioners of the Town of Kill Devil Hills, North Carolina, that the following Capital Reserve Fund is hereby established:

Section 1.

The Board of Commissioners hereby creates a Capital Reserve Fund for the purpose of development of recreational facilities.

Section 2.

The Board of Commissioners will make appropriations from this fund to finance capital projects which are a part of a multi-year program for the implementation of the adopted Recreational Facilities Plan.

Section 3.

The fund will remain operational for a period not to exceed ten years beginning July 1, 2021, and ending June 30, 2031.

Section 4.

The Kill Devil Hills Board of Commissioners will strive to appropriate or transfer an amount each year to this fund.

Section 5.

A portion of the ad valorem tax and other general fund revenues will serve as the source of revenue for this Capital Reserve Fund.

Section 6.

This ordinance shall become effective upon adoption.

Adopted June 23, 2021

Kill Devil Hills Board of Commissioners

Capital Reserve Ordinance

Budget Ordinance Number 18-12

CAPITAL RESERVE ORDINANCE FOR THE PURPOSE OF CONSTRUCTION OF AND IMPROVEMENTS TO SHORELINE
ACCESSES

BE IT ORDAINED by the Honorable Mayor and Board of Commissioners of the Town of Kill Devil Hills, North Carolina, that the following Capital Reserve Fund is hereby established:

Section 1.

The Board of Commissioners hereby creates a Capital Reserve Fund for the purpose of new construction, renovation, and reconstruction of and improvements to shoreline accesses.

Section 2.

The Kill Devil Hills Board of Commissioners will make appropriations from this fund to finance capital projects which are a part of a multi-year program for the implementation of the adopted Shoreline Access Plan.

Section 3.

The fund will remain operational for a period not to exceed ten years beginning July 1, 2021, and ending June 30, 2031.

Section 4.

The Kill Devil Hills Board of Commissioners will strive to appropriate or transfer an amount each year to this fund.

Section 5.

A portion of the ad valorem tax and other general fund revenues will serve as the source of revenue for this Capital Reserve Fund supplemented by grant funds from the North Carolina Coastal and Estuarine Access Program.

Section 6.

This ordinance shall become effective upon adoption

Adopted June 23, 2021

**Kill Devil Hills Shore Protection Project
Capital Project Ordinance Amendment**

(BEACH NOURISHMENT)

Budget Ordinance Number 18-13

BE IT ORDAINED by the Board of Commissioners of the Town of Kill Devil Hills, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance, originally adopted June 23, 2021, and amended June 13, 2022, September 12, 2022 and March 13, 2023:

Section 1.

The project authorized is KILL DEVIL HILLS SHORE PROTECTION PROJECT (BEACH NOURISHMENT) to be financed by special obligation bonds, contributions from Dare County beach nourishment fund, ad valorem revenues, or other sources of revenue. The estimated project life is anticipated to be through December 31, 2022.

Section 2.

The officers of the Town are hereby directed to proceed with the capital project within the terms of the Municipal Service District (MSD) Resolution, Dare County Inter-local agreement, bond resolution, and budget contained herein.

Section 3.

The following amounts are appropriated for the project:

Design, Permitting & Professional Services	\$ 6,795,623
Mobilization, Demobilization and Construction Costs	
	<u>\$ 6,795,623</u>

Section 4.

The following revenues are anticipated to be available to complete this project:

Proceeds from special obligation bonds - FEMA	\$ 3,638,169
Proceeds from special obligation bonds	593,224
Contribution from Dare County – Project	691,137
Contribution from Dare County – Sand fence	48,000
Proceeds from NC DEQ Grant	1,456,876
Contribution from capital reserve	<u>368,217</u>
	<u>\$ 6,795,623</u>

Section 5.

The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agencies, the grant agreements, and federal regulations. The terms of the bond resolution also shall be met.

Section 6.

Funds may be advanced from the Capital Project Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7.

The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and on the total revenues received or claimed.

Section 8.

The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board of Commissioners

Kill Devil Hills Board of Commissioners

Capital Reserve Ordinance

Budget Ordinance Number _____

CAPITAL RESERVE ORDINANCE FOR THE PURPOSE OF THE CONSTRUCTION OF SIDEWALKS AND MULTI-USE PATHS IN
KILL DEVIL HILLS

BE IT ORDAINED by the Honorable Mayor and Board of Commissioners of the Town of Kill Devil Hills, North Carolina that the following Capital Reserve Fund is hereby established:

Section 1.

The Board of Commissioners hereby creates a capital reserve fund for the purpose of the construction of sidewalks and multi-use paths in Kill Devil Hills.

Section 2.

The Kill Devil Hills Board of Commissioners will make appropriations from this fund to finance capital projects which are part of a multi-year program of sidewalks and multi-use paths construction.

Section 3.

This fund will remain operational for a period not to exceed ten years beginning July 1, 2024 and ending June 30, 2034.

Section 4.

The Kill Devil Hills Board of Commissioners will strive to appropriate or transfer an amount each year to this fund which will provide funding for the stated purpose.

Section 5.

A percentage of the ad valorem tax revenue will serve as the source of revenue for the capital reserve fund.

Adopted this ____ day of June, 2024, upon motion by _____, seconded by _____, the KILL DEVIL HILLS SHORE PROTECTION PROJECT (BEACH NOURISHMENT) CAPITAL PROJECT ORDINANCE was approved by a vote of ____ in favor and ____ opposed.

SEAL John L. Windley
Mayor

ATTEST:

James Michael O'Dell
Town Clerk

APPROVED AS TO FORM:

Casey C. Varnell
Town Attorney

I, James Michael O'Dell, Town Clerk of the Town of Kill Devil Hills, do hereby certify that the foregoing amended ordinance entitled KILL DEVIL HILLS SHORE PROTECTION PROJECT (BEACH NOURISHMENT) CAPITAL PROJECT ORDINANCE was placed in the Town Code on the ____ day of June, 2024, at ____ o'clock __m.

James Michael O'Dell
Town Clerk