

Minutes of the Wednesday, April 30, 2025, regular meeting and public forum 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 Ivy Ingram, Terry Gray, and T. Dillon Heikens

Members Not Participating: Bernard “B.J.” McAvoy

Others Participating: Debora P. Díaz, Town Manager; Casey Varnell, Town Attorney; Meredith Guns, Planning Director; and James Michael O’Dell, 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. It was noted that Commissioner McAvoy would not be present at the meeting.

Pledge of Allegiance and Moment of Silence

Agenda Approval

Commissioner Gray moved to approve the agenda, as presented. Commissioner Heikens seconded the motion, which passed by a unanimous, 4-0, vote.

Public Comment

Response to Public Comment

Introductions and Presentations

1. Trash Attack! Community Clean Up Event and poster contest recognitions

Since its inaugural event on April 22, 1995, the Town’s Trash Attack! Community Clean-Up Event has provided our citizens and visitors an enjoyable way to fellowship and also “attack” the trash and litter in our town.

One of the event’s most popular activities is the poster contest, which is open to all K-12 school-aged KDH residents and First Flight Schools students. Trash Attack! Chairperson Sandie Markland provided a report of the event and thanked the community partners, volunteers, and Staff that made the event possible, noting that 21 cubic yards of trash had been collected.

Ms. Markland then highlighted the submitted entries and recognized the poster contest artists:

- Entrants:** Samuel Ball, Irie Elder, Malachi Elder, Enzo Piacenza, Oliver Piacenza, and Dylan Wood
- Third Place:** Harper Wood
- Second Place:** Ezekiel Elder
- First Place:** Andrew Ball

The Town uses the submitted artwork in a variety of ways to remind the public to keep Kill Devil Hills clean and litter free, including garbage truck vinyl panels, signs for our recreation areas and facilities, and on social media.

2. Workforce Manpower Study and Comprehensive Pay & Classification Study Presentation (Attached IP-2)

At its May 22, 2024, meeting, the Board of Commissioners approved a combined Workforce Manpower Study and Comprehensive Pay & Classification Study to be conducted by the Piedmont Triad Regional Council (PTRC). The Administration Department’s meeting memorandum provided an overview of the process. PTRC Management Analyst David Hill was present to report the result of the combined studies. He stated that his presentation was an overview of the detailed report, which has been provided to the Town Manager and Assistant Town Manager. His presentation has been included with the meeting materials.

Mr. Hill provided an overview of the process, with the employee meetings and questionnaires; he expressed his appreciation to the Town employees for their participation. He reported that the average years of employment for municipal employees is six years, but for Kill Devil Hills is 12.2 years. The average years of employment in a position is four years; for Kill Devil Hills, it is eight years. Mr. Hill stated that the Town should be proud of its employees, who are serving the community, and also noted the Board’s and Administration’s commitment to Staff.

Mayor Windley noted that the average years of employment for a Town employee was more than double the state average. It is a testament to the Town Manager’s leadership. Ms. Díaz replied that it was the Board’s longtime commitment to the Staff. Mayor Windley inquired how often is it recommended to complete this type of study. Mr. Hill stated that usually every three years was the recommended timeline. Commissioner Gray inquired whether cost of living was calculated into the process. Mr. Hill replied that cost of living was factored into the report. Commissioner Gray noted that the Fire Department relies on volunteers, and with a steadily decreasing pool of available volunteers, there is increased work load among the Staff.

At 6:39 p.m., Town Attorney Casey Varnell joined the meeting.

Following additional discussion, Commissioner Ingram moved to approve the implementation of recommendations from both the Workforce Manpower Study and Comprehensive Pay & Classification Study as presented, with review and input by Department Directors, with funding to be included in the Town Manager's Recommended Budget for Fiscal Year 2025/2026. Commissioner Gray seconded the motion, which was approved by a unanimous, 4-0, vote.

Ongoing Business

New Business

Committee Reports

Commissioners' Agenda

Mayor's Agenda

1. Resolutions and Proclamations

- A. Resolution in Opposition to *Senate Bill 257 Ferry Tolls Sections 43.15.(a) and 43.15.(b)* and to all Ferry Tolls in North Carolina**
- B. Proclamation Designating May 15, 2025, as Peace Officers Memorial Day and May 11 – 17, 2025 as Police Week**
- C. Proclamation Designating May 4 – 10, 2025, as Hurricane Preparedness Week**

Mayor Windley stated that the above resolution and proclamations express the Board's opposition to ferry tolls, and its appreciation to the men and women in our law enforcement community, as well as recognizing those who have given the ultimate sacrifice. Additionally, Hurricane Preparedness Week reminds everyone of the importance of preparation for storm events.

Mayor Windley moved to approve the resolution and proclamations as presented. Commissioner Gray seconded the motion, which was approved by a unanimous, 4-0, vote.

East Hayman Boulevard Beach Access Walkover Mayor Windley announced that the Town's East Hayman Boulevard Beach Access walkover was completed earlier this month. He expressed the Board's appreciation to everyone who made this improvement for citizens and visitors a reality, especially Town Staff, who worked to secure a Coastal Area Management Agency (CAMA) Public Beach and Waterfront Access Grant. This grant provided 75% of the cost of the project, and has resulted in a wonderful addition to the Town's oceanfront accesses.

Town Manager's Agenda

Town Attorney's Agenda

Consent Agenda

1. Minutes (Attached CA-1A)

A. April 14, 2025

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

A. Budget Amendment #12 – To record the revenues and associated expenditures for the ClearGov financial statement software and Cloudpermit software in accordance with the GASB 96 standard

3. Partnership Organization Annual Report (Attached CA-3A)

The Town supports four partnership organizations that serve the citizens of Kill Devil Hills: Community Care Clinic of Dare, Interfaith Community Outreach, Outer Banks YMCA, and Nags Head Woods Ecological Preserve. A requirement of the Town's partnership is an annual report of the organization's activities and service to the community.

A. Outer Banks YMCA

4. 2027 Beach Nourishment Engineering Firm Selection (Attached CA-4)

The Planning Department's meeting memorandum highlighted the recent review and selection process for the engineering services for the upcoming 2027 Beach Nourishment Project, which includes Kill Devil Hills, Kitty Hawk, Southern Shores, and Duck. The unanimous choice was Coastal Protection Engineering of North Carolina, which has served the Town for its nourishment projects to date.

Approval of the Consent Agenda will record the Board's approval and authorize the Town Manager to enter into contracts with Coastal Protection Engineering of North Carolina for the upcoming 2027 Beach Nourishment Project.

5. Employee Health Insurance Broker and Provider

Earlier this year, cities across North Carolina learned that the operations of the North Carolina League of Municipalities (NCLM) Health Benefits Trust (or Municipal Insurance Trust) were being wound down effective June 30, 2025. With the Trust being the Town's insurance coverage provider for several decades, Staff immediately began to review options for employee insurance coverage.

Through earlier electronic consensus, the Board of Commissioners approved Staff's request to utilize the Mark III firm to act as the Town's broker for health insurance and to select the North Carolina Blue Cross Preferred Provider Organization (PPO) Option. Approval of the Consent Agenda will enter the Board's action into the record of this meeting.

6. Schedule Public Hearing (Attached CA-6A)

The Planning Department's meeting memorandum detailed the proposed amendment to the Town's Code of Ordinances. At its April 15, 2025, meeting, the Planning Board reviewed and forwarded the following amendment, recommending approval:

A. Proposed Zoning Amendment – 153.121 Residential Low Setbacks & 153.161 Residential High Setbacks – Amend double frontage setbacks for lots 5,000 SF or less

The proposed amendment will apply to double frontage lots in the Residential Low and Residential High Zoning Districts. This will eliminate the current confusion over which frontage is used to calculate the front and rear yard setbacks. Additionally, the amendment will exclude properties that abut Scott and Harding Streets from double frontage requirements since these rights-of-way are designated as future greenways, not improved with streets.

Staff recommended approval and requested scheduling a public hearing for Wednesday, May 28, 2025, at 6:00 p.m. Approval of the Consent Agenda will schedule this item for public hearing.

Ms. Díaz presented the Consent Agenda, and recommended approval.

Commissioner Gray moved to approve the Consent Agenda, as presented. Commissioner Ingram seconded the motion, which was approved by a unanimous, 4-0, vote.

Mayor Windley called a pause in the proceedings at 7:06 p.m.

At 7:12 p.m., the meeting resumed.

Public Forum

Mayor Windley noted that the Board of Commissioners encourages public input as it considers topics that may directly impact the Town of Kill Devil Hills and its residents, property owners, businesses, and visitors. As a part of that commitment, the Board established these public fora to hear about matters important to our community. Community members have been invited to attend this forum and also been given the opportunity to request specific items to be included with this agenda item. No topics have been provided to the Board for consideration and discussion, and no speakers were present.

Mayor Windley inquired about the Public Services mulch program. Public Services Director Steve Albright provided an overview of the mulch process, and noted that the Town had a large amount of mulch available.

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, 4-0, vote.

The time was 7:16 p.m.

Submitted by:

James Michael O'Dell
Town Clerk