

**Minutes of the Monday, February 10, 2025, 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 *Pro Tem* Ivy Ingram; Commissioners Terry Gray, T. Dillon Heikens, and Bernard “B.J.” McAvoy

**Members Not Participating:** Mayor John Windley

**Others Participating:** Debora P. Díaz, Town Manager; Meredith Guns, Planning Director; Ryan Lang, Senior Planner; Casey Varnell, Town Attorney; and James Michael O’Dell, Town Clerk

**Call to Order**

At 6:01 p.m., Mayor *Pro Tem* Ivy Ingram opened this meeting of the Kill Devil Hills Board of Commissioners (BOC) and welcomed all present. It was noted that Mayor Windley was not present due to illness.

**Pledge of Allegiance and Moment of Silence**

Mayor *Pro Tem* Ingram asked everyone to keep all those dealing with seasonal illnesses, and their caregivers, in their thoughts and prayers.

**Agenda Approval**

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

**Public Comment**

**Response to Public Comment**

**Introductions and Presentations**

**1. Dare County Housing Taskforce Update**

In January 2024, the Dare County Housing Taskforce was formed to address the housing issue that exists throughout the county. The group consists of approximately 28 area stakeholders, including elected officials and representatives from all local governments in Dare County, among other community leaders. Mayor Windley and Senior Planner Ryan Lang serve as the Town’s representatives.

Taskforce Chairperson Donna Creef and Vice-Chairperson Malcolm Fearing were present to provide the Board with an update of the group's activities and future goals in a presentation entitled Housing for Now and Future Generations, which was adopted unanimously by the Task Force on December 16, 2024. The presentation has been included with the meeting materials. Ms. Creef shared that the Task Force had successfully applied to the Carolina 100 Program from the UNC School of Government, and that Dare County was one of 14 teams that was selected to study how to respond to local housing needs.

She also noted that Kill Devil Hills had been integral in the highly successful partnership with the Dare Education Foundation (DEF) and Dare County in the development of educator housing. The Town waived most development-related fees for the project, and has committed to waive those same fees in the future when an additional building is developed at the Run Hill site.

Mr. Fearing then provided an overview of the county's history and need for the development of affordable housing, citing the high budgetary costs for residents.

Commissioner Gray recommended seeking Staff input about potential ideas to address the issue. Mayor *Pro Tem* Ingram stated that the DEF housing was the most successful project to address affordable housing, and inquired whether there was any thought about expanding that project. Ms. Creef replied that discussions were planned with DEF in the near future to expand or duplicate the model. She added that the focus is moving towards the "missing middle" income bracket. The Housing Taskforce report includes a matrix of what the different local governments utilize. Commissioner McAvoy expressed the desire that all local governments do their fair share to address the local housing issue, not only the largest municipalities. Ms. Creef shared that several communities were working to adopt ordinances and programs to promote affordable housing, as well as participate in the Taskforce process. Commissioner McAvoy inquired about the ratio of vacant housing stock. Ms. Creef replied that the category was defined as year-round vacation rental houses. Commissioner McAvoy stated that it would be beneficial to have the data on the large homes that will never be year-round rentals, such as a ten-bedroom oceanfront home. He also supported the inclusion of potential housing options on the Dare County mainland. Ms. Creef and Mr. Fearing replied that the Dare County mainland is expected to be part of the long-term solution. Mr. Fearing stated that the community also needs to consider the aging population, so that seniors are not priced out of their homes.

Commissioner Heikens also supported reaching out to Town Staff about the issue. Commissioner Gray stated that the Town has been supportive of affordable housing for a long time, and that he did not recall any time when the Town has turned down an affordable housing project that benefited the community. In referencing the Baum Tract parcel, Commissioner Gray said that Kill Devil Hills had received an affordable housing proposal, but the Town decided not to sell Town-owned property that was intended for something else, and that it was not zoned for affordable housing anyway. The Board thanked Ms. Creef and Mr. Fearing for their presentation, and expressed its appreciation to Senior Planner Ryan Lang and Mayor Windley for their service on the Housing Taskforce.

## **Ongoing Business**

## **New Business**

### **1. Outer Banks Regional Hazard Mitigation Plan adoption (Attached NB-1)**

Planning Director Meredith Guns stated that the Town of Kill Devil Hills participates in a hazard mitigation plan program, which maintains the Town's eligibility for federal and state hazard mitigation grant funding and disaster assistance. It is also a major component in gaining credit towards Kill Devil Hills' Community Rating System (CRS) and associated discounts on flood insurance for property owners.

In 2015, the Town was part of the Albemarle Regional Hazard Mitigation Plan, which included nine counties. Because a plan must be updated and approved by the Federal Emergency Management Agency (FEMA) every five years to remain in good standing, in 2020, the Town, along with other Dare County local governments, transitioned to a plan that addresses only Dare and Currituck Counties. This planned transition occurred because these areas have very similar hazards and mitigation strategies, which has proven to make a very comprehensive and streamlined plan. The Planning Department's accompanying memorandum detailed the Town-specific aspects of the 2025 draft plan, which was accessible from the Town's website.

Commissioner McAvoy moved to adopt the *Resolution Adopting the 2025 Outer Banks Regional Hazard Mitigation Plan* as presented. Commissioner Heikens seconded the motion, which was approved by a unanimous, 4-0, vote.

## **Committee Reports**

Community Appearance Commission (CAC) – CAC Chair Sue Kelly shared about the group's meeting schedule, and information about the upcoming Trash Attack! Community Clean-Up and student poster contest.

## **Commissioners' Agenda**

### Mayor Pro Tem Ingram

Valentine's Heart at Aviation Park – Mayor Pro Tem Ingram shared that the Buildings and Grounds Division has installed the popular lighted Valentine's Day heart at the Aviation Park Frog Pond. The Board expressed its appreciation to the Buildings and Grounds Division for its work.

Trash Attack! 2025 This year's Trash Attack! community clean-up event will be held on Saturday, April 5, from 9:00 a.m. to 12 noon, at Aviation Park. Anyone interested can visit the Town's website at [kdhnc.com](http://kdhnc.com) and register. There is also information on the Town's website about the Trash Attack! poster contest for students that is open to all K-12<sup>th</sup> grade KDH residents: the deadline is Friday, March 7 by 4:00 p.m.

## **Mayor's Agenda**

- 1. Resolutions and Proclamations (Attached MA-1A, MA-1B, MA-1C, and MA-1D)**
  - A. Resolution of Support for Legislation Restoring Zoning Authority to Local Governments**
  - B. Resolution of Support for Updating the 2016 Beach and Inlet Management Plan**
  - C. Resolution of Support for Abandoned and Derelict Vessel Program in North Carolina**
  - D. Resolution of Appreciation and Support for the North Carolina Department of Transportation**

The four resolutions express the Board's support for the restoration of local zoning authority, an update to the 2016 Beach and Inlet Management Plan, the Abandoned and Derelict Vessel Program, and the Town's continued appreciation and support for the N.C. Department of Transportation.

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

## **Town Manager's Agenda**

## **Town Attorney's Agenda**

## **Consent Agenda**

- 1. Minutes (Attached CA-1A)**
  - A. January 13, 2025
- 2. Monthly Report (Attached CA-2A)**
  - A. December 2024
- 3. Budget Amendments and Transfers (Attached CA-3A)**
  - A. Budget Amendment #6 – Allocation of Capital Reserve Funds for the engineering and design portion of West Martin Street and Sidewalk project as approved at the October 14, 2024 Board meeting. Additional sidewalk related costs of \$7,475 have been included for approval.

Budget Amendment #6 was previously approved through action taken at the Board’s October 14, 2024, meeting. Its inclusion on the Consent Agenda enters it into the record of this meeting.

**4. Public Buildings for Political Meetings and Consolidated Fee Schedule**

N.C.G.S. §163-99 directs public buildings with facilities for group meetings be available for use by political parties for annual or biennial precinct meetings and county and district conventions, free of charge, except for custodial and utility fees. Following review, Staff requested the addition of the following to the Town’s Consolidated Fee Schedule:

- Cleaning Fee \$75.00 per use.

All other uses of the Town Hall Meeting Room by outside groups are not permitted due to the room’s use for Town meetings, events, and Staff trainings.

Approval of the Consent Agenda will record the Board’s approval of this addition to the Town’s Consolidated Fee Schedule.

**5. Proclamations and Resolutions (Attached CA-5A)**

**A. Fiscal Year 2024/2025 Reimbursement Resolution Declaring the Intention to Reimburse the Cost of Certain Expenditures**

United States Treasury Regulations require a declaration of intent as a part of the process of financing some expenditures. The above resolution declares the Town’s official intent to reimburse expenditures for vehicles and equipment as identified as follows:

Planning F-150 Pickup Truck	\$ 44,241*
Buildings and Grounds Bobcat Loader	53,298
Buildings and Grounds F-350 Pickup Truck	54,888
6 Police Vehicles	374,098
Streets Motor Grader	269,650
Solid Waste F-250 Pickup Truck	<u>48,255</u>
	\$ 844,430

*\*Please note: The Planning F-150 Pickup Truck is included on an accelerated replacement schedule to replace a Planning pickup truck that was totaled in 2024 as a result of another driver crashing into the vehicle.*

Approval of the Consent Agenda will approve the *Fiscal Year 2024/2025 Reimbursement Resolution Declaring the Intention to Reimburse the Cost of Certain Expenditures* and allow the Town to reimburse itself for costs incurred for the purchase of the above items with loan proceeds.

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, 4-0, vote.

**Public Comment**

**Response to Public Comment**

**Adjournment**

There being no further business appearing before the BOC at this time, Commissioner McAvoy moved to adjourn the meeting. Commissioner Gray seconded the motion, which was approved by a unanimous, 4-0, vote.

The time was 7:04 p.m.

Submitted by:

James Michael O'Dell  
Town Clerk