

Minutes of the Monday, July 14, 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 John Windley; Commissioners Ivy Ingram, Terry Gray, Bernard “B.J.” McAvoy and T. Dillon Heikens

Members Not Participating:

Others Participating: Debora P. Diáz, Town Manager; Casey Varnell, Town Attorney; Cameron Ray, Assistant Planning Director; and James Michael O’Dell, Town Clerk

Call to Order

At 6:06 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

Agenda Approval

Mayor Windley noted that the second New Business item had been requested to be removed by the applicant. He then moved to approve the meeting’s agenda as amended, removing New Business Item 2: Code Amendment Request – Chapter 111, Special Events – Charitable Events, §111.03 Prohibited Activities and §111.04 Exempt Activities: Exemption to Allow Internet Companies to Peddle / Peddling. Commissioner Gray seconded the motion, which passed by a unanimous, 5-0, vote.

Public Comment

Response to Public Comment

Ongoing Business

New Business

1. Site Plan Review: 115 West St. Clair Street – Proposed Office Building with Enclosed Parking in the Commercial Zone (Attached NB-1)

Assistant Planning Director Cameron Ray stated that Albemarle and Associates, LTD, had submitted a proposed site plan for a 1,848 square-foot office building with 13 additional parking spaces, driveway connection to West St. Clair Street, and associated site improvements,

in combination with the existing office building at 115 West St. Clair Street. The Planning Department's meeting memorandum highlighted the plan, and was supplemented by the application, proposed site and building plan, Dare County Environmental Health Department approval, and other materials.

At its June 17, 2025, meeting, the Planning Board unanimously voted to forward this site plan for the Board of Commissioners' approval, with minor revisions. Those revisions have been addressed; Staff recommended approval of the site plan as presented. On behalf of the applicant, Mike Morway, PE, was present to answer any questions.

Commissioner Gray moved the Site Plan for 115 West St. Clair Street – Proposed Office Building with Enclosed Parking in the Commercial Zone, as presented. Commissioner Heikens seconded the motion, which was approved by a unanimous, 5-0, vote.

2. Code Amendment Request – Chapter 111, Special Events – Charitable Events, §111.03 Prohibited Activities and §111.04 Exempt Activities: Exemption to Allow Internet Companies to Peddle / Peddling (Attached NB-2)

(Clerks note: New Business Item 2 was removed from the meeting's agenda during agenda approval.)

3. Appointments and Nominations

A. Personnel Board

Jaqueline Ricks-Sample's term on the Personnel Board expires August 2025, a position she has held since 1991. Ms. Ricks-Sample has expressed interest in continuing her service to the Town in this position; her appointment history was included with the meeting materials.

Commissioner Ingram moved to reappoint Jackie Ricks-Sample to the Personnel Board for a term that will conclude in August 2028. Commissioner Heikens seconded the motion, which was approved by a unanimous, 5-0, vote.

Committee Reports

Commissioners' Agenda

Mayor's Agenda

Board Opposition on Proposed Offshore Leasing and Shrimp Trawling Ban Mayor Windley thanked the Board for its support in the Town's opposition on the proposed offshore oil and gas leasing, and the proposed ban on shrimp trawling that would have effectively devastated the local shrimping industry. He also thanked Staff for its work in sharing the information so the public could also share its input.

Independence Day Fireworks Mayor Windley expressed his appreciation to Town Staff and vendor that made the Independence Day Fireworks Show such a success.

First Flight Farmers Market Mayor Windley reminded everyone that the First Flight Farmers Markets would continue every Tuesday through August 12th, from 9:00 a.m. to 1:00 p.m. at Aviation Park.

National Night Out Event Mayor Windley said that the Town's upcoming National Night Out Event will be held on Tuesday, August 5, 2025, from 5 – 8 p.m. in the Lowe's parking lot.

Town Manager's Agenda

Town Attorney's Agenda

Consent Agenda

1. Minutes (Attached CA-1A)

A. June 9, 2025

2. Monthly Reports (Attached CA-2A)

A. May 2025

3. Budget Amendments and Transfers (Attached CA-3A)

A. Budget Amendment #1 – To appropriate funds from the Beach Nourishment Capital Reserve Fund for the 2027 Beach Nourishment Project

At its April 30, 2025, meeting, the Board of Commissioners approved Coastal Protection Engineering of North Carolina to oversee the Town's upcoming 2027 Beach Nourishment Project. This budget amendment reflected the anticipated engineering contractual costs for the design and permitting aspects of the project.

4. Planning Board and Board of Adjustment member payment tables

Members of the Planning Board and Board of Adjustment are paid for their preparation and time at their respective meetings. Payment levels have not been adjusted for many years. Through consensus, the Board of Commissioners directed an update to each board's payment tables to the following, effective for FY 2025 / 2026:

Planning Board (per month)	Board of Adjustment (per meeting)
Chairperson: \$250	Chairperson: \$250
Member: \$160	Member / alternate member: \$160

The Planning Board meets monthly, and at times, twice a month. The Board of Adjustment meets on an as-needed basis. Approval of the Consent Agenda will record the Board's consensus on this update to the payment table for the Planning Board and Board of Adjustment.

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

Commissioner Heikens moved to approve the Consent Agenda, as presented. Commissioner Ingram seconded the motion, which was approved by a unanimous, 5-0, vote.

Public Comment

Response to Public Comment

Adjournment

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

The time was 6:18 p.m.

Submitted by:

James Michael O'Dell
Town Clerk