

Minutes of the Wednesday, November 12, 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, Bernard “B.J.” McAvoy, and T. Dillon Heikens

Members Not Participating: Commissioner Terry Gray

Others Participating: Debora P. Díaz, Town Manager; Meredith Guns, Planning Director; Starkey Sharp, Town Attorney; and Jennifer 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. Commissioner Gray was absent due to a schedule conflict.

Pledge of Allegiance and Moment of Silence

Agenda Approval

Commissioner Ingram moved to approve the meeting’s 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. North Carolina League of Municipalities Commemorative Resolutions Presentation (Attached IP-1)

Assistant Town Manager Charlene Allen shared that at the 2025 North Carolina League of Municipalities Conference, commemorative resolutions were adopted, honoring the service of municipal public servants in Kill Devil Hills and across the state. Included in the retirement resolutions were the following Town employees:

- Donna E. Elliott, Zoning Administrator
- John C. Towler, Jr., Police Captain
- William H. Waterfield, Water Systems Supervisor

- Nora Yacobi, IT Systems Administrator

Ms. Allen recognized the contributions of these Town employees and honored their combined 137 years of service to the Town of Kill Devil Hills.

2. 2024-2025 Community Appearance Awards (Attached IP-2)

The Administration Department's meeting memorandum detailed the goals and process by which the Community Appearance Commission (CAC) selected the commercial establishments that achieved recognition in the Town's biennial Community Appearance Awards.

2024-2025 Most Improved – nominees:

- Clark Street Corner, Noosa Scoops, Ocean Sands Hotel Winner: Ocean Sands Hotel

2024-2025 Multi-Unit Complex – nominees:

- Cozy Carolina, Salty Sister Boutique, Slice Pizzeria Winner: Slice Pizzeria

2024-2025 Best Overall – nominees:

- Cypress House, Mom's Sweet Shop, Styon's Surveying Winner: Cypress House

CAC Chairperson Sue Kelly and Commissioner Ivy Ingram presented the nominee certificates and winner plaques. Representatives of all nominees, along with CAC members, had been invited to attend this recognition by the Board.

The Town salutes and congratulates the nominees and winners. These Kill Devil Hills businesses are all appealing and attractive and embody a sense of community and pride: outstanding qualities for others to emulate.

Ongoing Business

New Business

1. Proposed Amendment to Chapter 111 – Special Events – Charitable Events – clarification to application process and event requirements (Attached NB-1)

Planning Director Meredith Guns reported that Staff regularly reviews sections of the Town Code of Ordinances to amend or eliminate inconsistent or outdated ordinances for accuracy, increased clarity, compliance with state or federal law, and to streamline the Code to reflect processes and procedures within the Town's departments.

The Planning Department's memorandum highlighted the recommended changes to Chapter 111: Special Events – Charitable Events to clarify the special events application process and regulations. She stated that the majority of requested changes will codify many of the Town's current practices.

Ms. Guns said that this proposed amendment is not within the Land Use Section of the Town Code of Ordinances, so no public hearing is required for its consideration or adoption. Staff recommended approval of the proposed amendment to Chapter 111: Special Events – Charitable Events, as presented.

Commissioner Heikens moved to approve the proposed Amendment to Chapter 111 – Special Events – Charitable Events – clarification to application process and event requirements, as presented. Commissioner Ingram seconded the motion, which was approved by a unanimous, 4-0, vote.

2. Final Design Plan for the Water Systems Building, located at 703 West Fresh Pond Road (Attached NB-2)

Originally constructed as a “green sand” filter building as part of the Town's water treatment plant in the 1970's, the current Water Systems Building was identified in the 2022 Water System Master Plan for replacement because it is outdated and does not adequately serve the needs of the Water Systems Division and its operations.

The Public Services' meeting memorandum and accompanying plans detailed the new Water Systems Building, which will provide office and accommodations areas for Staff, along with vehicle, maintenance, and equipment storage areas. American Engineering and Oakley Collier Architects were tasked to develop the design package for this new facility, which will integrate into the existing Public Services campus off of Eighth Street. American Engineering representatives were present at the meeting to answer any questions about the final design plan.

Staff recommended approval of the final design plan for the Water Systems Building, located at 703 West Fresh Pond Road, as presented.

Commissioner Ingram moved to approve the final design plan for the Water Systems Building, located at 703 West Fresh Pond Road, as presented. Commissioner Heikens seconded the motion, which was approved by a unanimous, 4-0, vote.

3. Appointments and Nominations

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. Town Staff has continued its outreach through print and electronic media, social media, and the KDH website to encourage interested members of the public to submit applications for consideration.

A. Personnel Board

Mayor Windley noted that Sue Kelly's term as a member of the Personnel Board expires January 2026. She has expressed a desire to be considered for reappointment to another three-year term.

Commissioner Ingram moved to reappoint Sue Kelly to the Personnel Board for a term that will expire in January 2029. Commissioner McAvoy seconded the motion, which was approved by a unanimous, 4-0, vote.

Committee Reports

Commissioners' Agenda

Mayor's Agenda

1. Resolutions and Proclamations

A. Resolution Opposing Rate Increases for Dwelling Policies Requested by the North Carolina Rate Bureau

Mayor Windley shared that our Board and Town Staff were recently made aware of the N.C. Rate Bureau's request to increase rates for dwelling insurance policies across North Carolina, which would take effect in a two-stage process in July 2026 and July 2027. Dwelling policies differ from homeowner policies because dwelling policies are typically utilized for vacation rental homes, year-round rental homes, and second homes, not for primary residences.

The proposed increase for our coastal area would be an increase of 40.6% and for non-coastal areas of Dare County, 37.4%. The Outer Banks Association of Realtors provided the Town with additional information and options by which the public can submit comments during the public comment period, which closes November 19, 2025.

Mayor Windley moved for the Board's adoption of this *Resolution Opposing Rate Increases for Dwelling Policies Requested by the North Carolina Rate Bureau*, and authorization to submit the resolution and an accompanying letter to N.C. Insurance Commissioner Causey, and to submit this information through the public comment process with his department. Commissioner Ingram seconded the motion, which was approved by a unanimous, 4-0, vote.

Mayor Windley then shared the following items:

First Flight Holiday Markets Mayor Windley shared that Saturday, November 15, 2025, will be the Town's first Holiday Market of the season, which will be held at Aviation Park from 10:00 a.m. to 2:00 p.m., with additional markets scheduled for the following dates and times:

- Saturday, November 22, from 10:00 a.m. – 2:00 p.m.
- Friday, December 19, from 3:00 p.m. – 7:00 p.m.

Wright Lights Illumination Mayor Windley stated that the upcoming Wright Lights Illumination at Aviation Park will be held on Tuesday, December 9, 2025, from 4:00 – 7:00 p.m.

He noted there will be holiday music and sleigh rides, an outdoor movie, a food truck, and many other surprises, including a visit from Santa Claus.

Town Manager's Agenda

Town Attorney's Agenda

Consent Agenda

1. Minutes (Attached CA-1A)

A. October 13, 2025

2. Monthly Reports (Attached CA-2A)

A. September 2025

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, Nags Head Woods Ecological Preserve, and Outer Banks YMCA. A requirement of the Town's partnership is an annual report of the organization's activities and service to the community.

A. Nags Head Woods Ecological Preserve

4. North Carolina Investment Pool and Cash Management Policy Update (Attached CA-4)

Staff has researched and now recommends the use of the North Carolina Investment Pool (NCIP), an additional investment option for local governments to better utilize idle funds through a short-term liquid portfolio. The Finance Department's accompanying memorandum details the NCIP option, which will not replace any of the Town's accounts but will offer a more diversified portfolio. Additionally, Staff has updated the Town's Cash Management Policy, which was last updated in 2012, to better reflect changing trends and operations.

Approval of the Consent Agenda will record the Board's authorization for Staff to utilize the NCIP and the Board's approval of this update to the Kill Devil Hills Cash Management Policy.

5. Records Destruction under Records Retention Schedules

The Town of Kill Devil Hills maintains all records in compliance with the Division of Archives and Records for the North Carolina Department of Natural and Cultural Resources

through its General and Program Records Schedules, which were last adopted at the Board's February 13, 2023, meeting.

The procedure for records disposition includes participation by records managers from each Town department. Records identified for disposition according to the schedules are examined and confirmed for destruction. A listing is compiled of all eligible records, citing the records; dates of origination, and destruction date, which is sent to the Town Attorney for review and approval. Once approved, a finalized form listing is prepared and executed by the records manager, department head, Town Clerk, and Town Attorney. In October, the Town disposed of 100 eligible boxes of records through a certified third-party vendor.

Approval of the Consent Agenda records the Board's acknowledgement that the Town records disposed of were in compliance with the Town's records and retention schedules.

6. Schedule Public Hearings (Attached CA-6A, CA-6B, and CA-6C)

Zoning Amendment Request

The Planning Department's meeting memorandum detailed the proposed amendment to the Town's Code of Ordinances. At its October 14, 2025, meeting, the Planning Board reviewed and forwarded the following amendment, recommending approval:

- A. Zoning Amendment Request — §153.206, 153.210, 153.310, and 153.311 — Allow Cottage Courts and Cluster Homes to be Permitted in the LI-2 Zone

This proposed amendment would allow Cottage Courts and Cluster Homes as a permitted use in the Light Industrial Two Zone. The amendment would regulate Cottage Courts and Cluster Homes under the same density regulations as multi-family dwellings, consistent with other zoning districts that allow these uses.

Staff recommended approval and requested scheduling a public hearing for Monday, December 8, 2025, at 6:00 p.m.

Historic Landmark Designations

The Planning Department's meeting memoranda and supporting materials highlighted two candidate properties for Local Historic Landmark designation. At its November 5, 2025, public hearings, the Historic Landmarks Commission (HLC) reviewed property designation reports and State comments for these properties, and voted unanimously to recommend the Historic Landmark Designation status, along with a request for the Board of Commissioners to schedule public hearings for the properties. Staff recommended approval and requested scheduling a public hearing for each property for Monday, December 8, 2025, at 6:00 p.m.

- B. Local Historic Landmark Report and Proposed Ordinance – 409 West Sportsman Drive: Ducey Cottage

- C. Local Historic Landmark Report and Proposed Ordinance – 1023 B North Virginia Dare Trail: Jackson Cottage

Approval of the Consent Agenda will schedule these three items for public hearings.

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

Commissioner McAvoy 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 Heikens moved to adjourn the meeting. Commissioner Ingram seconded the motion, which was approved by a unanimous, 4-0, vote.

The time was 6:32 p.m.

Submitted by:

Jennifer Stecher
Deputy Town Clerk