



PROPOSED AGENDA
KITTY HAWK TOWN COUNCIL
Monday, May 6, 2024
Kitty Hawk Town Hall, Smith Room
6:00 PM

- 1. Call to Order**
- 2. Moment of Silence/Pledge of Allegiance**
- 3. Approval of Agenda**
- 4. Recognition of our Town's Team Members – Fire Appreciation Day, May 4, 2024, and Public Works Appreciation Week, May 20-26, 2024.**
- 5. Public Comment –** The public is invited to address the Town Council on any topic. Please sign up with the Town Clerk before the meeting and when your name is called, come forward and speak into the microphone at the lectern. Please limit comments to 3 minutes.
- 6. Consent Agenda –** Items on the consent agenda are considered to be non-controversial, routine in nature, or items not requiring a presentation to discuss by the Town Council in order to consider the items(s). Any item may be removed for discussion by the council or by any member of the audience who wants to hear the item presented and discussed.
 - a) Approval of April 1, 2024 Regular Session Council Minutes and April 16, 2024 Budget Council Meeting Minutes –** Approval of the consent agenda will approve these minutes.
 - b) Budget Amendment #12 –** General fund. Reimbursement from Towns for training cost sharing.
 - c) Financial Statements as of April 22, 2024.**
 - d) Budget Amendment #13 –** Donation to the Fire Department and Police Department from OBX Jeep Invasion.
 - e) Town Code Amendment - Sec. 4-6(c)12.** Staff proposes removing references to specific registration fees, and replacing references to the fee schedule.
 - f) Procurement Policy Amendment –** Proposal to raise the purchase order minimum from \$500 to \$1,000.
 - g) Mid Currituck Bridge –** Letter of support from the Town of Kitty Hawk for the project.
- 7. Items Removed from Consent Agenda**



TOWN OF KITTY HAWK

8. Planning

- a) Zoning Text Amendment - 42-1.-Definitions and 42-528.- Accessory Dwelling Units. The applicant proposes language requiring long-term occupancy on sites in the VR-1 district that contain an Accessory Dwelling Unit
- b) Zoning Text Amendment - All districts allowing single-family dwellings – Maximum dwelling size and occupancy. Staff proposes language that would set a maximum dwelling size of 6,000 sq. ft. of conditioned living space and 14 occupants.

9. Old Business:

- a) Balloon Release Ban Discussion
- b) Ivy Lane Flooding
- c) Budget Amendment – Police Station Building Fund 41

10. New Business:

- a) FY 24-25 Budget Presentation and Motion to Schedule a Public Hearing for June 3, 2024.
- b) Roosters in Kitty Hawk

11. Reports/General Comments from Town Manager

12. Reports/General Comments from Town Attorney

13. Reports/General Comments from Town Council

14. Motion to go to closed session per:

- a) NCGS 143-318.11(a)(6) Town Manager Review

15. Return to Regular Session

16. Adjourn

***To Watch Livestream on YouTube:**

Go To: <https://youtube.com/live/xnuQITC7zoA?feature=share>

The meeting will also be available to watch on the Town's YouTube channel on demand the next day.

****Send Comments and/or Questions via email:**

You may always send comments or questions at any time to info@kittyhawktown.net. If you would like your question or comment read at this meeting, please send it by 2:30 PM on Monday, May 6, 2024, and note that you would like it to be read at the meeting. Be sure to include your full name and address. Please keep your comments to three minutes.

Si habla español, los servicios de asistencia lingüística están disponibles de forma gratuita. Llame al 252-261-3552 para obtener ayuda.



**Minutes
KITTY HAWK TOWN COUNCIL**

Monday, April 1, 2024
Kitty Hawk Town Hall, Smith Room
6:00 PM

1. **Call to Order**
2. **Moment of Silence/Pledge of Allegiance**
3. **Approval of Agenda**
4. **Introduction of New Town Staff Members**, Alsu Lewis, Administrative Planning Assistant, Drew Weston, Police Officer, Mark Everett and Nicholas Antonis, Public Works Technician.
5. **Public Comment** – The public is invited to address the Town Council on any topic. Please sign up with the Town Clerk before the meeting and when your name is called, come forward and speak into the microphone at the lectern. Please limit comments to 3 minutes.
6. **Consent Agenda** – Items on the consent agenda are considered to be non-controversial, routine in nature, or items not requiring a presentation to discuss by the Town Council in order to consider the items(s). Any item may be removed for discussion by the council or by any member of the audience who wants to hear the item presented and discussed.
 - a) **Approval of March 4, 2024, Council Minutes and March 19, 2024, Budget Meeting.** (Approval of the consent agenda will approve these minutes).
 - b) **Budget Amendment #11** – General Fund. Recognize reimbursement for payments to classes and dues for an employee no longer with the town.
 - c) **April Child Abuse Prevention Month Proclamation.** Mayor Garris has signed a proclamation declaring April as Child Abuse Prevention Month in cooperation with the Children and Youth Partnership for Dare County and Dare County Department of Health and Human Services, Social Services Division.
 - d) **Resolution** - Adopting Title VI Policy to Prohibit Discrimination in Programs and Services and Activities Receiving Federal Financial Assistance; and Non-discrimination Policy Statement.
 - e) **Amendment** - Article IV Recruitment and Employment – Section 1 Statement of Equal Opportunity Policy & Section 2 Implementation of Equal Employment Opportunity Policy, update of nondiscrimination language.
7. **Items Removed from Consent Agenda**
8. **Public Hearing**
 - a) **Special Use Permit & Site Plan**
4907 & 4911 Putter Lane – applicant proposes new EMS Substation
 - b) **Text Amendment**
Definitions Minimum lot size - The applicant proposes a revised definition requiring all uplands area used to fulfill minimum lot size requirements be contiguous.



9. Old Business:
10. New Business:
11. Reports/General Comments from Town Manager
12. Reports/General Comments from Town Attorney
13. Reports/General Comments from Town Council
14. Adjourn

Council Members Present:

Mayor Craig Garriss, Craig, Mayor Pro Tem Jeff Pruitt, Jeff, Councilman David Hines, David, Councilwoman Charlotte Walker, and Councilman Dylan Tillett.

Staff Members Present:

Town Manager Melody Clopton, Town Attorney Casey Varnell, Administrative Services Director Laura Walker, Finance Officer Liliana Noble, Police Lieutenant James Helms, Fire Chief Mike Talley, Public Works Director Willie Midgett, Sergeant Anthony Edwards, Administrative Zoning Technician, Jessica Everett, Administrative Planning Assistant, Alsu Lewis, Public Works Technicians, Nicholas Antonis and Mark Everett, Police Officer Drew Weston.

Agenda

1. Call to Order
2. Moment of Silence/Pledge of Allegiance
3. Approval of Agenda

Garriss, Craig: Council I need a motion to approve tonight's agenda please.

Hines, David, David: So moved.

Garriss, Craig: Motion made by David. Second?

Tillett, Dylan: Second.

Garriss, Craig: Second by Dylan. All in favor?

All Council: Aye.

4. Introduction of New Town Staff Members,

Garriss, Craig: All opposed? Thank you. Introduction of new Town Staff Members. Laura?

Walker, Laura: I would like to introduce Alsu Lewis she joined the Town of Kitty Hawk in March 2024. She has over 20 years of customer service experience primarily in the banking industry. She has also worked in restaurants and non-profits. She holds a Bachelor's Degree in Business



Administration from NC Wesleyan University. She loves Outer Banks beaches and has been living here with her family of five since September 2004. She loves to give back to the community and you can often see her volunteering at local events. She has already made a positive impact on the Town here. Her role involves supporting the entire team from an administrative perspective, and she is the friendly voice you'll hear when you call. Additionally, she assists with planning efforts, including accepting, processing, and facilitating permits and other related activities. We encourage you to stop by and say hello!

Garriss, Craig: Welcome Alsu.

Lt Helms: Good evening, I am here to introduce our newest Police Officer, Drew Weston. Born in Virginia, raised in Currituck. Graduated from Currituck High School in 2005. Joined the Air Force 2009. After three years in the military, he joined the department of defense as a patrol officer. Drew has a total of 14 years in law enforcement with a background specializing in canine. Drew has been married to his wife for 13 years. They have three kids, one daughter and two sons ages are 8, 4 and 2 so he has his hands full there. Drew is extremely happy to be back in the area. On a side note, Drew and I actually went to High School together, it's goofy for him to come back to the area.

Garriss, Craig: Thank you, Mr. Willie, you have two new members.

Midgett, Willie: We have two new people in Public Works this year. Nick Antonis, some of you may have seen him already, he has been here about a month. He is from Kitty Hawk. He has been doing plumbing and some real estate work. He has been a big help to us and has already shown what he has got. Mark Everett formerly worked with Dare County. If we need to spray for mosquitos we got it covered now. He lives in Manteo with his lovely bride Jessica who you all may know; she works here at Town Hall. We look forward to keeping our team strong this year and we are off to a good start.

Garriss, Craig: Thank you Willie. I guess you have already found out you are a member of a great team. We thank all of you for being here. Public Comment, Laura do we have anyone signed up for Public Comment?

5. Public Comment

Walker, Laura: We have Joe Heard from Manteo. Mr Heard?

Garriss, Craig: Good to see you Joe.

Heard, Joe: I just wanted to be brief. Two years ago, I recently had the anniversary of two years when I suffered a stroke and wanted to say Thank you to you the council and the staff here at Kitty Hawk for the care and compassion. The Council itself actually sent a card expressing its well



wishes and it meant a lot to me at the time. I wanted to just once again thank you. You are really caring people and it shows in your actions and I hope that people appreciate that as you make your decisions. You're not just good leaders but you are good people. That is the reason I am here today is to say thanks for bringing me through a very challenging time, so take care and have a good evening.

All council: Thank you Joe.

Garriss, Craig: Joe, you will continue to be in our thoughts and prayers.

Pruitt, Jeff: Take care my friend.

Hines, David: He was the planning director here for a few years.

Garriss, Craig: Anyone else signed up Laura?

Walker, Laura: No sir.

Garriss, Craig: Anyone like to speak at public comment about any topic tonight? Come on up Mr. House.

House, Steve: Thank you, mayor, I am coming to you once again regarding the Outer Banks Jeep Invasion as president of the Outer Banks Jeep Charities Group. Our Jeep invasion this year is going to be in September, and I am asking for permission again for a beach ride on the Kitty Hawk beaches from Eckner Street down to the bathhouse. This is for Friday and Saturday, which is the 20th and 21st of September like we have done in the past. About 100 jeeps per day, on the beach by 8 and off the beach by 9 escorted by Ocean Rescue and also with the police department as well. As has been in years past, a donation would go to both of those departments. We are asking for your permission for us to do that. Last year we had over 840 jeeps on the Outer Banks and only 200 got to ride the Kitty Hawk beaches. We are looking forward to doing that again if you will allow us to do that.

Garriss, Craig: Council I think can we make this approval right now?

Pruitt, Jeff: I make a motion for approval for the Jeeps on the Beach for the two-day event.

Hines, David: Second

Garriss, Craig: Second by David, all in favor?

All Council: Aye.



House, Steve: Thank you very much.

Garriss, Craig: Thank you very much. Look forward to seeing you. Once again what am I going to say?

House, Steve: Leave the beach like it was.

Garriss, Craig: Don't tear up my beach. Thank you, sir, anyone else signed up to speak at Public Comment?

Walker, Laura: No others are signed up.

6. Consent Agenda

Garriss, Craig: Laura let the record show no one else chose to speak. Council I need a motion to approve tonight's consent agenda.

Walker, Charlotte: So, moved.

Garriss, Craig: Motion made by Charlotte, second?

Tillett, Dylan: Second.

Garriss, Craig: Second by Dylan. All in favor?

All council: Aye.

Garriss, Craig: All opposed? Item 7 we had no items removed from the consent agenda.

8a. Public Hearing

Garriss, Craig: Item 8a, we have a special use permit and site plan, we need to go into a Public Hearing. Dylan?

Tillett, Dylan: Mr. Mayor before we begin with this item, I would like the council to recuse myself due to being employed as the applicants engineer.

Garriss, Craig: Very good, Dylan, David do you agree with that?

Hines, David: I am fine with that.

Garriss, Craig: Jeff?



Pruitt, Jeff: I am fine with that.

Garriss, Craig: Charlotte?

Walker, Charlotte: I am fine.

Garriss, Craig: I am fine, we are totally unanimous. Laura, Dylan is from this point recused from Item 8a. Anyone would like to speak for item 8a for the public hearing special use permit you need to come up and be sworn please. Rob, are you here?

Testerman, Rob, Rob: Yes Mayor, the engineer (Michael Strader) is here as well.

The Oath was administered by the Town Manager, a Notary Public, Melody Clopton for Robert Testerman, and Michael Strader. They responded in the affirmative.

Testerman, Rob: As mentioned this is for a special use permit request for an EMS Substation at 4907 & 4911 Putter Lane. The EMS stations are permitted in the MS1 zoning district as a special use. The ordinance does not list any specific conditions for approval. The proposed station will include a bay for Kitty Hawk to house a fire truck during storms or at other times it may be necessary. The subject property is presently zoned as emergency and governmental services, MS1 district. The site is currently unimproved. Directly abutting the subject property to the north is a vacant town-owned parcel it is also zoned MS1. To the west is the SeaScape golf course and to the east across 158 are a handful of single-family residences and are zoned BR1. To the south is BC1, a general beach commercial-zoned district containing a real estate office. You can see in the staff report, a staff analysis, the different zoning requirements are being met, building height, lot coverage. I won't read through all of them but if the council has any questions on any specific one we can talk about them. The following policy relevant to this application and the land use plan policy 6.1 states maintain to provide offer Ocean Rescue services emergency services and fire and police protection. As per section 42-100b8 in order to approve the application, council must make the findings that the proposed conditional uses meet what is in that subsection. I will go through that for you. The first one is does not materially endanger the public health or safety. All required State and other permits are obtained. The authorized agencies will have reviewed the permitted driveway designs and locations, septic systems, water lines, stormwater management. Therefore, we would presume that these improvements be made in a safe manner. B – that does meet all details and specifications as detailed in the staff report. The minimum requirements are met. C, that it will not substantially injure the value of adjoining property or be a public nuisance. The applicant has provided the following evidence that this condition is met. First architectural style of the building blends with and complements the existing and adjacent buildings and residences in the general area, the building is not located in a residential neighborhood, the building is on and would directly access north Croatan Highway which is a major thoroughfare. The same emergency vehicles along with emergency vehicles from other agencies already traverse this highway for



emergency responses. The location of the station will provide quicker response times, benefiting residents. There are no existing residences in the direct line of sight to the side, in front of, or behind the new station. The residences behind the new station are separated by a golf course greenway and a line of dense trees and vegetation. The closest residence in this direction is approximately 400 feet from the proposed building. The existing residences across Croatan Highway are separated with dense trees and vegetation. These residential properties are accessed from a side road and not North Croatan Highway. The closest residence in this direction is approximately 230 feet from the proposed building. They have a night-time response protocol for siren use and the building and grounds will always be maintained in good condition by the county. The fourth requirement is that it will be in harmony with the area in which it is located and will be in general conformity with the comprehensive plan. The area in which it is located is zoned for emergency and medical services it is abutting a commercial zone which is in harmony with the area where it is located. It is located in the Invest and Improve areas of future land use map. A couple of recommended conditions on approval from staff, prior to issuance of any building permits that the parcels be combined into one parcel and be readdressed to North Croatan Highway instead of Putter Lane. The Planning Board in their February 15th meeting recommended approval with those recommended conditions. Is there any questions from the council and the engineer is on hand here from the county to answer any technical questions.

Garriss, Craig: Council, any questions for Rob or the county engineer? Charlotte, Jeff? No questions? Okay, thank you, Rob. With no further action from Rob, I will need a motion to leave the public hearing to go back into regular session, please?

Hines, David: So, moved.

Garriss, Craig: Motion made by David, second?

Walker, Charlotte: Second.

Garriss, Craig: Second by Charlotte, all in favor?

All Council: Aye.

Garriss, Craig: All opposed? None. Ok, Council what do you want to do in the matter?

Hines, David: I will make a motion.

Garriss, Craig: Go ahead, David.

Hines, David: I move to grant approval of the special use permit to allow an EMS substation at 4907 and 49011 Putter Lane with those conditions listed in the staff report Town Council finds the proposal meets the conditions of section 42-100(b)8 as described in the staff report.



Garriss, Craig: Motion by David, do I have a second?

Pruitt, Jeff: Second.

Garriss, Craig: Second by Jeff. Any further discussion? All in favor say aye.

All council: Aye.

Garriss, Craig: All opposed? Thank you, we want to thank Dare County once again for providing this service for the citizens of Dare County, the north end of Dare County, the south end of Currituck, and all around. We are certainly looking forward to this project kicking off very soon.

Hines, David: We need it.

Garriss, Craig: Will you relay that for us Mr. House. Thank you.

MR House: I sure will.

Garriss, Craig: Council, Item 8b, Text Amendment regarding definitions of minimum lot size. I need a motion to go into a public hearing, please.

Pruitt, Jeff: So, moved Mr. Mayor.

Garriss, Craig: Motion made by Jeff, second?

Tillett, Dylan: Second.

Garriss, Craig: Second by Dylan. All in favor?

All council: Aye.

Garriss, Craig: All opposed? NONE. Dylan, of course, you are back in voting mode on this text amendment. Ok, Rob?

Testerman, Rob: The proposal came in by application to add to our current definition of minimum lot size states minimum lot size means the minimum lot area as required by various zoning districts. Marsh and wetland areas, as determined by Federal, State and Local agency regulations may not be used for minimum lot size. The proposal adds a sentence at the end of that stating: All upland areas must be continuous, contiguous, and connected to meet the minimum lot size requirements. In addition to the proposed addition to the definition, I discussed with the applicant, since in each zoning district it specifically calls out the minimum lot size with that same



language, should be applied to all the districts so it is consistent throughout. Just for some background, recently a text amendment was adopted that excluded any type of wetland to be included in the minimum lot size calculations. It has been brought to staff's attention that the majority consensus of the council that the intent of the 15,000 square feet to be contiguous in nature. In other words, to be considered adequate square footage for the new lot during subdivision process. The 15,000 square feet upland area must be uninterrupted by wetlands marsh stream, roads what have you. During the previous text amendment, this desire was not relayed to staff so it was not included in the discussion, so that is why we are back here tonight. The applicant added into the subsection. During the planning board, there were concerns that were brought up during public comment as well as by a couple of the planning board members. The primary concern being that if the intent for the proposed text changes were to protect wetlands, that the adoption of the proposed language could have the opposite effect. I got a graphic that I will put on the screen. Should the amendment be adopted the concern are that potential developers would then obtain permits to fill as much of the wetlands as possible, or if they are non jurisdictional wetlands you might not need permits to fill in order to gain the 15,000 of contiguous uplands prior to applying for a subdivision. The resulting action could potentially result in more lots/developments on a tract as there would be greater amounts of non-wetland area to work with and would result in greater impacts on the wetlands. Additionally, there are no specifics as to what constitutes the uplands being contiguous, contiguous, and connected, meaning a developer could have a potential lot that contains 10,000 square feet in one area and 5,000 square feet in another. Then after obtaining fill permits or if it's non jurisdictional wetlands just go ahead and fill it in without permits. They could do a thin strip to just connect the two and disturb more wetlands, creating a funky parcel that has not much use to it. The following policies and objectives relevant to the application and the land use plan. Policy 3.1 Manage land use and development to minimize primary and secondary impacts on resources and existing residents through standards for development. Policy 3.4 Encourage residential that fit Kitty Hawk's character. Maintain zoning regulations that protect the character of Kitty Hawk's neighborhoods and Policy 4.1 Encourage the preservation of maritime forests, floodplains, marshes, and wetlands through development regulations and land protection initiatives. At the February 15th planning board meeting, there was a motion to recommend denial of the proposed text amendment, that motion failed by a vote of 2 to 3, so it comes to the Council with a recommendation of approval. To show what I was trying to get at with the wetlands, it is hypothetical I just found this area in Kitty Hawk and circled an area. If they had 10,000 square feet of uplands here to the right and another 5,000 square foot pocket over here, there would be nothing to prevent them from just filling the little strip there and connecting the two contiguous wetlands, that lot would be approved under the language that is being proposed. I will turn it over to questions and I know there are public comments as well. That is my interpretation but Casey if you have any insight.

Varnell, Casey: No, I do not disagree.

Garriss, Craig: So, let's just be clear. I am tied up with some of the thoughts of the planning board. And you just said it, if it is not continuous, contiguous and connected someone can get a



permit, or they do not have to get a permit. And haul in dirt and fill to make it continuous, contiguous, and connected, is that right?

Testerman, Rob: Correct.

Garriss, Craig: Casey, is that right?

Varnell, Casey: That is correct.

Garriss, Craig: I have a problem with that.

Hines, David: I have a comment on it as well. Jurisdiction being defined by 404. So, you can walk around it in a full circle, and it does not lead to another body of water it can legally be filled.

Garriss, Craig: Let me be clear, I understand the intent of this text amendment, but I have a problem with what I just said.

Walker, Charlotte: Doesn't this add another layer of protection for our town that CAMA would be, they don't just hand those out do they? You have to have a reason to want to fill that area, is that right?

Testerman, Rob: This does not just apply to CAMA wetlands. CAMA wetlands and 404 jurisdictional wetlands that don't permit up to a certain amount and then there is non-jurisdictional wetlands. Army Corps use to consider it used to be under jurisdiction but based on the recent Supreme Court case they do not have jurisdiction over it anymore. But even if it is still technically wetland, they would need permits from the Army Corps to go in and fill, I guess they would need a land disturb permit from the Town, but there would be nothing to prevent us from issuing that permit.

Garriss, Craig: Is the applicant here tonight? By any chance would you like to come up to be sworn and speak? Mr. Hines, David come on up.

Clopton, Melody: As it is not a special use they do not need to be sworn to speak.

Garriss, Craig: Mr. Hines, David, come up sir.

Hines, Jamie: The whole original intent behind all of this in this and now we are coming back around for a second time in front of you guys' tonight is basically what I would call more housekeeping just clarifying some things. But the whole point behind the text amendment was to discourage the over-densification of Kitty Hawk and from using every square inch of upland to build something on it. That's the whole intent behind all of this. When I came back to Rob with continuous, contiguous, and connected that was to keep someone from doing exactly what he has



basically drawn out, great diagram and I understand what he is trying to explain. Instead of someone using 10,000 square feet of high ground over here and 5,000 over here to make one lot. Try to build something on a smaller parcel of land, the whole reason behind this was to discourage like what you see in Kill Devil Hills, houses stacked on top of each other because obviously nobody enjoys seeing that as you drive down the road. We are just trying to help protect the way the village looks and to help maintain that for future generations to come.

Garriss, Craig: Any questions for the applicant? All right, thank you Mr. Hines.

Hines, David: Thank you.

Garriss, Craig: Jeff? Any comments, or questions? Remember council we are looking at text amendment only tonight, that's all we are looking at. Dylan?

Tillett, Dylan: So, I just want a little bit of clarification from Rob. So, it sounds like the intent of this was to prevent what you have shown, do you see any way that it could be tweaked to promote that intent?

Testerman, Rob: I am sure there is, I don't know if I would want to come up with a solution now.

Tillett, Dylan: I am just curious and trying to understand it all.

Garriss, Craig: David?

Hines, David: I am trying to follow along with Dylan. Are you saying you are or are, I am confused too, to be honest.

Tillett, Dylan: I am in favor of keeping the town's character which I feel requires the 15,000 of upland to be continuous. To me, that is what I see and it encourages a little bit larger lot size and more in tune with Kitty Hawk's character.

Testerman, Rob: I think if there is some way to specify in the amendment that it is approved disturbed area or something. I don't know, I am not proposing that to be the exact language. Some way to highlight that it is in its natural state before anybody goes and does anything it has to be 15,000 square feet of upland area or contiguous upland area.

Tillett, Dylan: Would the existing wetlands need to be contiguous?

Testerman, Rob: I will let Casey weigh in the legality of that.

Varnell, Casey: The issue I think of approving it like this but later trying to enforce it as, well that's not what we intended for example. You don't have a standing; the text amendment is in front of



you. There is nothing that keeps your decision from being arbitrary, cause why is that not continuous, contiguous so I agree some type of limit, some standard by which you guys could rest your hats ultimately which is something to the extent of the connection point must be as wide as the lot is. There must be some kind of guiding standard that keeps you guys out of the fray of well is this enough to qualify as continuous, contiguous, and connected?

Hines, David: I guess for me too, so let's just say generational land we all know there is. Let's use this example right here and let's just say we will use the name Tom, he's got 3 acres, but he does not have 3 acres of continuous uplands, and that little portion right there can be legally filled because it does not lead to a body of water. So, he wants to give one acre to each one of his 3 kids. If we pass it the way it is written, you cannot do that is that correct? Cause I don't think that is right.

Testerman, Rob: If I followed you.

Hines, David: I am okay as far as what the residents want in certain areas, but I think we got to be careful of telling somebody they can't fill the little bit of an area that's no longer jurisdictional by the federal whether it's CAMA or Army Corps that was a US Supreme Court Ruling correct?

Testerman, Rob: Yes, correct.

Hines, David: I hate to see down the road somebody wants to divide some land off to their children and cannot do it. Of course, there could be a different council and change is all over again and it might not be an issue. But I am in favor of keeping Kitty Hawk the way, I don't want it to be like the other towns either, so I don't know how to.

Varnell, Casey: To answer what I think David, well not to answer but to help guide what I think David's question is, is there anything in our exempt subdivision ordinance that would take care of that problem?

Testerman, Rob: It only falls under the exemption if it is under 2 acres, possibly. It would not be the exact scenario that we had mentioned.

Hines, David: We are talking subdivisions, correct? This is for subdivisions.

Testerman, Rob: This has no bearing on any existing lots. There are hundreds of 7500 square foot lots between the highways.

Hines, David: So, that has non-conforming?

Testerman, Rob: It has the potential to create non-conforming lots, but non-conforming lots are still buildable.



Hines, David: Even if it is more than 50% damage?

Testerman, Rob: Yes. That's where you get into the non-conforming structures.

Hines, David: I just want to be clear for everybody.

Tillett, Dylan: Just something to take note of too, so we are talking wetlands with this also eliminates, you mention in your staff report crossing roads as well. Is that correct?

Testerman, Rob: That would correct yes.

Tillett, Dylan: And you can't fill a road.

Testerman, Rob: Right.

Tillett, Dylan: So that's a hard line there.

Hines, David: I agree with that.

Tillett, Dylan: Just something to note.

Garriss, Craig: Good point Dylan. Any more questions or comments for Rob or the applicant? If nothing else, I need a motion to leave the public hearing.

Clopton, Melody: Public Comment.

Garriss, Craig: Yes, on this matter, excuse me. Come on up sir. I knew you would be here tonight, good to see you.

Calfee, Ralph: For the record my name is Ralph Calfee, I am a property owner in Kitty Hawk. I think this is an excellent example of issues with or problems with what is proposed to be done. I agree that wetlands are valuable, there is no question about it. The protection of wetlands is well-established policy of the Town of Kitty Hawk Land Use Plan among other things. And wetlands protection clearly could be enhanced. I ask that especially in light of the example you see before that continuous wetlands are extremely important. If you have a wetland that is hundreds of thousands of feet long, that wetland, a primary function within that wetland is the habitants of that wetland will migrate and move all along that wetland. The amendment that you are proposing, or excuse me that is being proposed, an example being here is an amendment that is going to create strong pressure for applicants to put land bridges between uplands which will then bisect the wetlands just as this example does, and now the animals and all the other critters that live in the wetlands will not be able to migrate through the wetland will now be in a series of



wetland pockets. That is a much lower-quality wetland than what you started with. I don't think you should be adopting something that encourages applicants to fill wetlands such as they are no longer continuous. The continuity of wetlands in my view is just as important as the continuity of uplands. My experience in being involved in wetlands subdivisions is that the wetland upland interface is really the hardest part of this. All the rest of it, the acreage requirements or anything else is pretty standard but that is the hard part. But if you impose this amendment, you are going to encourage applicants to create lots solely for the purpose of complying and/or being eligible for fill permits to create more and more isolated wetlands out of what were contiguous wetlands. I encourage you not to adopt this ordinance. Thank you.

Garriss, Craig: Thank you, Mr. Calfee. Anyone else here like to speak? Come on up here sir. State your name, please.

Garrity, Duke: Good evening, Mayor I am Duke Garrity I am the Government Affairs director with the OBX Home Builders. I don't know how I can add anything else to what Ralph just said. We all know wetlands should be contiguous, what we are trying to do here is make things harder and make things a little more expensive to build to slow down growth. Very easy to fill this in, just going to cost more money. I go to one meeting, and we are talking about affordable housing, I go to the next meeting, and we are talking about adding ten to twenty thousand dollars to the cost of the lot. Clearing it, clearing trees out. I don't know what we are looking to gain or what the intent is. If we have 15,000 square feet, it's not important to have contiguous. We have some wetlands, all kinds of wetlands this town is built around, there is no shortage, but you are losing it more and more all the time. Makes me think this is close tonight and I would recommend denial. Thank you.

Garriss, Craig: Thank you, sir. Does anyone else here tonight like to speak? Yes, ma'am come on up. State your name for the record please ma'am.

Hines, Carleigh: I am Carleigh Hines, 1148 West Kitty Hawk Road. I really did not intend to speak, and I am not going to give the details that everyone else is speaking on, I am going to speak from the heart and not so much the details of the text amendment the development, and everything you have heard over and over again. I wrote a couple of things down and I just want you to kind of reflect on them and to just to think about moving forward. I am not saying yeah or nay at all. I just want you to think about it. So, I have been alongside my husband the whole time and I have sat quietly. I have supported him and everyone else in this matter. I am not going to get into all of the details that you have heard over and over again that multiple people have said regarding the statistics, the wetlands, and everything that you already know. I am going to ask you to just think back. I am going to ask you to think back to what the Outer Banks was when you were growing up. I am going to ask you to take just a minute before you vote on this to think about what enjoyed doing here growing up. What did you love about this place? What did it look like? How did it feel? Did you love the freedom that it offered? Did you have space? Did you love running around with your family? With your friends? I am looking at this from a perspective not only as a child who grew up here but as a mother who has her own child who will grow up in this town that we call



home. I don't have the same place that you grew up with. My husband does not have the same place that his parents grew up with or his grandfather grew up with. My daughter won't have the same place that I grew up with. This beach has changed so much. Development is inevitable, we know that. But over-development that is what makes my heart break for this one of kind village that we call home. My daughter deserves better. Your children, your grandchildren and your future generations deserve better. Remember why you were elected. Thank you, guys.

Garriss, Craig: Thank you, Ms. Hines, David. Does anyone else like to speak? Come on up sir.

Tillett, Wade: Good evening you all, my name is Wade Tillet born and raised in Kitty Hawk North Carolina, United States of America. Let me just say, if you can zoom out it's 15,000 square feet between the two little pieces in the middle. Say the next lot, if you made a land bridge, it's going to turn that into a bog, the next little bit like Mr. Calfee was saying. I mean the nutria are doing enough to our marsh already, but the second you get rid of that water flow, it is going to be contaminated, it's going to stagnate. It is going to kill everything in the middle of it. That water needs to come and go. I don't know, but the time you got to 10,000 square feet and a little piece on the side. You have the house and the driveway much less the access going to and from wherever in the world it comes from, nobody ever talked about that. That is that side, so where are they going to pump the septic? Across the other side like they all said. I don't know, culverts or whatever, the water's got to flow, that land is made the way it is and needs to stay that way. What it is we are running out of good lots in the Outer Banks. Got water right over here and we got water right over there. We are not Virginia Beach where you keep going in and in or Myrtle Beach. We are on an island it is just hard. I get it, it's just hard. I have four babies myself I don't know where they will live someday. I just want my babies to climb up a tree and shoot a squirrel in the woods that were there when I was there. I appreciate your time.

Garriss, Craig: Thank you, Wade. Anyone else like to speak? Ok, I have an email that came in late this afternoon to me and asked to be read into the record so I will do that now, that is appropriate that is correct Casey?

Dear Mayor & Council Members,

I hope the emerging Spring finds you all well. My family and I are out of town for spring break but I was informed of tonight's potentially impactful meeting and felt compelled to write. I'd like to reiterate our support of the Mark Perry's wetlands text amendment. I stand by all the sentiments contained in my previous email of 12/1/23 and feel they are even more poignant in light of rumors of developer thirst for the north end of Kitty Hawk. Decisions like this text amendment have the potential to benefit those who don't live in our town but greatly impact those who do. Open space is our most important non-renewable resource. We all know that these individuals are not above saying one thing but doing another then hiding behind empty phrases like "business is business" & "our hands are tied. "Our society is becoming infamous for making short-sighted policies that are exploitive for the gain of a few over the well-being of the many. Please consider us, your neighbors, and our collective future when you legislate tonight.



Thank you once again for your continued service & your thoughtful consideration.
Eric, Tina, Allegra, Kai & Jasper Reece

Any more speakers? Come on up Katie.

Morgan, Katie: I am Katie Morgan. What I am going to read probably sounds like a tangent, but it all comes back.

Garriss, Craig: Three minutes now

Morgan, Katie: Okay. I would like to start off with reminding everyone that the House Bill 259 is still part of the State legislation and that by staying with the Coastal Affordable Housing, LLC who is looking at the land on 158 right there between the Woods Road coming all the way down to the ABC Store which is all marsh whose primary owner is Jordan Hennessey the same 29-year-old who owns the Miss Katie dredge. He can at any time build whatever he wants at whatever capacity he wants without any input from any of the local towns or its citizens and that by returning the states 35 million dollars that whole problem would go away. So, I would hope the Board of Commissioners would consider that. That would help a lot of this. With that said I have public records directly linking Hennessey to the development of the House bill. I have receipts showing that on 6/19/2023 there was a call he had for three hours, and forty-two minutes reviewing and revising legislation regarding the exemption of zoning requirements. There is another receipt for September 22nd, 2023 for a two and half hour call regarding the same thing. Kitty Hawk Estates LLC owns almost every lot lining the North Croatan Highway from the Woods Road to the ABC Store, which like I said is all marsh. On February 16th, 2023, Coastal Affordable Housing transferred \$25,000 to this company with the intention of purchasing this property. On the same date on February 16, 2023, its wiring instructions were sent from Sharp, Graham, Baker, and Varnell's office meaning they are handling the transaction. On January 31st, 2024, Sharp, Graham, Baker and Varnell's law office sent \$10,000 for the Whichard option fee which is also Kitty Hawk Estates LLC. Mr. Varnell which we all know is the Town Attorney for the Town of Kitty and the Town of Kill Devil Hills. I say this all to say that there are serious wheels turning and people need to be aware that things are happening fast. I say this all to shed light on the fact that someone in the Town of Kitty Hawk has known about this since it has been discussed since 2022. While Mr. Varnell's law firm has been helping since at least February of 2023. I say all this to shed some light on the local collusion and serious conflict of interest even in the Town of Kitty Hawk. I personally do not feel that Mr. Varnell should be allowed to weigh in any of the wetland text amendment language tonight or ever because his firm is intimately working alongside the very company who is trying to get rid of wetland protections. I have 35 more seconds but, I brought my kids back here too for the same reason. I just hope that you don't just look at this as a legal matter, this is a personal matter to everybody in here and there are people in this room that are intimately involved with things that are happening that should not have any kind of interaction with the amendment at all, they should know what is happening that is all. Thank you for your time.



Hines, David: I have a comment on that. I can't speak for half of that, but I can speak for myself that I know nothing about what was going on Woods Road regarding Affordable Housing, for the record. I understand where it is at, but you are making an accusation that somebody in here knew about it, and for the record I did not.

Morgan, Katie: Okay I understand.

Garriss, Craig: Okay anymore, speakers for this text amendment.

Walker, Laura: Mayor I have one more gentleman signed up, Jimbo Ward.

Garriss, Craig: Come on up Mr. Ward.

Ward, Jimbo: My name is Jimbo Ward. I do not want to follow Ralph Calfee, but basically, everything he said is exactly what I came to say. I guess everybody looks at development differently. I am 74 years old, and I grew up on this beach off and on, sporadically I guess you could say, and I could get in my truck and drive 5 minutes and get in my duck blind and go hunting. My kids can't do that, and they can't do that because we had kids and you had kids and Jeff had kids and Ms. Walker had kids. Those kids changed this beach. So, when we say the developer messed up, which developer? Daddy Perry, when he subdivided his chunk of land? The Walkers when they put in a trailer park? It's inevitable. The question to me is really more like what Mr. Calfee brought up. How do you handle development with doing the least amount of damage? What does the future hold in store for any of us at Kitty Hawk? People in this Town fought the medical center, and they got a candy store. I hope they are happy. Seems to me it would have been better with a new medical center. You fight the use of property to individual homeowners. Forty years from now, this board will probably be populated by two people from Ohio, somebody from Pennsylvania, somebody else from New Jersey, and one Kitty Hawker. They may look at that piece of land and go wow, we can get 22 multi-family units on that property. When that property is used for Jeff Pruitt, Jeff's house or Jimbo Ward's house, or Dylan Tillett's house, that's what it will be used for. I would rather have a family in Kitty Hawk. Well, I will be gone so it won't matter. And probably my kids too, but I would rather have a family there today because something like that will never happen again. We talk about and we get all upset about the cost of construction where people can live, by creating the 15,000 square foot lots and trying to make the uplands contiguous. You drive through Kitty Hawk and see for instance what Steven Lafrance has built. He is the only person in Kitty Hawk that somebody could actually afford. Under this new ordinance, that land would be unusable. It could never be recorded. A young family would never have the opportunity to move into a somewhat small home, but still, a nice-looking home that he is building. If you go right down Kitty Hawk Village Road you will see house after house that meets that criteria. It is up to you.

Garriss, Craig: Thank you Mr. Ward. Anyone else signed up Laura?



Walker, Laura: No sir.

Garriss, Craig: Anyone else like to speak? Come on up.

Sullivan, Sharon: I do not have prepared remarks, but in whether or not you guys vote for this text amendment that is up to you. But the intent to protect the wetlands is important to everybody. If you don't vote for this, then please work together. Don't make somebody pay another \$250 or whatever to put a text amendment. Get together and work on it and protect our wetlands. If this is not going to work, then find something that will.

Garriss, Craig: Thank you, Ms. Sullivan. Anyone else like to speak? Anyone else during this public hearing? Council I need a motion to go out of the Public Hearing, and go back into regular session, please?

Pruitt, Jeff: So, moved.

Garriss, Craig: Motion made by Jeff, second?

Hines, David: Second.

Garriss, Craig: Second made by David. All in favor?

All Council: Aye.

Garriss, Craig: Council what would you like to do. Any discussion? If not, I will entertain a motion.

Pruitt, Jeff: We are getting shown scenarios and that's really not what the job is tonight. Our job is we were given a text amendment and whether there is a loophole we are going to miss tonight, I am not really sure. If we do, we might have to come back and correct it, but we have the text amendment in front of us and not the ability to change it.

Garriss, Craig: That's all we have.

Pruitt, Jeff: So, whatever we decide tonight I think it just has to strictly be with what the applicant has proposed to us.

Garriss, Craig: All right? Thank you, Jeff, any further conversation?

Hines, David: Is it \$250 every time somebody brings in a new one, this board does not have the right to say okay let's waive that fee?



Testerman, Rob: When anyone applies for a text amendment it is \$250 for them to bring it to the planning board and council. If the Council directs staff to draft a text amendment then it is not.

Walker, Charlotte: Both times, they paid that?

Garriss, Craig: Yes, because they changed it from the original.

Testerman, Rob: It was entirely a separate application, the first one got approved. This is a separate application. If the council wants to, if council maybe feels like this is not the right approach and wants to do something to try to resolve it, then you take what you have or we try to revise it or deny, recommend or direct staff to start drafting something to get at that intent which I have no problem reaching out and work with the residents and folks to get all input from all sides to get what council wants to see and best protect and preserve the wetlands. I have no problem with that.

Pruitt, Jeff: Once again, I think that would be up to the applicant. If the council is willing to entertain the thought. Or would the applicant prefer us to go ahead as scheduled on the agenda and then direct staff to look into this or something of that nature.

Testerman, Rob: We would have to ask the applicant about that. I think Casey, you can correct me if I am wrong but if make any changes to what they proposed they would have to agree to it. But if they want to proceed to get a yes, no vote tonight then we can go whichever way you need then we can do that or if we table it and direct me to work with the applicant and come up with something that addresses the concerns then we can do that too as long as that leads to the changes.

Garriss, Craig: There have been many people who have been very faithful coming to these meetings and speaking and I think they deserve an answer.

Hines, David: I do too, and I also don't think it is right for the applicant to have to keep spending money every time they want to come here to try to do what they want to do. The first time it got approved, correct? So, this is the second time. You mentioned tabling it; it would be up to Mr. Hines, David to agree to that, but if it is tabled, I don't think it is right he spends more money to come back in here.

Varnell, Casey: I don't think he would have to.

Testerman, Rob: If you table it is still part of the same application process. It is just going back to the planning board to improve the language. No additional fees. Again, if the council wants to make a decision tonight and it ended up being a no, but you wanted to direct me to work with them to come up with something else to address his concerns, then that is coming at your direction it would not be any burden on the applicant to submit an application.



Hines, David: I would like to hear, Jamie, if you don't mind speaking again to what we are talking about. I want to help out but I just want to make sure we get it right.

Hines, Jamie: Absolutely, I think this diagram threw a little bit of a glitch in the way a lot of us had envisioned this going. I also wanted to see, and the input is, I think a lot of us want to see a instead of a little land bridge cutting off a continuous flow of wetlands, we wanted to see you need to have 15,000 square feet of uplands as in taking 10,000 and making it 15,000. That is together, not just making bridges. As Mr. Calfee said, you start cutting off contiguous wetlands we are not doing any good there.

Testerman, Rob: And I do think that is achievable, but today that is the way we are looking at it, but somebody is going to be looking at it and how can I work around it. So if as I mentioned earlier, not to start proposing language on the fly here in the meeting, but some way to figure that 15,000 square feet of contiguous naturally occurring wetlands or uplands, sorry. Something of that nature, that way somebody can't come in and say if I push a little dirt around here I can make this 15,000 square feet.

Walker, Charlotte: So, there is common ground we can find.

Testerman, Rob: Yes, I think there is definitely doable. In my position when bringing these things forward, I have to try to in talking with the Town Attorney as well I have to try and figure out all the loopholes that people are going to come at us with that we can try to identify with a photo lens and those in front of us and exploiting the loopholes that we create.

Hines, David: So, I want to be clear, one of the reasons I am concerned about this is I have been involved in different situations actually on a county board where that happened. We all know what happened in Wanchese and I don't want to see that happen again because we voted on something and then somebody else comes in and loopholes it.

Testerman, Rob: This area is just a random spot that I have picked out, but I have had a conversation with an engineer who is working with different area, so if it gets adopted, he has already drawn the plans to do something like this.

Pruitt, Jeff: I can see this for sure.

Hines, David: I want the residents to get what they want but I also want to make sure by them getting that, we do not have another replication of what happened in Wanchese.

Garriss, Craig: All right, are you ready to make a motion? Jeff?

Pruitt, Jeff: I want to go back to the applicant. Would you?



Hines, David: I am too.

Pruitt, Jeff: Would you be willing if I make a motion to defer this to the next meeting so that you get time to see if we could rewrite the language so that we can, when we vote on this time we can truly try to do the best we can to get you what you were trying to achieve? If you are I am willing.

Hines, David: And to add to it, I am happy to sit down personally as well with you, and maybe if it's allowed maybe Jeff if he is willing to sit down with me as well.

Varnell, Casey: Just not more than 2 council members.

Hines, David: I understand it would be myself and one other person, Jeff or whoever. We can sit down and make sure we get it right for them at the same time not helping someone else get it wrong. That is the only thing I am hung up on.

Walker, Charlotte: I was at the planning board meeting when this came up and it never occurred to me that it was not contiguous, but the word was not in there and so I learned that words matter.

Hines, David: So, I am going to go back to Jamie with what Jeffs request was, is that something you are okay with. Are you guys okay with?

Hines, Jamie: We need to find a way that we need to stop having to come to these meetings.

Hines, David: I agree.

Walker, Charlotte: We enjoy you coming to the meetings.

Hines, Jamie: At what point do we stop fighting every single loop hole?

Pruitt, Jeff: We can certainly vote on it this tonight and move forward. Later we can suggest you meet with Rob, and if we suggest it it does incur a fee.

Hines, Jamie: I think most of us like that and if there needs to be an amendment to this second text amendment then we can come back to the council.

Pruitt, Jeff: What I am hearing is you would like us to proceed with the text amendment as written.

Garriss, Craig: I think that is what I heard, is that right Jamie?



Hines, Jamie: I think at this point what we have here I think it would be best let's just go ahead and vote on what we have for now. If changes need to be made to further clarify things then we can look at it.

Walker, Charlotte: Jamie, I commend you for sticking with this through two applications.

Garriss, Craig: All right council, would anybody like to make a motion? Jeff?

Pruitt, Jeff: I move to approve the proposed Text Amendment to the definition of minimum lot size section 42-1 and relevant district regulations, as presented in this staff report. The Town Council has found this proposal to be consistent with the Town's adopted land use plan.

Walker, Charlotte: Second.

Garriss, Craig: Motion, second by Charlotte. Any further discussion? All in favor aye.

Tillett, Walker, Hines, Pruitt: Aye.

Garriss, Craig: All opposed? Aye because of the way it is worded. So the motion passed, four to one. I voted against it, did you?

Hines, David: I did not because we can come back and fix it.

Garriss, Craig: Motion has passed, thank you for being here. Thank you, Mr. Hines, and David good work. No old business, any new business? No new business. Report council comments from the Town Manager, please.

15. Reports/General Comments from Town Manager

Clopton, Melody: Good evening, I have a few things. We had our initial bid opening for the Police Station Building on March 22nd. Unfortunately, the state statute requires a minimum of three bids for a successful process, and two bidders came forward at that time. Because the minimum bidder count was not met, we readvertised the bid and will hold a bid opening tomorrow at 2:00 pm. Since this is a re-advertisement, the statute requires to only accept the bids that come. The minimum bid number is no in place for re-advertisement. So, we know we will have at least two bidders.

Walker, Charlotte: Will that be here?

Clopton, Melody: Yes, it will be here. Spring chipping Townwide will begin on Monday, April 8th. Please visit the town's website for all the details on what to do and where to put your stuff. The bathhouse is open, and I understand it was just in time. It was a beautiful weekend and very well



utilized. And just a reminder, we will be holding our first-ever community trash collection on Saturday, April 20th and we are accepting volunteers so again visit our website to register. Thank you.

Garriss, Craig: Thank you Melody, good report. Report from the Town Attorney?

16. Reports/General Comments from Town Attorney

Varnell, Casey: Mayor I have nothing.

Garriss, Craig: Report from Council? Charlotte?

17. Reports/General Comments from Town Council

Walker, Charlotte: I received a text from Pete Mantz today and he wanted me to pass along his gratitude to the Town of Kitty Hawk and the Volunteers who helped supporting the road race Black Beards Revenge last weekend. Through the crazy weather, the race route changed and we ended up running through Kitty Hawk twice. It was so nice to have a bathhouse as a food and aid station and many volunteers from Kitty Hawk made the event possible. It was cold and rainy with lots of changes in the race until the last minute. I know all the runners including myself were super grateful to have the opportunity to run up and down NC 12 last weekend. Please pass along a big thank you for me to the Council and city management as they appreciated everything that was done for them. Thank you.

Garriss, Craig: Thank you Charlotte.

Pruitt, Jeff: I don't have anything.

Tillett, Dylan: I want to welcome our new staff members. Thank you for putting your applications into the town and serving the town. It means a lot to all of us to keep things working the right way. I want to thank everybody for coming out tonight. Support in the room is always a wonderful thing. It's good to hear everybody's opinions either way. I enjoyed listening to everybody. And to we need to officially, this probably goes without saying. Do we need to officially task Rob with coordinating with Mr. Hines, and David or is that already talked about.

Garriss, Craig: Rob, you good with that?

Testerman, Rob: Yes.

Garriss, Craig: Okay, make contact.

Tillett, Dylan: That is all I have.



Garriss, Craig: Thank you Dylan. David?

Hines, David: Talking a lot tonight, but how about that wolfpack?

Garriss, Craig: Again, I would like to thank the new staff members who have already started and they have already shown a positive impact to our town, thank you again to everybody who is here tonight, and thank you to everybody for coming out. Apologies for my trick-or-treat mistake at the beginning of the meeting, that is what it turned into. Thank you all for coming. Council I need a motion to adjourn.

Pruitt, Jeff: Motion to Adjourn Mayor.

Hines/Tillett: So, moved.

Garriss, Craig: Second.

Walker, Charlotte: Second.

Garriss, Craig: All in favor.

All Council: Aye

Garriss, Craig: We are adjourned.

18. Adjourned at 7:07 pm

The Minutes of the April 1, 2024, Kitty Hawk Town Council Meeting are approved at the May 6, 2024, Kitty Hawk Town Council Meeting.

D. Craig Garriss, Mayor



Minutes
Special Meeting
KITTY HAWK TOWN COUNCIL

Tuesday, April 16, 2024
Kitty Hawk Town Hall, Smith Room
6:00 PM

1. **Call to Order**
2. **Moment of Silence/Pledge of Allegiance**
3. **Approval of Agenda**
4. **Award of Police Station Construction Contract**
5. **FY 2024-25 Budget Discussion**
6. **Adjourn**

Council Members Present:

Mayor Craig Garriss, Craig, Mayor Pro Tem Jeff Pruitt, Jeff, Councilman David Hines, David, Councilwoman Charlotte Walker, and Councilman Dylan Tillett.

Staff Members Present:

Town Manager Melody Clopton, Town Attorney Casey Varnell, Administrative Services Director Laura Walker, Finance Officer Liliana Noble, Police Lieutenant James Helms, Fire Chief Mike Talley, Public Works Director Willie Midgett, Finance Technician Lauren Cavendish.

1. **Call to Order**
2. **Moment of Silence/Pledge of Allegiance**

Garriss: Good evening, everyone I would like to call the Special Kitty Hawk Town Council meeting to order, today is Tuesday, April 16th, 2024, at 6 pm in the Smith Room Kitty Hawk Town Hall. Thank you all for coming tonight we have some important business to take care of or to discuss. Thank you to those in attendance tonight. If you would please stand if you can for a moment of silence followed by the Pledge of Allegiance.

3. Approval of Agenda

Garriss: Council I trust you had time to look at the agenda if so if it meets with everyone's approval, I need a motion to approve tonight's agenda, please.

Pruitt: So Moved Mr. Mayor.



Garriss: Thank you Jeff.

Walker: Second.

Garriss: Second by Charlotte, all in favor?

All Council: Aye.

Garriss: All opposed – NONE.

4. Award of Police Station Construction Contract

Garriss: Item number four. Award for the Police Station Construction Contract. Melody?

Clopton: Good evening, Council, staff, and public. We are here tonight to talk about the award of the Police Station building construction contract. We will also talk later about our budget for the next fiscal year. A little bit about the process. As you know, we have been working with Dills Architects to design our project. Once the design was finalized, the project was bid for construction. We received three responsible bidders for this project. They were Sussex Development, Whiting-Turner, and A.R. Chesson. Dills and the Town staff reviewed all the submitted bids and tabulated the submissions, confirming all the bids were in order and met all of the criteria the town seeks and requires for its procurement process, the state of North Carolina procurement process, and the federal procurement process. Based on the tabulation it is Dills Architects' recommendation as well as the town staff's recommendation we award the contract to A.R. Chesson. While this organization has a Williamston address, A.R. Chesson also has offices in Elizabeth City. Their bid was the lowest. It also had the least number of days for completion. The bid submitted was \$3,540,000. The estimated bid time for construction was 270 days. This bid includes 8140 square feet of renovation and 940 square feet of an addition which is the lobby area, and then also a diesel generator to supply power to that portion of the building in times of emergency. Does anyone have any questions?

Garriss: Any questions for Melody?

Hines: I will but not at this moment.

Clopton: Currently in our fund 41 which is the Police Department fund. We have \$3,599,010.56 available. We do believe that the estimated additional cost right now is \$550,315. This is for furnishings, equipment, fitness equipment. Special agent inspections, IT and communications, and security cabling, again these are estimates. It is also recommended that we include a 10% contingency just for things that were not expected or changes.

Garriss: David, you said you have some questions?



Hines: I am good right this moment.

Garriss: Any questions for Melody?

Hines: Is there anybody here from A.R Chesson?

Clopton: No.

Hines: Is this now that we are going to discuss this?

Garriss: Yes, and hopefully a motion to approve.

Pruitt: Have they done work here?

Clopton: A.R Chesson is a very well-known company here, yes. They do a lot of projects for the hospital. They have done a lot of work around here. I specifically know about the Hospital projects.

Garriss: I know they did the rehab place that is sitting right at the road at the hospital.

Clopton: They did the renovation at Urgent Care in Nags Head that used to be a Hardees.

Walker: Part of the reason they can do it is because they are local, and they have contacts here and they have a lot of things that the other two may not have had.

Hines: I have seen some of the work they have done. If I am not mistaken, they worked on the Marriott in Kill Devil Hills/Nags Head.

Walker: They have a good reputation.

Pruitt: So, we allocated 3.5, so we are looking at the \$ 40k for the building, right?

Clopton: We had \$3.8 but we used some of that for design services, and so forth so right now we have \$3.599, so we have an extra \$40K so we have an extra \$40,000 which is above the proposal, but we do anticipate it will cost more.

Pruitt: So, we are not increasing, it's coming in at what we had hoped.

Clopton: The construction part of it yes.

Pruitt: We will talk about the other part of it. Okay.



Garriss: Okay, council? What would you like to do with this matter?

Hines: I want to get back into a couple of things. First of all, everybody knows I am a big supporter of this police department being built and I am aware of their reputation as developers, builders whatever. I think what I have a hard time with, and I am sure there is a state law reason why we can't. I have a hard time awarding a contract without seeing a contract, that has provisions of delays, change orders, runovers, and things to that effect. That may be something we have to do about the award before we can see that.

Clopton: Correct.

Hines: But it's concerning to me when we are already over budget.

Clopton: We cannot talk with A.R. Chesson until you all give us the approval to move forward. So, that is where we are. We have been working on a contract. Casey has been reviewing it. That is something we will make sure is in order before we move forward. Before we can move forward, we need to inform you of our recommendation.

Hines: By moving forward, we are not locked in 100% if we do not like something or a provision of their contract is that correct?

Varnell: So, no. And it is truly going to be our contract in this particular case. It is one we prepare, and we send to them. If they have some edits to it, that is fine, they are subject to our approval. If there was something really major, I don't anticipate it, but if there was something really major that they object to in our contract, we would come back and we would go with the second-best bid, for example. So, to answer your question it is not locked in. No, we are not stuck with them, that is not how it works. This is the first step in moving forward. We are not even allowed to talk about a contract until such time as a bid has been awarded.

Hines: So, by doing so are we paying them to create a contract?

Varnell: No, it is us. It is going to be our contract.

Hines: Okay. So, all my other questions I had prepared for tonight we will back into once we have that. Okay.

Tillett: I have a question on these additional costs. Some of them I see can be handled after the building is complete, and some look like they need to be handled during construction.

Clopton: Correct.



Tillett: Are we able to split those up so we have a better understanding of what really needs to be added to this and what can wait?

Clopton: I think so, and again these are estimates from Dills design team. For example, we have found furniture and equipment to be estimated a little bit high.

Tillett: I think the construction admin inspections, that needs to happen up front for sure, or during construction. The furnishing and the fitness equipment, that could all be worked in near the end.

Clopton: Correct. The cabling has to take place during the construction.

Tillett: Okay.

Clopton: And I do believe we have money we budgeted this year's budget for fitness equipment, so they are taking care of that differently.

Tillett: Do we have a ballpark as to what that is, just out of curiosity?

Pruitt: Five hundred is what I think you submitted Chief.

Palkovics: No, I think it was \$25,000 was what we put in the budget.

Pruitt: For gym equipment?

Tillett: Alright.

Palkovics: Yes, for fitness equipment. Let me make sure that is exactly what it was.

Tillett: I was just looking for a ballpark, you don't have to look at exact numbers. I was just curious what it was.

Clopton: We can get that information.

Tillett: I would like to see it split up between what can wait until after the building is done and what needs to happen during construction.

Garriss: Okay council. Does anyone wish to make a motion?

Hines: Tell you what, I will make the motion provided I understand you correctly that we can review our contract.



Varnell: Correct.

Hines: In that case, I will make the motion to award a Police Department Building construction contract to A.R. Chesson for the amount of \$3, 540,000.00, I will make the motion.

Garriss: Thank you David, can I get a second?

Walker: Second.

Garriss: Second from Charlotte, any further discussion? All in favor say, "Aye."

All Council: Aye

Garriss: All opposed? NONE

Hines: I do want to see it get going.

Garriss: Thank you.

Clopton: All right, thank you.

Garriss: Melody, with a big smile can you make those contacts tomorrow morning?

Clopton: I would be happy to.

Garriss: So, we can get this thing rolling?

Clopton: We will.

5. FY 2024-25 Budget Discussion

Garriss: Item five, our fiscal year 2024-2025 Budget discussion, as you all know on March 19th we had a budget workshop. The staff furnished us with a lot of information to look at and think about. I know some of you have met personally with Liliana. Some have requested materials and information to study and look at, I think that is wonderful that's what we all need to do, Melody?

Clopton: Before we get into our discussion I wanted to provide the budget timeline. As the Mayor said, we had our budget workshop meeting on March 19th. Today we are here for your feedback and direction on where we would like to go with the budget. Our goal is to have the draft budget prepared and presented by May 6th. We have to have it available for public review for 10 days and we have to set a public hearing in May if we want to approve the budget in June. Of course, we can always have other special meetings, but this is the timeline we are working under right now.



Basically, we are here to answer questions and hear your observations. We talked a little bit about some of our shared revenue decreases going forward. We discussed some revenue options and I know there has been a review of our expenditures and so if there is a prioritization of expenditures that you would like to pass on to us we are ready to move forward and get this budget balanced and ready for presentation in May.

Garriss: All right you folks want to go down the line. I know a lot of you have questions and concerns and comments. David, you want to start.

Hines: No sir, I do not. I reserve my time thank you.

Garriss: Dylan?

Tillett: No comments right now, I am sure I will chime in as we get going.

Garriss: At this point, I have a preference of which way I would like to go but I will hold that to the end also. Jeff?

Pruitt: Well, I don't want to raise taxes, I don't mind saying it. I just wish there was a way that we could have balanced this budget without raising taxes or trying to take money from Beach Nourishment.

Garriss: From what I understand, that is possible.

Clopton: We can.

Garriss: We can.

Pruitt: I am just hoping, now which way to go to say at this meeting Chief doesn't get this and Fire Chief doesn't get that, I am not sure. I would rather you all decide what your priority is that you can do without the most and try to come back with a balanced budget so that we don't have to raise the taxes this year. With that being said, I have talked with other council members, and I do see us having to do it and probably next year and people say, "Oh it's an election year." Well, that does not matter. We don't know what our projection this year of the people and tourists coming so it's just like we didn't know during COVID if they were coming or not. They did. Everybody is predicting us to be back to pre-pandemic numbers. David keeps a good track being on the tourism board, so he sees the figures coming in and we will be able to realize that as it goes along. I would hope we could work it out this year. We have spent a lot of money and the people have watched us spend a lot of money. I don't want the optics of us raising their taxes for us to look like, hey man we are ready to do this, and this and we are going to raise your taxes. We have spent a lot where we have saved a lot. I don't want it to look like we have overspent. That is the point I am trying to make.



Clopton: The day after we had the budget meeting, the first thing I said was, "Okay you guys what can you cut from your budget?" Then things went from there.

Garriss: Nobody has said that we cannot balance this budget without raising taxes or the one-cent reallocation. Nobody has said that. If I am going to base how I vote on something if I am worried about being relected I should not be sitting up here.

Pruitt: That's what I said. It does not matter. It would be easier to raise taxes this year and then know you are covered. I get that, or do we wait and see if we can do it without raising taxes this year. Then once again, I believe the numbers are probably going to come in that they will have to be raised next year.

Garriss: We can look at it next year.

Pruitt: That's just the way I look at it, that's one opinion up here.

Hines: What was that number Liliana presented the other day? \$177,000.

Noble: In the presentation, it was the projections of revenues. It was the projection of a loss in revenues. Do you still have this page?

Hines: I am getting there.

Noble: That was the projection revenue decrease for sales tax, occupancy tax, and land transfer as a result of other taxes increasing the tax rate in the shared distribution of these three taxes will affect the other towns. That is a projection of fees and revenues.

Hines: Okay. I know again, I know I left early but that was before the last presentations. This was discussed prior to me leaving. I want to bring up what we were talking about before. So these projections ran being projected revenue decrease. Okay.

Noble: Correct. Moving forward.

Hines: Where are those numbers coming from for the projection of the decrease? Based on Occupancy Tax, based on sales tax?

Noble: These projections are coming from Dare County Projections. Dare County provided this data.

Hines: Correct.



Noble: So they provide the data on how much decrease our percent participation is for the upcoming fiscal year. That is where I got the projection.

Hines: I got you, the same way you use it every year, right?

Noble: Yes, the same formula.

Hines: The formula is the same every year.

Noble: Exactly, the same, yes sir.

Tillett: After our March meeting Melody, when we went back to the departments, was there a number difference that we can talk about that was re-discussed?

Melody: There was a slight number difference.

Tillett: What is the ballpark of something like that?

Clopton: I think from what I know, probably about \$80-90,000.

Tillett: Total?

Clopton: Yes, and we had a \$12,000 surplus at the time.

Tillett: Right, Okay.

Hines: How did you come up with that \$80-90,000?

Clopton: Asking them what they might be willing to cut out of their budget.

Hines: Okay.

Tillett: What were some of the items that were removed if I can ask cause, we don't want to squeeze each department too tight, but I am curious what was willing to be removed.

Clopton: For us reducing townwide training. Reducing community relations items we had added. I know Willie had a number; he did not exactly tell me what.

Midgett: Mostly maintenance stuff.

Tillett: Okay.



Noble: The finance department, \$10,000 less for software to the capital reserve.

Garriss: I hate to see training go guys; training is huge.

Walker: I did not see them ask for anything that I thought was extravagant. I think they put a lot of thought into what they asked for, and they felt like they really needed that. It's brave of them to look at it and do that. But I did not see anybody trying to get something that they did not need.

Clopton: I definitely agree with you, that is not the case.

Tillett: I agree with that as well.

Clopton: We talked about the fire truck situation, that is still looming. Chief, I don't know if you have more information to share about the fire truck or the cost of it.

Talley: Good evening, Mayor, Council. So, the timing between our last meeting and now is relatively short to get a vendor to get those kinds of numbers together. Informally and unofficially, it's about the same as what we talked about, it is going to be in that \$850-900,000 range, based on percentages from the last purchase. To get something more concrete, we would have to sit down and go through pretty much line-by-line items to get a more concrete number and then get an official number.

Garriss: And again, you said if we ordered that truck today you said it would take about two years to get it.

Talley: Right now, the timeline is about two and a half years if we order it today.

Tillett: Chief, can you explain what truck that is so we can have a better understanding? There are ladder trucks, there are engine trucks. Which one did we recently purchase within the past couple of years and which ones are going to be phasing out with their life span?

Talley: The next two vehicles that are getting ready to go out, one is a fire engine, otherwise known as a pumper. That is in 2026, it will reach its 25-year mark.

Tillett: That is the next one we talked about; it's coming up.

Talley: In 2030 that will be our ladder truck. It will be 25 years old.

Tillett: During our last meeting we discussed the ladder truck was already having inspection issues. That is not typical I would assume. That is not something you want to be dealing with too frequently. Failing inspections on the ladder truck?



Talley: All apparatus and all vehicles have issues. When they start getting this age, it's expected. Most departments or jurisdictions, they start phasing their trucks out much earlier than 25 years. We are pushing it to the limit. Some of these things, it is going to be expected. Things we are getting hit with now are maintenance calls, we are sending it to these qualified service technicians, it is drastically higher than what it has been in previous years. That is really driving up our costs.

Tillett: That ladder truck replacement, can you give us a ballpark cost? The Engine before that, you said \$850,000 to \$900,000, what does a ladder truck cost? Is it \$1.2 Million? Is that reasonable?

Talley: I just got done calling around to various departments who purchasing apparatus and vendors and unofficially they are talking anywhere from \$1.8 million to \$2 million dollars.

Pruitt: And Chief, a ladder truck is that a requirement? That is a requirement now that we have, like the Hilton Garden, is that something we have to have? Don't get me wrong, we are going to try to have a ladder truck. Is that something that is required of a Town that has buildings of that size?

Talley: It is part of the ISO grading, so yes. Without that service vehicle that is what it is classified. I cannot tell you where the score would go, but it would be a big hit.

Garriss: Going back to the last truck, I know you are to be complimented here because you said you wanted a working truck, not a parade truck, not a show truck. That still was about \$750,000, is that right?

Talley: No, it was closer to about \$700,000. A little less than \$700,000.

Garriss: Okay.

Talley: A lot of what is driving the cost is just the demand. Supply and demand. Because of the pandemic, everything got pushed back, so now we are playing catch up and it is driving costs up dramatically.

Tillett: In terms of big trucks, the newer truck we have, and the two that are aging. Is that the total 3 larger trucks at the department? Or is there others, or is there more?

Talley: We have four. We have three engines or three pumpers and then one ladder vehicle, ladder truck or service vehicle.

Pruitt: And after the ladder truck, how long are we looking we have 2026, 2030. Do you know the next number?



Talley: It would be 2036.

Walker: Is that the one we just got?

Pruitt: No.

Walker: Oh, okay. We will all be gone by that time.

Talley: So, it's 2036 and then 2042 for the next numbers.

Pruitt: I want that out there, so people realize that when we are budgeting. If we don't budget, as you can see this is going to pile up. Once again going back to taxes, that is what it pays for, these trucks and stuff. If it does come to it having to be raised, you have to see that we have to prepare for the future so we are not hit really hard to explain we took a fire truck years ago and it never could complete inspection, so it got us behind the 8 ball. We are playing catch-up. I thank you for what you are doing, trying to keep us aware of staying ahead of this even though it is hard to do. We are going to do our best to keep up with it.

Talley: Five or six years ago we actually had another vehicle. So, we downsized, we actually had another service vehicle that we put out of service that did not replace it.

Tillett: What was that? Was that another engine or a pumper?

Talley: It was looked at as a ladder truck or a service vehicle, but it was much smaller.

Hines: With the inventory that you guys expiring if you will or the stuff is no longer in use, what is being done with those items? Are we selling them for scraps and things to that effect?

Talley: They are going to GOV DEALS, or they are auctioned off.

Hines: So, it's the same thing for the fire department, the GOV Deals is.

Clopton: Yes.

Tillett: What kind of trade-in value do we get for an old truck like that?

Talley: Not much. It is drastically reduced.

Tillett: Less than 100?

Talley: They look at the same documents in NFPA and 25 years is the end of their service life so, they know there is nothing left.



Hines: So, somebody is buying that right around town.

Talley: The last person who bought one was actually a farmer.

Clopton: I think it is Powell's Point is'nt it?

Midgett: I pass it two times a day.

Tillett: The vehicle before that was a farmer and he uses it to irrigate his fields. The other one is just yard art.

Garriss: Any more questions for Chief Talley? Any discussion?

Hines: I do want to be clear, my questions tonight are not from a safety standpoint for fire, or police it's about a budget thing and I have been up here for five years, and I stand behind whatever both those departments need so you can be safe. So, I want to make that clear. I am not trying to, as somebody said earlier, pinch certain departments that are life and safety.

Garriss: Thank you Chief.

Hines: Thank you Chief.

Garriss: Charlotte, I think it is your turn to provide a little feedback.

Walker: Right, well. Nobody wants to hear the words raising taxes, that is just a phrase that strikes fear in somebody's heart. I especially understand that. I also know that some of the values of property would not raise the taxes \$35 dollars. I cannot go out to lunch for \$35. Not breakfast either probably. To keep everybody safe and to have everything that we need, it is going to have to happen. It does not mean it has to happen this year, it does not mean right away, but we also lose a share of the shared revenue and not taking that into consideration about how much more that would give us from the shared revenue if these other towns are raising their taxes. They are doing it; they are not even thinking about it. They don't have a village. We have a village, and we have to be considerate about those people as well as the commercial people. It just adds another dimension about how hard you think about raising taxes. I hate to leave money on the table. I hate to lose that shared revenue. I really think if you looked at the amount the taxes would go up, it is not that much. There is another option with the beach renourishment. We put away money that should far exceed that cost. I am open to what this town needs to do. And it has been ten years since we raised taxes. That is almost unheard of.

Garriss: The shared revenue is a biggie.



Walker: It's a huge thing.

Garriss: It's costing this town. It's costing the taxpayers.

Walker: Liliana helped me understand the shared revenue and what we were leaving on the table. Lord knows, I don't want to go up on taxes.

Garriss: No, nobody does.

Walker: These things are coming down the pike and they are not getting any cheaper. I can go either way with it. I am not saying we have to do that. There is the beach renourishment money that we could go to, because that exceeds what we feel like that is going to cost. Anyway, that is my two cents.

Garriss: Thank you Charlotte. Do we have any further questions or discussions tonight while we have department heads here now is the time to do it. Anything particular for Willie or Chief Palkovics or Liliana or any other department heads? Okay?

Hines: I don't for department heads personally. Not right now.

Garriss: I am like Dylan I don't see anything that goes above and beyond request that should not have been made, I really don't. If they requested it, they needed it.

Hines: I agree with that, but there are certain parts of what was presented the other day. I am going to bring up an example for example, I think it was \$49,000 in merit pay for in my words, patting someone on the back for doing their job. I think it said in the last minutes, that I was in favor, I am in favor of recognizing staff through advancement not through extra pay. I just want to be on the record for that. I personally don't agree with that, and I think that was \$49,000, is that right and some change?

Clopton: And I will remind you that when you hired me, you asked me to do a performance evaluation, and merit pay system. That is what drove that, so if that is something we don't want to do any longer, I am fine with that.

Hines: I just want to be clear; I am okay with recognizing people for going from Sergeant to Lieutenant or Assistant Director to Director, but when we are pinched already trying to figure out how to do something that's the reason, I mainly bring that up this year.

Clopton: You understand we don't have a lot of opportunities for advancement here and that is part of our issue.

Hines: So maybe we should look at the payscale for the current situation they are in.



Clopton: We continually look at the pay scale.

Hines: If we can find \$49,000 to divvy out amongst all of the staff, don't get me wrong, I appreciate the staff. Then maybe if their current position now reads as pay current salary is \$50-62,000 depending on experience and this particular person is at \$56,000, then maybe there is an advancement in that side of it is where I am going with it. Because there is a pay scale.

Garriss: David, some of the reason I agree with what you are saying. I agree with what you are in the shape now is because council in the past did not want to hear the words pay study.

Hines: I get it, for sure.

Garriss: Any questions for Melody?

Hines: I got one last thing while I am the bad guy. I would like to see a line item for a specific line item to show what the Town Manager expects when we are having a get-together, or a party or for employees because it's kind of hidden, not hidden because it's coming out of the non-department.

Clopton: It is in employee relations, under non-departmental.

Hines: So, is its own line item?

Clopton: Yes.

Hines: Under which item is it? It's under employee relations?

Noble: The reason it is under non-departmental, is because it is for events that cover all of the departments. Otherwise, you have to assign a budget for each department for their own things. So, we put it in non-departmental for all the activities that we do townwide. Internally and for the public. That is what is in non-departmental.

Clopton: Retirement parties and things like that.

Hines: I am glad we don't have any of those for a while.

Walker, Laura: I am sorry there are more coming.

Hines: I mean that's fine, but I think that it is still the amount of funds that is used at the discretion at the night you are having a party. Right?



Clopton: We do determine a budget for each event, and we stay within that budget.

Hines: So that line item is where, where can I find that?

Noble: Under non-departmental.

Clopton: It is called employee relations I believe.

Hines: Okay, that is okay I will look it up.

Noble: I will get it for you right now.

Hines: That is not the way I read it, that is not the way I read the packet I got the other day. I am hoping for it to be explained to me.

Noble: I believe you received that department as well but let me double check.

Clopton: Where did you see that?

Hines: To me I don't interpret what we are talking about as being a separate line item. To me it is all being under non-departmental item.

Melody: It is under non departmental, under employee relations.

Noble: Employee Relations and events. That is the line item. General Account number 10-4120-3552.

Hines: So, what was the budget for that in 2023?

Noble: \$18,000?

Hines: What did we spend?

Noble: You said last fiscal year.

Hines: Yes Ma'am, what did we budget versus what did we spend?

Noble: The budget was \$19,500 and the activity was \$16,572.

Hines: Under the employee relations line item, correct?

Noble: Again, it is under Non-Departmental Employee relations and events.



Hines: Ok, I am good for now, thank you.

Tillett: I have some more questions, Liliana. So, I met with Liliana and I want to point out and I want to thank you publicly for helping explain everything to me because it was extremely helpful. Just for a general understanding of everything, this helped open my eyes. I don't have a current Melody, you supplied us with a current detailed historical budget it shows 2018- 2019, 2021, 2022, the total fund balance breakdown.

Melody: Correct.

Tillett: So, I have 2022 to 2023 in front of me, I don't have the current budget numbers for this one, but I want to highlight what, I think this is going to be really simple. So, our total fund balance right now is close to this, roughly \$12 million, is that right?

Noble: Where are you looking at that?

Clopton: Our total available fund balance right now?

Noble: Are you looking at this?

Tillett: Yes that, I just want to reiterate these numbers and what they look like from my perspective. So total fund balance, would you say what we are seeing for 2022 – 2023 is close numbers to this new fiscal year budget?

Noble: I cannot say that yet until we finish because this is the financial statement of the town on June 30.

Tillett: Okay, correct.

Noble: Because we have not finished this fiscal year and the busiest months of the month are coming which is May and June. So, it is close but, I cannot be sure. But we definitely are not going to be in a deficit.

Tillett: And this paper, I am allowed to say these numbers to the public?

Noble: Yes, it is the official financial statement for the Town of Kitty Hawk. The Auditor prepared this.

Tillett: I want to go over these just so everybody has a better understanding. This is just general numbers. The total fund balance, and you can confirm as I go along, is close to \$12 Million. Is that correct? This was for 2022-2023.



Noble: At the beginning, correct. Yes, go ahead.

Tillett: So, now we have got, there are mainly four categories that I see that are large placeholders here. The first one is the capital reserve fund which is the budget we are talking about that we balanced. The second one is a required safety net that the State sets as a savings account, a back up. The State sets that number.

Noble: Correct.

Tillett: The other, the third one is a street Powell Bill, that is to maintain our roads.

Noble: Yes.

Tillett: And the last one is a public safety number, that is a rather small number. But that is the fourth one. And then years ago the previous council set an emergency reserve policy to hold \$3.5 Million in reserves. And all those add up to be close to \$8.4 Million dollars. With our total fund balance of \$12k. The variable fund balance left over is \$3.7 Million, that is unallocated funds.

Noble: Correct. Yes sir.

Tillett: I see that, and I feel comfortable, not only are we holding our \$3.5 Million that the previous council set, we actually have double that in unallocated funds balance. And this is with the budgeted budget. Right?

Noble: I would not say we double it.

Tillett: I would not say we double it, I am saying it is essentially double because we have the reserve amount, leftover is another \$3.7 Million.

Noble: That is correct. So, I will rephrase everything that you said, basically, the fund balance for this town on June 30 is \$12,193,799. There is money that is restricted. The one on the left. So the money that is not spendable that is restricted by the statute that you mentioned, \$1,349,534. Restricted for the Powell Bill, restricted for public Safety, Capital Reserve, plus the money that we have as a policy of \$3.5 Million is money that money is part of the money that is restricted. So how much money do you have now available to assign to other things? \$3,760,926.

Tillett: So that is not including the safety net the previous council set up of \$3.5 million. To hold and set aside.

Noble: Correct, that is available unallocated funds.



Tillett: Unallocated

Noble: Correct:

Tillett: So, in my view, and this is strictly just my view. I have concerns that I want to track. Those concerns are culvert replacements. We already talked about that during the meeting on Eckner Street and that could be a huge chunk of money. There are other road and maintenance items. We talked to Chief Talley on upcoming fire trucks, and those are coming. They are not cheap. Interest, you and I discussed the interest money that we make, many years past it was close to \$150,000, recently it has been about \$450,000, almost tripled because of high interest rates. Interest rates are going down. That income from interest rates is going to go down. The cost of everything is going up. Our shared revenue is going down as other towns increase their taxes while we stay the same. I think we need to watch those. But at this point with balancing our budget, holding \$3.5 Million per previous council policy and having \$3.7 Million unallocated funds left over at the end of the day, personally I side with what Jeff was saying earlier, I don't see a need to raise it this year, I think we need to keep an eye on it. Maybe that is next year, or the year after that. I don't know but I feel comfortable with the funds we have right now even if an emergency came, and we had to buy a fire truck out of pocket. If we had to fix a culvert out of pocket. I feel like the funds are there. I don't want to spend, I am not in the habit of spending our savings but that is exactly what it is for, emergency savings. In my opinion we should track these things that are changing, and it is possible next year that taxes do go up, but I feel like this year we are fine, right where we are at with the balanced budget we have.

Noble: You are absolutely correct, we are fine. Just to clarify, we can balance the budget. And when we balance the budget, the expenditures are higher than revenues in the budget, we balance with the fund balance. That is how we balance the budget. However, it is our obligation to inform you and the citizens of the town what is coming and that was the purpose of the presentation about the revenue projections, because it is coming.

Tillett: And that is extremely helpful.

Noble: And there was another email this morning too.

Tillett: I think we need to keep watching those items that are changing. The fire trucks the revenue, interest. I think we need to keep a close eye on that within the next year.

Noble: Yes, we can balance the budget and again we have the balance is when we bring from that budget the fund balance from this to this \$3,716,926 to balance the budget here.

Hines: Liliana, I have a question, are we still paying. Do we still have an interest payment on the past beach nourishment?



Noble: We still have one more payment. One more payment, yes \$41,000.

Hines: \$41,000

Noble: When the new project starts, we generally finish the loan.

Hines: That is through PNC, correct?

Noble: Correct. Yes.

Walker: Does anybody know when the property values will be re-evaluated?

Noble: Yes, in January.

Walker: This year so.

Noble: January 2025.

Hines: Well, we know they are going to be up.

Walker: Yes, I think they will be too.

Hines: Then we will have to bring the tax rate down.

Walker: That's what we have had to do in the past. We can't raise the taxes and have the property values go up at the same time. We just can't do that.

Hines: I agree, not this year, we need to wait.

Walker: It's too much.

Tillett: Is it mandatory to lower the taxes due to equity?

Noble: It is not mandatory but it's a math calculation, basically what we do is to calculate a rate they provide so it is the same revenue as the last year. That is the purpose of the re-evaluation. Because if we keep the same number, then we will have more revenues and that is not the purpose of the government. So, the math calculation for the tax rate, that is what you see for your tax rate is now 30 cents, and after the re-evaluation we re-calculate to provide the same revenues as the previous years, because your property value is higher. So, we cannot calculate the same number, are you clear on that one?

Pruitt: Is that the reason that we have lowered taxes twice before?



Noble: Yes.

Pruitt: It is because the property value went up and what we were charging versus the property value was too high.

Noble: So, you have to lower the number in order to get the, because the properties, 99% of them mostly increase in value. So, you have to reduce that number of tax to get the same rate as previous that way you do not hurt the tax payer.

Hines: Jeff, that is the same thing the county does.

Pruitt: Right.

Noble: It is called a neutral tax.

Tillett: Are there other towns that do not lower it?

Noble: Oh no, that is the standard to lower.

Hines: I think it's the policy to lower it.

Clopton: You are going to have a huge amount of revenue if you don't.

Tillett: I was just curious, we had the most number of lowerings, then other towns.

Noble/Clopton: We do.

Clopton: We only lowered it once because of reevaluation. We lowered our tax when we implemented the MSD, the other towns did not do that.

Hines: Dylan, just so you know. Nags Head is the only town that collects their own tax. Separate from Dare County. Dare County. So, Dare County cannot tell them what to put their tax rate at.

Varnell: So, we are subject to whatever the county decides.

Garriss: Any questions for Liliana while she is at the podium?

Noble: I am all yours.

Garriss: Great job Liliana.



Noble: Bring it on David Hines.

Walker: We appreciate you, Liliana.

Garriss: Great job Liliana.

Pruitt: Good job.

Tillett: Thank you Liliana.

Garriss: Questions for discussion? Keep in mind at our next council meeting May 6th as Melody said earlier the draft budget presentation will be made.

Clopton: And to confirm the feedback I am hearing; we are going to balance the budget.

Pruitt: I would like to see that, and I agree with what Dylan said, if we see something we need to go in, I feel comfortable with the numbers, don't want to go there but.

Hines: For me I would like to see a balance without using beach nourishment.

Clopton: Correct, we are not talking about that at all.

Varnell: No raising, no beach nourishment. We are good.

Clopton: Just as we are.

Hines: Okay as long as I am clear about that.

Clopton: We are good.

Garriss: Does that give you and Liliana enough guidance to proceed?

Noble: That is exactly what we needed today, now we can move forward.

Walker: Do we need to have a public hearing on?

Clopton: We would set the public hearing at the May meeting and have a public hearing in June.

Garriss: And then vote in July hopefully.

Clopton: No. Vote in June.



Garriss: No vote in June, that's right by law it has to be done.

Clopton: At least by the 30th of June.

Garriss: All right, any more questions, any more conversation, discussions? Everybody good? Council if there is nothing else, I need a motion to adjourn.

Pruitt: Mr. Mayor, I make a motion to adjourn.

Garriss: Thank you Jeff. Second?

Tilllett: Second.

Garriss: All in favor?

All Council: Aye.

Garriss: We are adjourned.

6. Adjourn

The Minutes of the April 16, 2024, Kitty Hawk Town Special Meeting are approved at the May 6, 2024, Kitty Hawk Town Council Meeting.

D. Craig Garriss, Mayor

AGENDA ITEM # Consent

DATE: May 6, 2024
SUBMITTED BY: Finance Director
SUBJECT: Budget Amendment #12- General Fund
REF: Reimbursement from Towns for Training cost-sharing
BACKGROUND: The purpose of this budget amendment is to recognize the payment from the towns that participated in the share-cost training class: - Effective Supervisory Practice (UNC School of Government).
DISCUSSION:
RECOMMENDED MOTION: Consent Agenda Item

Date _____

AGENDA ITEM # Consent

DATE: Monday, May 6, 2024

SUBMITTED BY: Finance Director

SUBJECT: FINANCIAL STATEMENTS

REF: - Financial Statements as of April 22, 2024

BACKGROUND:

Town of Kitty Hawk Financial Statements General Fund -10

Revenues

Expenditures by Department

Town of Kitty Hawk Financial Statement Beach Nourishment Capital Project Fund-30

Revenues and Expenditures

Town of Kitty Hawk Financial Statement 5200 N Croatan Hwy Project Fund- 41

Revenues and Expenditures

DISCUSSION:

RECOMMENDED MOTION:

Consent Agenda Item

TOWN OF KITTY HAWK STATEMENT OF REVENUES
FUND 10- GENERAL FUND as of APRIL 22, 2024

REVENUE SOURCE	AMENDED BUDGET	YR TO DATE as 4/22/2024	AMOUNT OVER/UNDER	% COLLECTED
TAXES - PROPERTY				
Ad Valorem Tax (\$.0265)	3,865,429	3,860,476	(4,953)	99.87%
Ad Valorem (\$.035) BN	510,528	510,422	(106)	99.98%
Ad Valorem (\$.10) MSD	538,958	545,172	6,214	101.15%
Ad Valorem Prior Year	15,000	4,243	(10,757)	28.29%
AD valorem & Vehicle Penalties, fees, interest	6,000	2,590	(3,410)	43.16%
Motor Vehicle Tax	195,000	140,809	(54,191)	72.21%
Motor Vehicle Tax - BN MSD	36,055	26,033	(10,022)	72.20%
subtotal	5,166,970	5,089,744	(77,226)	98.51%
TAXES - OTHER				
Local Option Sales Tax	1,909,736	1,535,996	(373,740)	80.43%
Local Option Sales Tax - BN MSD	230,264	-	(230,264)	0.00%
Land Transfer Tax	446,911	357,819	(89,092)	80.06%
Occupancy Tax	2,250,000	1,484,526	(765,474)	65.98%
Beer and Wine Tax	15,000	-	(15,000)	0.00%
Telecom Tax	14,500	7,223	(7,277)	49.82%
Electric Utility Tax	415,000	230,801	(184,199)	55.61%
Cable Franchise Tax	75,000	33,263	(41,737)	44.35%
Piped Natural Gas Tax	4,500	733	(3,767)	16.28%
PEG Channel	25,700	12,903	(12,797)	50.21%
Solid Waste Disposal Tax	3,000	1,514	(1,486)	50.46%
Mixed Beverage Tax (ABC)	82,000	78,259	(3,741)	95.44%
subtotal	5,471,611	3,743,038	(1,728,573)	68.41%
PERMITS AND FEES				
Building Permits	175,000	134,359	(40,641)	76.78%
Homeowner Recovery Fee	1,200	1,005	(195)	83.75%
CAMA Permits	2,000	1,310	(690)	65.50%
Planning Permit and Fees	15,000	12,768	(2,232)	85.12%
Board of Adjustment Fees	100	-	(100)	0.00%
Site Plan Review Fees	100	-	(100)	0.00%
Sanitation Fees (Garbage Carts)	10,000	7,445	(2,555)	74.45%
subtotal	203,400	156,887	(46,513)	77.13%
INTERGOVERNMENTAL				
Powell Bill Allocation (pass through)	119,297	131,725	12,428	110.42%
Department of Justice Asset Forfeiture	1,000	-	(1,000)	0.00%
NCDOR Unauthorized Substance Tax Dist	3,000	444	(2,556)	14.81%
Federal Grant Revenue	-	-	-	-
State Grant Revenue	-	-	-	-
Dare Co. - Sand Fencing (pass through)	10,000	-	(10,000)	0.00%
Governor Grant Comm Grant (pass through)	25,000	-	(25,000)	0.00%
Dare Co. -Payment to Bonds (pass through)	221,346	-	(221,346)	0.00%
subtotal	379,643	132,169	(247,474)	34.81%
FINES & FORFEITS				
Dare County Court fees	2,000	1,000	(1,000)	50.02%
Code Enforcement Fines	1,500	1440	(60)	96.00%
Fines and Forfeitures	250	200	(50)	80.00%
subtotal	3,750	2,640	(1,110)	70.41%

TOWN OF KITTY HAWK STATEMENT OF REVENUES
FUND 10- GENERAL FUND as of APRIL 22, 2024

REVENUE SOURCE	AMENDED BUDGET	YR TO DATE as 4/22/2024	AMOUNT OVER/UNDER	% COLLECTED
INTEREST EARNINGS				
Interest on Investments	150,000	492,047	342,047	328.03%
subtotal	150,000	492,047	342,047	
OTHER REVENUE				
Town Merchandise Sales	300	421	121	140.37%
General Donations	1,300	8,350	7,050	642.31%
Building Rents	84,333	115,471	31,138	136.92%
Sale of Surplus Property	10,000	24,865	14,865	248.65%
Miscellaneous Revenue	18,669	20,111	1,442	107.72%
Insurance Claims and reimbursements	-	2,648	2,648	
Icarus International	3,000	0	(3,000)	0.00%
subtotal	117,602	171,866	54,264	146.14%
FUND BALANCE				
Fund Balance-Appropriated	251,601	0	(251,601)	
subtotal	251,601	-	(251,601)	
TRANSFERS IN FROM OTHER FUNDS				
Transfers from Capital Reserve Fund	349,000	349,000	0	100.00%
subtotal	349,000	349,000	-	100.00%
TOTAL REVENUES	12,093,577	10,137,391	(1,956,186)	83.82%

TOWN OF KITTY HAWK STATEMENT OF EXPENDITURES
FUND 10 - GENERAL FUND as of APRIL 22, 2024

ACCT. NO.	EXPENDITURES BY DEPARTMENT	AMENDED BUDGET	YR TO DATE as 04/22/2024	AVAILABLE	% USED
4100	Non-Departmental	613,058	511,186	101,872	83.38%
4110	Governing Body(Town Council)	55,763	37,524	18,239	67.29%
4111	Recreation Committee	10,400	3,492	6,908	33.57%
4120	Administrative Services	646,420	504,851	141,569	78.10%
4130	Finance Department	289,703	233,729	55,974	80.68%
4270	Public Works Department	1,245,477	889,497	355,980	71.42%
4310	Police Department	2,707,634	1,645,753	1,061,881	60.78%
4311	Police Separation Allowance	144,950	116,554	28,396	80.41%
4340	Fire Department	2,363,141	1,920,610	442,531	81.27%
4370	Ocean Rescue	251,458	146,035	105,423	58.08%
4410	Beach Nourishment	1,624,286	1,164,370	459,916	71.69%
4510	Transportation	464,000	446,062	17,938	96.13%
4710	Environmental Services	1,266,000	784,029	481,971	61.93%
4910	Planning & Inspections Department	398,535	343,198	55,337	86.11%
4980	Planning Board	8,500	6,327	2,173	74.44%
4990	Board of Adjustment	4,252	161	4,091	3.80%
Total Expenditures:		12,093,577	8,753,379	3,340,198	72.38%

Fund Summary

Revenues	10,137,391
minus Expenses	8,753,379
Total surplus (deficit)	1,384,012

**TOWN OF KITTY HAWK BEACH NOURISHMENT
FUND 30- CAPITAL PROJECT BN AS OF APRIL 22,2024**

ACCOUNT	AMENDED BUDGET	Fiscal Year 2021	Fiscal Year 2022	Current Fiscal 2023	Current Fiscal 2024	Project to Date Activity	AVAILABLE BUDGET
REVENUES							
Interest Earnings			2,287.65	14,071.28		16,358.93	
Dare County Beach Nourishment Reimb.				351,438.00		351,438.00	
Payment by Dare County to BN Vendors	2,854,815.00		15,887.86	1,940,855.43	11,352.83	1,968,096.12	898,071.71
Grant -NC Dept of Environmental Quality	1,408,247.00			1,408,247.19		1,408,247.19	-0.19
Proceeds from Special Obligation Bonds	5,020,429.00		5,020,429.00			5,020,429.00	0.00
Transfer in from Capital Reserves- BN	497,989.00	497,989.00				497,989.00	0.00
Total Revenues	9,781,480.00	497,989.00	5,038,604.51	3,714,611.90	11,352.83	9,262,558.24	518,921.76
EXPENSES							
Cost of the Bond Issuance	87,501.00		88,165.10			88,165.10	-664.10
Professional Services Legal			1,010.00			1,010.00	-1,010.00
Benthic Monitoring	33,269.00		332.68	19,961.68	8,649.85	28,944.21	12,974.64
Dredging	8,122,410.00		897,957.98	7,201,926.24		8,099,884.22	22,525.78
Pre-Construction	75,241.00	40,835.75	36,133.20	0.00		76,968.95	-1,727.95
Beach Maintenance Plan	3,550.00			3,550.22		3,550.22	-0.22
Pre- Design And Permitting	422,748.00	308,054.05	7,187.62			315,241.67	107,506.33
Turtle Monitoring	21,803.00		2,169.21	24,954.09	186.55	27,309.85	-5,320.30
Construction Management	229,800.00		10,346.24	133,681.22	2,516.43	146,543.89	85,772.54
Construction permitting and Design	351,438.00		3,039.73			3,039.73	348,398.27
Mobilization, demobi. & Contingency	433,720.00					0.00	433,720.00
Total expenses	9,781,480.00	348,889.80	1,046,341.76	7,384,073.45	11,352.83	8,790,657.84	1,002,174.99

Project summary	
Revenues	9,262,558.24
minus Expenses	8,790,657.84
available	471,900.40

IMPORTANT NOTE FOR AVAILABLE BALANCE PLEASE READ

In FY 2020-2021, \$497,989 was transferred from the Beach Nourishment Capital Reserve fund to Beach Nourishment Capital Project to initiate the design and permitting steps for the 2022 Renourishment Project.

The Project has been completed and will be closed effective June 30,2024.

The initial amount to fund the project will be transferred back to the Beach Nourishment Capital Reserve Fund 21.

**FUND 41-TOWN OF KITTY HAWK REMODELING BUILDING
5200 N CROATAN HWY AS OF APRIL 22, 2024**

	AMENDED BUDGET	Fiscal Year 2022-2023	Fiscal Year 2023-2024	Project to Date activity	AVAILABLE BUDGET
REVENUES					
Transfer in from General Fund 10	4,426,143.00	4,426,143.00		4,426,143.00	0.00
Transfer in from Capital Reserve Fund 21	1,203,583.00	1,203,583.00		1,203,583.00	0.00
Transfer in from Capital Project Fund 40	2,620,274.00	2,620,274.00		2,620,274.00	0.00
Total Revenues	8,250,000.00	8,250,000.00		8,250,000.00	0.00
EXPENSES					
Professional Services Legal		0.00		0.00	0.00
Maintenance and Repairs B & Grounds	236,481.00	236,481.00		236,481.00	0.00
Capital Outlay- Land Purchase	4,105,000.00	4,107,622.00		4,107,622.00	-2,622.00
Capital Outlay- Buildings Remodeling	3,908,519.00	65,575.70	241,311.19	306,886.89	3,601,632.11
Total expenses	8,250,000.00	4,409,678.70	241,311.19	4,650,989.89	3,599,010.11

Project summary	
Revenues	8,250,000.00
minus expenses	4,650,989.89
available	3,599,010.11

AGENDA ITEM # Consent

DATE: May 6, 2024

SUBMITTED BY: Finance Director

SUBJECT: Budget Amendment #13- General Fund

REF: donation to the Fire Department and Police Department

BACKGROUND:

This budget amendment appropriates the August 2023 donation from OBX Jeep invasion, the Kitty Hawk Fire Fighters Association \$3,500, and the Police Department \$3,500

DISCUSSION:

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RECOMMENDED MOTION:

Consent Agenda Item

[illegible]

This budget amendment will recognize the donation and allocate the funds to each department expense accounts

Plicaver notes

Approved by:

D. Craig Garriss- Mayor

Date _____

6e

Post Office Box 549
101 Veterans Memorial Drive
Kitty Hawk, NC 27949



Phone (252) 261-3552
Fax (252) 261-7900
www.townofkittyhawk.org

MEMORANDUM

TO: Mayor Garriss and Members of the Town Council
FROM: Rob Testerman, AICP, CFM, CZO, Director of Planning & Inspections
DATE: May 6, 2024
RE: **Town Code Amendment: Sec 4-6(c)12 Regulation of noncommercial use of horses; keeping of horses.**

Note: This legislative decision is not part of the Zoning Ordinance (Chapter 42) nor the Subdivision Ordinance (Chapter 38), thus does not require a public hearing.

Proposal

4-6(c)

(12) An initial registration fee of ~~\$25.00~~ shall be paid per application for the first year of registration for not more than four horses per application; ~~thereafter, the registration renewal fee shall be \$5.00 per renewal~~ **Initial registration and annual renewal fees are as determined by the adopted fee schedule.** The fee must be paid to the town before the permit will be issued or renewed.

Background & Analysis

The current ordinance makes reference to a specific fee for registration and renewal of horse permits. Fees are listed in the fee schedule which is adopted each year with the budget approval. Rather than listing a specific permit cost in the ordinance, it is more appropriate to reference the fee schedule, so that when fees change, continual changes to the ordinance will not be necessary.

Town Council Recommended Action

Action by the Town Council may include approval, denial, approval with modifications or tabling of the proposed town code amendment.

If **approval** of the proposed town code amendment is sought, then the following motion can be used:

“I move to approve the proposed town code amendment to Section 4-6.”

Should Council wish to **deny** the proposed text amendment to Sec 42-1, the following motion could be used:

“I move to deny the proposed town code amendment to Sec 4-6”.

6f

AGENDA ITEM # Consent

DATE: Monday, May 6, 2024

SUBMITTED BY: Finance Director

SUBJECT: Purchasing Policy Amendment

REF: Purchase order threshold increase from \$500 to \$1,000

BACKGROUND:

The Town of Kitty Hawk Finance Department recommends increasing the Purchase order Threshold from \$500 to \$1,000.

This request is necessary to reduce the number of small purchase orders and recognize the current cost of goods and services.

This change does not affect the Town Procurement and approval process.

DISCUSSION:

RECOMMENDED MOTION:

Consent Agenda Item

Post Office Box 549
101 Veterans Memorial Drive
Kitty Hawk, NC 27949



Phone (252) 261-3552
Fax (252) 261-7900
kittyhawknc.gov

TO: Kitty Hawk Town Council

SUBMITTED BY: Town Manager

DATE: May 6, 2024

RE: Letter of Support for Mid-Currituck Bridge

SUMMARY:

Based on the request from the North Carolina Turnpike Authority and the consensus of the Town Council, the Town sent the attached letter of support for the Mid Currituck Bridge project. The deadline to submit the letter was April 26, 2024.

POST OFFICE BOX 549
101 VETERANS MEMORIAL DRIVE
KITTY HAWK, NC 27949



PHONE (252) 261-3552
FAX (252) 261-7900
TOWN WEB SITE: www.townofkittyhawk.org
EMAIL ADDRESS: info@kittyhawktown.net

April 18, 2024

The Honorable Pete Buttigieg
US Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Secretary Buttigieg,

The Town of Kitty Hawk is in support of the North Carolina Department of Transportation (NCDOT) Turnpike Authority's application for a Multimodal Project Discretionary Grant (MPDG). The grant is intended to aid in the construction of the Mid-Currituck Bridge, and it will be submitted to the U.S. Department of Transportation.

The Outer Banks faces many hardships due to its precious but also isolated qualities. The Outer Banks is a strip of barrier islands; composed of these islands are many towns and villages, all serving as homes for full-time residents and a vacation spot for 4-6 million visitors year after year.

Currently, there is only one crossing of the Currituck Sound on the coast of North Carolina, which is the Wright Memorial Bridge on US 158. This bridge connects a Northeast route into the Outer Banks. However, with tourism being the driving economic force for the Outer Banks, the two existing spans (35 and 60 years old) are always occupied and overburdened with traffic. This leads to local law enforcement agencies having to control traffic congestion during the summer months, due to having only one access point.

The construction of the Mid-Currituck Bridge will create a new route to enter the northern Outer Banks beach communities. This will greatly improve traffic flow and emergency response times. As hurricanes, nor'easters, and coastal storms are a constant threat throughout the year, having a second evacuation route for our residents and visitors would be a significant improvement for our community.

The Town of Kitty Hawk serves as the gateway to the Outer Banks and has three main priorities: preserving its rich history, enhancing, and protecting its natural resources, and promoting

resilience. The construction of the Mid-Currituck Bridge aligns with these priorities and will help both the Town and the Outer Banks thrive for many years to come.

The funding received from toll revenues and the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan is not sufficient to cover the necessary expenses. Therefore, additional funding is required. The Town of Kitty Hawk strongly endorses the North Carolina Turnpike Authority's proposal to accelerate the construction of this essential project.

We appreciate your consideration and support of this initiative.

Respectfully,

A handwritten signature in black ink, reading "D. Craig Garriss". The signature is written in a cursive, flowing style.

D. Craig Garriss
Mayor



TOWN OF KITTY HAWK

PURCHASING POLICY

(Approved January 12, 2018)

(Amended June 4, 2018)

PAGE 1 OF THE TOWN'S PURCHASING POLICY

PURPOSE:

To help ensure public trust and confidence in the organization, a procedure for the purchasing process and a resource for Kitty Hawk employees when procuring goods and services will be provided. These procedures will ensure compliance with the North Carolina Local Government Budget and Fiscal Control Act.

APPLICATION:

This policy applies to contracts for procuring materials, apparatus, supplies, and equipment by the Town of Kitty Hawk and the expenditure of public funds by Town Departments regardless of the source. All procurement shall be conducted in accordance with any mandatory applicable federal law and regulations.

PURCHASING:

The Town policy authorizes departments to purchase goods and services under \$500 ~~\$1,000~~ in value without submitting a Purchase Order. If the amount exceeds ~~\$500~~ ~~\$1,000~~ a Purchase Order should be filled completely, approved by the appropriate department head and routed to the Finance Department to verify that the funds are available for the purchase and approval. The department is responsible for obtaining the best price and documenting it with the requisition.

PURCHASE ORDER (P.O.):

A purchase order (P.O.) is a legal contract document with a vendor to order goods or services and encumber the funds to pay the invoice upon receipt. A Purchase Order should include, at minimum, the requested item(s), the price per item, the suggested vendor, the line item(s) to be charged with the purchase, and the purpose for which the item is being requested. A Purchase Order is required for amounts over ~~\$500~~ ~~\$1,000~~.

PRICE QUOTE SHEET:

The quote sheet is designed to provide two quotes when a purchase or contract exceeds \$5,000.

SOLE SOURCE:

When a needed product is available from only one source or standardization or compatibility is the overriding concern, the sole source section of the form should be completed.

8a

Post Office Box 549
101 Veterans Memorial Drive
Kitty Hawk, NC 27949



Phone (252) 261-3552
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www.townofkittyhawk.org

MEMORANDUM

TO: Mayor Garriss and Members of the Town Council
FROM: Rob Testerman, AICP, CFM, CZO, Director of Planning & Inspections
DATE: May 6, 2024
RE: Text Amendment: 42-1, Definitions; 42-528.- Accessory dwelling units

Proposal

The applicant has revised a text amendment proposal that aims to have the following outcomes:

- 1) Properties in the VR-1 district that have an accessory dwelling unit on site must have a long term occupant living on the subject property.
- 2) Pre-existing ADUs used for transient rentals can continue with a long term resident or homeowner in principle dwelling . Non conforming properties have a grace or transition period to convert over a period of one year.

Please note that language in red below is language being proposed, while the text in black is existing town code.

Sec. 42-1.- Definitions

Long-term tenant means a person or persons using a dwelling unit for living, sleeping, cooking, or eating purposes for a period of 31 or more continual days.

Sec. 42-528. - Accessory dwelling units.

- (a) Accessory dwelling units may be attached (located within the principal residence) or in a detached structure on the lot, provided requirements for lot coverage and setbacks for the district are met.
- (b) Accessory dwelling units shall not be larger than 50 percent of the living area of the primary residence, or 800 square feet, whichever is lesser.
- (c) One additional off-street parking space shall be provided for the accessory dwelling unit.
- (d) No more than one accessory dwelling unit shall be permitted on a single residential lot.
- (e) Detached accessory dwelling units shall not exceed 28 feet in height, measured from finished grade, or the height of the principal dwelling on the property, whichever is lower.
- (f) The owner must obtain a permit from the county environmental health department that indicates the septic system is sufficient for the increased occupancy. Total occupants residing on the property shall not exceed the number specified by the septic improvement permit.
- (g) Accessory dwelling units may be used for home occupation uses, in compliance with section 42-522, but in no instance shall more than one home occupation be conducted or permitted on a

Policy 3.5: Encourage affordable and workforce housing in and around Kitty Hawk.

Goal 11: Encourage an adequate supply of affordable and workforce housing stock to serve the needs of year-round residents.

Policy 11.1: Evaluate targeted actions to enhance the amount of housing available for year-round residents.

Policy 11.3: Consider incentives or other actions for keeping housing used as long-term rentals.

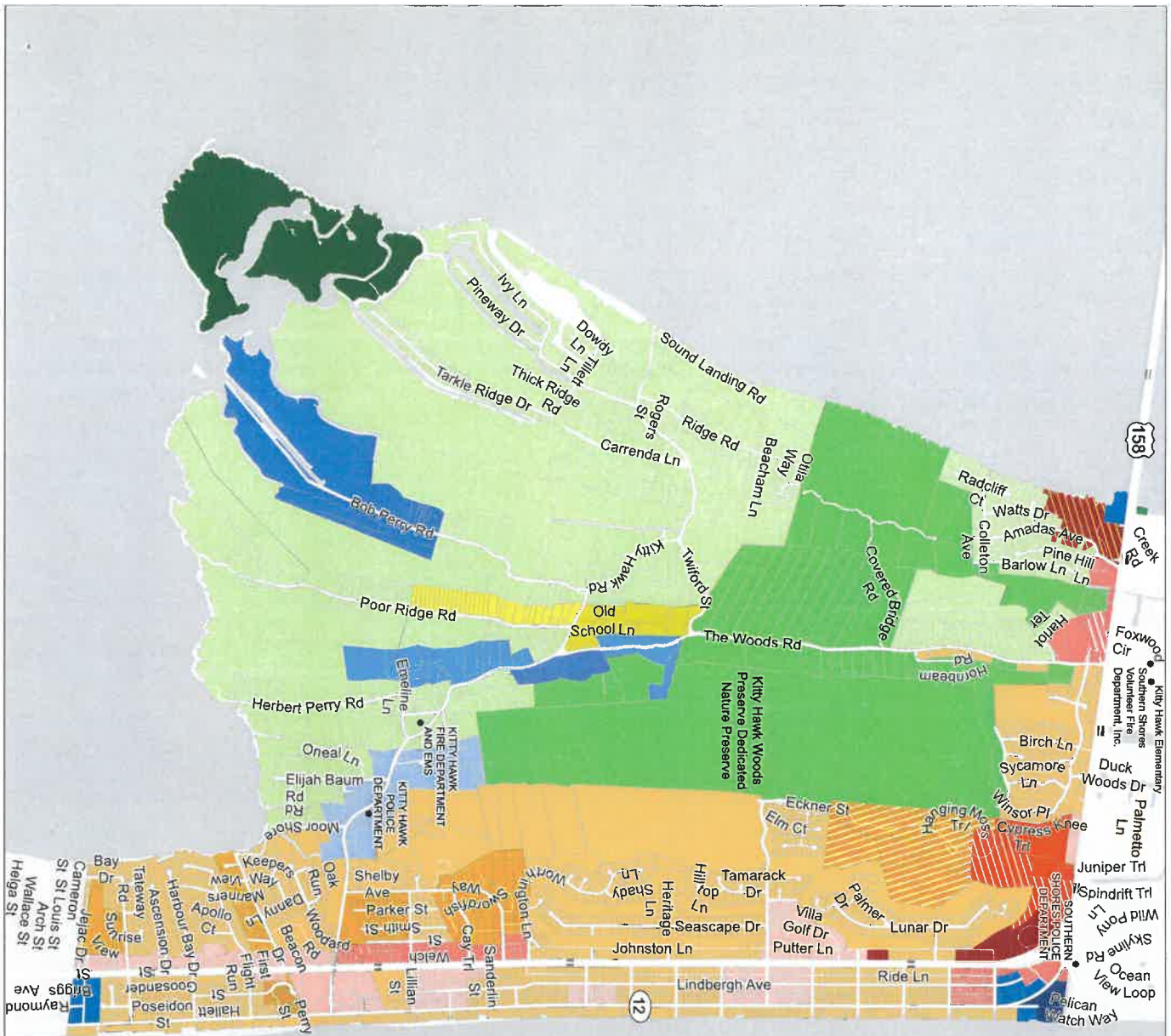
Planning Board Recommendation

concern regarding the requirement that nonconforming properties would be required to be brought into compliance within 12 months, a motion was made to recommend denial of the proposed text amendment. The motion failed by a vote of 2-3.

A subsequent motion to recommend approval as proposed was made, which passed 3-2.

Town Council Recommended Motion

“I move to set a public hearing at the Town Council meeting on June 3, 2024 to consider the proposed text amendment to Sec. 42-1 and 42-528 regulating the use of accessory dwelling units as short term rentals in the VR-1 district.”



- Kitty Hawk Zoning**
- BC-1: General Beach Commercial
 - BC-2: Beach Commercial
 - BC-2/PCD
 - BC-3: Community Shopping Mall
 - BC-3/PCD: Community Shopping Mall/Planned Unit Development (Overlay)
 - BH-1: Beach Hotel
 - BH-2: Beach Hotel - 2
 - BR-1: Low Density Beach Residential
 - BR-2: Medium Density Beach Residential
 - BR-3: High Density Beach Residential
 - BR-3/PUD: High Density Beach Residential/Planned Unit Development (Overlay)
 - KHW: Kitty Hawk Woods
 - MS-1: Medical Emergency & Governmental Services
 - PCD: Planned Commercial Development (Overlay)
 - VC-1: Village Commercial
 - VC-2: Commercial
 - VC-3: Village Commercial
 - VR-1: Low Density Village Residential
 - VR-2: Medium Density Village Residential
 - VR-3: High Density Village Residential
 - ETJ Marine Habitat & Estuarine Water District
 - ETJ OS

Zoning Map

KITTY HAWK, NC



STEWART

Last Modified: 9/25/2023 4:35 PM

Path: M:\Projects\2022\20217_Kitty_Hawk_CAMA_LUP\GIS\Mapping\Kitty Hawk Zoning.aprx

DISCLAIMER: This map was created using the best available data, and is provided without warranty of any representation of accuracy or completeness. The information herein does not necessarily represent a legal survey. This data is dynamic and in a constant state of maintenance.



ADU text Amendment

For Reference: Kitty Hawk Land Use Plan Vision

“The Town of Kitty Hawk is a community-focused, family- oriented, low-key, Outer Banks village that prioritizes enhancing natural resources, preserving history and improving resiliency. We strive to balance the needs of Kitty Hawk’s year-round residents and visitors while improving everyday coastal living.”

Land Use Plan Compatibility policies

Policy 3.4: Encourage residential that fits Kitty Hawk’s character.

Maintain zoning regulations that protect the character of Kitty Hawk’s neighborhoods.

Continue to maintain regulations that encourage mostly single family homes to maintain the overall residential character of Kitty Hawk.

Maintain the existing 35 foot height limit for new buildings.

Maintain variable setbacks dependent on dwelling size.

Require reverse frontage lots adjoining US 158 to reduce driveways on highway.

Consider simplifying residential districts.

fThere are currently 6 residential zoning districts (BR-1, BR-2, BR-3, VR-1, VR-2, VR-3) and many have the same dimensional and density allowances.

Monitor trends and reduce impacts of Accessory Dwelling Units (ADUs) and Short-term Rentals (STRs) in Village Residential zoning districts.

Current regulations allow ADUs as long as lot coverage and other standards are followed.

Consider modifications to design requirements that could include additional setbacks or buffering in VR districts, especially if the unit is accessed via a separate driveway.

COMPATIBILITY POLICIES 3.4 -Monitor trends and reduce impacts of Accessory Dwelling Units (ADUs) and Short-term Rentals (STRs) in Village Residential zoning districts.

- (4) The VR-1 citizens that live in VR-1 zoned *residential* neighborhoods want assurance of safe and quiet streets with neighbors we know for the benefit of our children and families.
- (5) Town of Kitty Hawk's BNB ordinance requires owner or long term resident on site and no off-site management.
- (6) A Long term resident or owner should be on site to monitor and reduce ADU impacts on residential areas.
- (7) ADUs in village VR-1 are not being used as originally promised or intended.

Compatibility Policy 3.5: -Encourage affordable and workforce housing in and around Kitty Hawk.

- (8) This is an opportunity to add more affordable and workforce housing.
- (9) Affordable housing is the foremost concern of the recent Kitty Hawk citizen survey. Short term rentals are creating a shortage of workforce housing.

Text amendment for VR-1 ADUs

(1) VR-1 ADU shall have a long term tenant or owner residing in a dwelling on property site.

2) VR-1 Pre-existing and non conforming properties with ADU having no long term resident or owner on property site have a grace or transition period of 12 month period to finalize conversion and compliance.

(3) ADUs must continue to comply with current VR-1 zoning regulations and permitted uses. Nothing in this amendment addresses ADU permitted use, construction, or zoning.

February 14, 2024

SUBMITTED BY PROPERTY OWNER

Kitty Hawk Planning Board
Post Office Box 549
101 Veterans Memorial Drive
Kitty Hawk, North Carolina 27949

To Whom It May Concern:

I built my house on 3729 Herbert Perry Road, Kitty Hawk, North Carolina according to building code. Prior to this, I consulted with Robert Testerman, Director of Planning regarding its use and was granted a certificate of occupancy (CO). This house was built seven years ago for family use.

Two years ago at the suggestion of my neighbors across the street, who also have an Airbnb in their house, I listed it with Airbnb when my family and I are not using it. This was done to help defray the cost of insurance and tax assessments that have doubled recently. My neighbors, Aaron and Jenna Saunders who also live on Herbert Perry Road manage and clean my Airbnb and have done so since we first listed it. Not once has anyone including Ms. Wells, who also ran an Airbnb until last year, complained about our guests. The Airbnb is currently rated one of the best places to stay in the Outer Banks. As a matter of fact, the only interaction with Ms. Wells is when she drove up and down the street yelling through her pickup window to my family and me, "You have ruined the neighborhood!"

I believe Ms. Wells's vendetta is directly aimed at me. I recently purchased 3710 Herbert Perry Road which is adjacent to mine from a member of the Perry family. After this purchase, it was disclosed that "she didn't want any of her relatives to own it!" Hence, this is why she sold it to me. After this purchase, I received a letter from a relative of Ms. Wells describing why I didn't deserve to own this piece of property and didn't need it. Within this letter, an offer was made to buy it back so that the property could stay in the family. I declined this offer.

I am currently building a forever legacy house on this piece of property so my children and grandchildren can enjoy this beautiful area. Ms. Wells has harassed city officials, myself and workers the entire time. I have a \$500,000 construction loan on this property contingent with part-time income coming from a short term rental (STR). This house was designed with the help of my neighbors in order to preserve the hundred year old oak trees in the yard.

Is it fair that she decides how I use my property?? Just because someone's maiden name is on a street sign and she has inherited half the street, doesn't give them the right to dictate how property owners use their property.

Post Office Box 549
101 Veterans Memorial Drive
Kitty Hawk, NC 27949



Phone (252) 261-3552
Fax (252) 261-7900
www.townofkittyhawk.org

MEMORANDUM

TO: Mayor Garriss and Members of the Town Council
FROM: Rob Testerman, AICP, CFM, CZO, Director of Planning & Inspections
DATE: May 6, 2024
RE: **Zoning Text Amendment: 42-225, 42-247, 42-248, 42-249, 42-250, 42-251, 42-253, 42-273, 42-274, 42-275, 42-276, 42-277, 42-278**

Note: A zoning text amendment decision is a *legislative decision*. The purpose of the hearing is to solicit public comment and opinion on the matter. Council may use public opinion to weigh options and use judgement to determine what is in the best interest of the Town.

Proposal

Text in red is proposed.

42-247.- BR-1 low density beach residential

(b) *Permitted uses*. The following uses shall be permitted by right:

(1) Detached single-family dwellings, not to include mobile or manufactured homes. Single family dwellings shall not have a maximum septic capacity to serve more than 14 overnight occupants, and shall not exceed 6,000 square feet of conditioned living space.

Background & Analysis

Kitty Hawk's recently adopted Future Land Use Plan identifies the community vision as "The Town of Kitty Hawk is a community-focused, family oriented, low-key Outer Banks village that prioritizes enhancing natural resources, preserving history and improving resiliency. We strive to balance the needs of Kitty Hawk's year-round residents and visitors while improving everyday coastal living."

Goal 3 in the adopted plan is to "Reinforce Kitty Hawk's unique, coastal identity and sense of community through high quality design and protection of natural and cultural resources." As we have seen in neighboring communities, the development of oversized dwellings result in large scale structures that can house 40-50 people in some cases. Kitty Hawk's scale of increasing side yard setbacks based on the size of a proposed dwelling has prevented this type of development to a large degree on our oceanside lots. However, a trend that is becoming more common is the old beach box cottage is being demolished, or relocated, and a new house being built in its place. It is conceivable that side-by-side lot could be purchased, cottages removed, properties combined into one large parcel and construct these large scale single-family dwellings.

The proposed language above is in the BR-1 district, it would be repeated in all of the districts that allow for single-family residences (BR-1, 2, 3; BC-1, 2; BH-1; VR-1, 2, 3; VC-1, 2, 3, KHW).

As noted above in Goal 3, and in the relevant policies listed below, of the adopted future land use plan, this type of large-scale, oversized single family dwelling is contrary to the character of Kitty Hawk.

NCGS 160D-702(b) prohibits localities from regulating building design elements, except in certain scenarios. Per 160D, the phrase "building design elements" means exterior building color; type or style of exterior cladding material; style or materials of roof structures or porches; exterior nonstructural architectural ornamentation; location or architectural styling of windows and doors, including garage doors; the number and types of rooms; and the interior layout of rooms. The phrase "building design elements" does not include any of the following: (i) the height, bulk, orientation, or location of a structure on a zoning lot, (ii) the use of buffering or screening to minimize visual impacts, to mitigate the impacts of light and noise, or to protect the privacy of neighbors, or (iii) regulations adopted pursuant to this Article governing the permitted uses of land or structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings.

Staff analysis of tax information of over 100 properties in town indicate that setting an upper limit of 6,000 square feet would not create any nonconforming structures as it relates to conditioned space size. There are three single-family dwellings that have occupancy greater than the proposed 14.

The following policies and objectives relevant to this application are stated in the CAMA Land Use Plan:

Policy 3.4: Encourage residential that fits Kitty Hawk's character.

» Maintain zoning regulations that protect the character of Kitty Hawk's neighborhoods.

» Continue to maintain regulations that encourage mostly single family homes to maintain the overall residential character of Kitty Hawk

Planning Board Recommendation

At its April 25, 2024 meeting, the Planning Board unanimously recommended approval of the proposed text amendment.

Town Council Recommended Motion

"I move to set a public hearing at the Town Council meeting on June 3, 2024 to consider the proposed text amendments to all districts that allow single-family dwellings, to regulate maximum size and occupancy."



Agenda Item _____

Date: May 6, 2024
Submitted By: Melody Clopton
Subject: Balloon Discussion
Background: <p>Ms. Debbie Swick from Southern Shores, NC submitted a petition to our Council and spoke at the Town's March 4, 2024 Council meeting. Ms. Swick has also presented to other municipalities, urging them to consider the harmful effects of balloon pollution on sea life, wildlife, and our community.</p> <p>Ms. Swick's objective is to enact legislation across the state of North Carolina to address the issue of balloon pollution. The details of Ms. Swick's request are included in the attached document.</p> <p>Town staff is seeking direction in this matter.</p> <p>We have attached examples of the actions other Towns have taken.</p> <p>In summary:</p> <ul style="list-style-type: none">• Town of Duck has recently passed an ordinance that prohibits the release of any balloon inflated with liquid, air, or gas within the Town limits.• Town of Kill Devil Hills is currently focusing on increasing its educational efforts but will consider a resolution at its May meeting.• Town of Nags Head is preparing an ordinance that will prohibit the launching of balloons from Town-owned properties. They also have proposed a resolution. This matter will be discussed during their May 1 meeting agenda. Additionally, they will also be conducting educational campaigns.• Town of Southern Shores has passed a resolution and considering an ordinance at their May meeting.
Recommended Motion: <p>This is for informational and discussion purposes. No motion is needed at this time.</p>

Debbie Swick
59 Deer Path Lane, Southern Shores, NC 27949
252-715-5945 570-269-7188
debswick@hotmail.com

RE: BAN THE RELEASE OF HELIUM BALLOONS IN THE STATE OF NORTH CAROLINA

Dear Mayor and Esteemed Town Commissioners,

As an extremely active volunteer for many organizations on the Outer Banks I can bear witness to the horrors that all litter, and more specifically, balloon pollution, creates on Our beautiful shoreline and in Our oceans. As a member of N.E.S.T. and a member of The Mammal and Seal Stranding Teams, I see firsthand examples of how balloons cause injury and death to these magnificent creatures, some who have sadly obtained Government Status as ENDANGERED. With your help, I hope to acquire local resolutions prohibiting the release of ALL helium/nitrous balloons while also implementing other restrictions for safer sales and post purchasing practices. My goal is to obtain Legislation throughout the State of North Carolina, and further use it to entice other States throughout Our Country to do the same. The Releasing of Balloons is not strictly a coastal issue. It harms wildlife AND domestic animals throughout the whole United States. Balloon Pollution is a Global problem; one we can address here, at home, and make a grand statement that it is not only not accepted here but will no longer be tolerated in our Beautiful Outer Banks and its surrounding areas.

The Latex balloon is made from plant-based materials and is marketed as biodegradable. There are, in fact, chemicals added to the process which allows the balloon to exist longer. These take approximately 4 to 5 years to break down. The Mylar balloon is created from Nylon and a thin layer of metalized film on top, which is made from petroleum. This type of balloon can take, according to scientific research, upwards of 100 years to break down. The ribbon takes about 150 years. THEY NEVER, NEVER COMPLETELY GO AWAY as they break down into microplastics, causing damage to sea life of all sizes.

Sea inhabitants become ensnared in ribbon, as do Our magnificent shorebirds. Balloon plastic is the number one threat to a shorebird's existence and is 32% higher than the threat of hard plastics. Sea Turtles mistake balloons for jellyfish, a staple in their diet. Larger mammals ingest these balloons. They become lodged in the digestive tract giving the animal a sense of having eaten recently. This causes the animal to stop feeding and it will die a horrific and agonizing death of starvation. In November 2023, a Gervais Beaked Whale was found deceased on Emerald Isle, NC. It was determined that the cause of death was in fact an ingested balloon which was found to be intact at the necropsy. This was a nursing calf, still at his mother's side. At the site of the December 27, 2023 stranding of a Sperm Whale in Nags Head I found a balloon not far from the water that had a company logo on it. When I traced the company to its location, I found that it had traveled 760 miles from a realtor office in Birmingham, Alabama. While it had not made it to the ocean it certainly could have caused harm to another animal as **BALLOONS ARE THE NUMBER 1 CAUSE OF DEATH FOR SPERM WHALES.**

The average helium balloon is able to travel approximately 1300 miles. The Cape Hatteras National Seashore National Park Service recently reported that they collected 1786 balloons in 2023. The number collected in 2022 was 733; an increase of more than 1000 balloons. One of the balloons collected this year had been released 3 days prior to its being found and was released from Wisconsin. I remind people to liken a balloon traveling through the wind currents across our Country as did the smoke from the Canadian wildfires in the Summer of 2023. Balloons can blow! I also like to remind listeners that while the number of retrieved balloons is impressive, consider firstly that this is over a span of approximately 70 miles of our 3375 mile coastline and secondly, imagine if you can, how many thousands more balloons did not land on our coast, but came to rest in our beautiful ocean. The numbers must be staggering.

Balloon releases can be both ACCIDENTAL and PURPOSEFUL. An accidental release occurs when attempting to load your car in a windy environment, or breaking free from a sign or mailbox, for example. A purposeful release occurs for Weddings, Graduations, Gender Reveals and most popular, Memorializing a loved one. Alternatives exist in many forms. One can choose brightly colored pinwheels for signage or mailboxes. One can scatter birdseed or wildflower seeds, use all natural confetti, plant a tree, or my favorite, blow bubbles. I promise you; **BALLOONS DO NOT MAKE IT TO HEAVEN!** The use of balloons can and should be replaced with items that are more respectful to the world we live in and all its inhabitants. As a frequent roadside and beach trash collector, the number of balloons retrieved is heartbreaking, but I promise you I've never had cause to pick up seeds or bubbles.

If you are driving down the road and throw a deflated balloon out of your car window, it is called littering. If you fill a balloon with helium and let it go into the air, do you know what that is called? It is **STILL** littering!

I ask that you consider implementing covenants, resolutions or bylaws for the following:

1. All Helium/Nitrous filled balloons sold in your town jurisdiction be required to have a one ounce or more weighted object attached to their tether at the time of sale.
2. No balloons may be used as attachments to unsupervised and unmonitored outdoor signage, mailboxes, railings, tables, etc. where accidental releasing may occur.
3. No companies may advertise or offer for sale, at any time, balloons whose sole intention is that for releasing, i.e., memorial, wedding, graduation, etc.,
4. **NO BALLOONS, WITH THE EXCEPTION OF GOVERNMENTAL PERMISSION, MAY BE RELEASED AT ANY TIME, FOR ANY PURPOSE, IN ANY AMOUNT.**

We are all so fortunate to reside where we do. What a great and resounding testament to our residents and visitors alike that we, together are taking a stand to exclaim that our Coast and its inhabitants matter to us, today, and for all time to come.

Respectfully submitted,

Debbie Swick

**AN ORDINANCE ADDING CHAPTER 130, SECTION 05, CREATING AN ORDINANCE
BANNING THE RELEASE OF BALLOONS IN THE TOWN OF DUCK**

Ordinance 24-01

WHEREAS, pursuant to North Carolina General Statutes §160A-174 a town may by ordinance define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the town; and

WHEREAS, in furtherance of the public's health, safety and welfare it is necessary to regulate certain activities upon the lands, waterways, beaches, and dune areas of the Town which degrade or cause harm to these areas or the waters of the Atlantic Ocean, Currituck Sound, and tributaries of same; and

WHEREAS, it is further necessary to regulate certain activities to protect the well-being of the natural environment and the wildlife present in this environment.

NOW THEREFORE BE IT ORDAINED by the Town Council for the Town of Duck, North Carolina:

The Code of Ordinances, Town of Duck, North Carolina, is hereby amended by adding a section, to be numbered 130.05, Unlawful to Release Balloons within the Town, which section shall read as follows:

Sec. 130.05. Unlawful to Release Balloons within the Town.

- A. It shall be unlawful for any person, firm, nonprofit organization, or corporation to knowingly and intentionally release, participate in the release of, intentionally cause to be released, to litter by abandoning and not properly disposing of all waste material, any type of balloon inflated with a liquid, air, or gas within the Town limits, any waters within the zoning jurisdiction of the Town, or the beach and/or dune areas within the Town.
- B. The following are not violations of this Section:
 - (1) Balloons released by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes.
 - (2) Hot air balloons that are recovered after launching.
 - (3) Balloons released inside a building or structure do not make their way into the open air.
- C. The following definitions apply to this Section:


"Balloon" means a flexible, nonporous bag made from materials such as, but not limited to, rubber, latex, polychloroprene, mylar, or nylon fabric that can be inflated or filled with gas or fluid, such as helium, hydrogen, nitrous oxide, oxygen, air, or water, and then sealed at the neck of the bag. The Town does not recognize any balloon as "biodegradable or photodegradable".

"Litter" includes all waste materials resulting from the outdoor release or abandonment of a balloon.

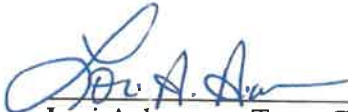
D. Penalty for violations of this Section:

Any person violating the provisions of this section shall be subject to a civil penalty in the amount of \$250 to be recovered by the Town in a civil action in the nature of debt if the offender does not pay the penalty within ten days after having been cited for violation of the ordinance.

This ordinance shall be effective upon its adoption.


Monica Thibodeau, Mayor Pro Tempore

ATTEST:


Lori Ackerman, Town Clerk

Date adopted: April 3, 2024

Motion to adopt by: Brenda Chasen

Vote: 4 AYES 0 NAYS





**AN ORDINANCE ADDING SEC. 26-17 TO CHAPTER 26
OFFENSES AND MISCELLANEOUS PROVISIONS
BANNING THE RELEASE OF BALLOONS**

WHEREAS, pursuant to North Carolina General Statutes §160A-174 a town may by ordinance define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the town; AND

WHEREAS, in furtherance of the public's health, safety and welfare it is necessary to regulate certain activities upon the lands, waterways, beaches, and dune areas of the Town which degrade or cause harm to these areas or the waters of the Atlantic Ocean, Roanoke Sound, and tributaries of same; AND

WHEREAS, it is further necessary to regulate certain activities to protect the well-being of the natural environment and the wildlife present in this environment.

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina:

The Code of Ordinances, Town of Nags Head, North Carolina, is hereby amended by adding a section, to be numbered 26-17, Unlawful to Release Balloons on Town-owned property, which section shall read as follows:

Sec. 26-17. Unlawful to Release Balloons on Town-owned property.

- A. It shall be unlawful for any person, firm, nonprofit organization, or corporation to knowingly and intentionally release, participate in the release of, intentionally cause to be released, to litter by abandoning and not properly disposing of all waste material, any type of balloon inflated with a liquid, air, or gas on any Town-owned property, any waters within the zoning jurisdiction of the Town, or the beach and/or dune areas within the Town.
- B. The following are not violations of this Section:
 - (1) Balloons released by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes.
 - (2) Hot air balloons that are recovered after launching.
 - (3) Balloons released inside a building or structure do not make their way into the open air.
- C. The following definitions apply to this Section:

"Balloon" means a flexible, nonporous bag made from materials such as, but not limited to, rubber, latex, polychloroprene, mylar, or nylon fabric that can be inflated or filled with gas or fluid, such as helium, hydrogen, nitrous oxide, oxygen, air, or water, and then sealed at the neck of the bag. The Town does not recognize any balloon as "biodegradable or photodegradable".

"Litter" includes all waste materials resulting from the outdoor release or abandonment of a balloon.
- D. Penalty for violations of this Section:

Any person violating the provisions of this section shall be subject to a civil penalty in the amount of \$50 to be recovered by the Town in a civil action in the nature of debt if the offender does not pay the penalty within ten days after having been cited for violation of the ordinance.

This ordinance shall be effective upon its adoption.

Benjamin Cahoon, Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk

Date adopted: May 1, 2024

Motion to adopt by: _____

Motion seconded by: _____

Vote: _____ AYES _____ NAYS



**RESOLUTION OF THE TOWN OF NAGS HEAD, NORTH CAROLINA,
OPPOSING THE RELEASE OF BALLOONS WITHIN THE TOWN**

WHEREAS, The Town of Nags Head's Vision Statement emphasizes preservation of our unique coastal community built upon a legacy rooted in shared values. The Town's Vision includes the preservation and protection of the Nags Head character and environment for present and future generations; AND

WHEREAS, one of the principles in the Town's Legacy is to ensure access to a well-protected natural coastal environment consistent with the community's vision; AND

WHEREAS, the release of helium and other lighter-than-air balloons poses a significant environmental threat; AND

WHEREAS, mylar and latex balloons, found littered along the shoreline, contribute to pollution, detract from the Town's aesthetics, and endanger marine and animal life; AND

WHEREAS, balloons frequently land in the Atlantic Ocean and the Roanoke Sound, becoming prevalent sources of floating debris; AND

WHEREAS, research suggests that marine life and animals mistake balloons for edible resources, leading to ingestion and potential harm, risking choking or intestinal blockages; AND

WHEREAS, government intervention is crucial for mitigating environmental harm and safeguarding public health and safety.

NOW, THEREFORE, LET IT BE RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF NAGS HEAD, NORTH CAROLINA, that the Town strongly opposes the release of helium or lighter-than-air balloons within Nags Head to preserve the Town's air, land, and water from contamination, and to protect the well-being of wildlife.

Adopted this 1st day of May 2024.

Benjamin Cahoon, Mayor

ATTEST:

Carolyn F. Morris, Town Clerk



Agenda Item _____

Date: May 6, 2024**Submitted By: Melody Clopton****Subject: Ivy Lane Flooding****Background:**

Residents on the southern end of Ivy Lane brought forward concerns regarding flooding on their street at the August 7, 2024 Town Council meeting.

Town Council instructed staff to explore options and worked with the Town's engineer to develop a preliminary plan. This plan was presented at the February 5, 2024 Town Council meeting. Following the presentation, Council requested a survey of affected residents to determine interest in the preliminary plan. The results of the survey are attached for review. In addition, one resident wrote a letter in lieu of completing the survey.

The Town Engineer has completed the review of the survey results and reached out to the residents. His final recommendation is not to pursue the project since there is not enough resident support.

Recommended Motion:

This is for informational and discussion purposes. No motion is needed at this time.



April 23, 2024

Melody C. Clopton, SPHR, IPMA-SCP
Town Manager
PO Box 549
Kitty Hawk, NC 27949

RE: Ivey Lane Drainage

Dear Ms. Clopton:

After reviewing the results of the survey, it appears that six of the fifteen property owners that were surveyed were in favor of the project. This only represents 40% of owners that were sent the survey. As I stated in the presentation to Council, my recommendations will not totally solve the flooding issues in this area since there is nowhere to convey flood waters to. After reading some of the survey results, I believe that trying to install the shallow swales will be met with criticism and will not please the affected property owners.

I still believe that installing shallow swales should be pursued but perhaps it should be a homeowner's responsibility. I recommend that you allow the affected property owners to create shallow swales along their road frontage as I indicated in my report. In doing this, it becomes the responsibility of each homeowner to create their own swales by lowering the ground elevation along their frontage. Some may also opt to raise their driveways.

It is my opinion that the Town should support the efforts of the homeowners to address their flooding issues but should probably not participate in a unified project of this scope at this time.

If I can provide any additional information, please feel free to contact me.

Sincerely,



John M. DeLucia, PE
Principal Engineer

cc: File

Ivy Lane Storm Water Survey

#1

COMPLETE

Collector: Email Invitation 1 (Email)
Started: Wednesday, February 14, 2024 6:14:15 AM
Last Modified: Wednesday, February 14, 2024 6:15:35 AM
Time Spent: 00:01:19
Email: vwfinc@aol.com
IP Address: 98.97.174.244

Page 1: Storm Water Management on Ivy Lane

Q1

Name

First name	Robin
Last name	Childress

Q2

Street Address

3926 Ivy Lane

Q3

Yes

Would you support the construction of swales in the right of way of Ivy Lane to better manage flood waters ?

Q4

Respondent skipped this question

What additional information do you need to make a decision on the question above?

Q5

Respondent skipped this question

What concerns do you have about this project?

#2

COMPLETE

Collector: Email Invitation 1 (Email)
Started: Wednesday, February 14, 2024 9:41:52 AM
Last Modified: Wednesday, February 14, 2024 9:47:33 AM
Time Spent: 00:05:41
Email: robert.adamson@gmail.com
IP Address: 47.133.83.113

Page 1: Storm Water Management on Ivy Lane

Q1

Name

First name **Robert**
Last name **Adamson**

Q2

Street Address

3847 Ivy Lane

Q3

Need additional Information

Would you support the construction of swales in the right of way of Ivy Lane to better manage flood waters ?

Q4

What additional information do you need to make a decision on the question above?

I just installed a new lawn and sprinklers at a cost of \$26,000. I don't look forward to seeing that work torn up.

Q5

What concerns do you have about this project?

Would this project involve a bump at the end of my driveway so that rainwater could not run off my driveway to drain away? The only sensible solution is to lower the surface of the road and direct the water toward the sound.

Ivy Lane Storm Water Survey

#3

COMPLETE

Collector: Email Invitation 1 (Email)
Started: Wednesday, February 14, 2024 11:56:46 AM
Last Modified: Wednesday, February 14, 2024 11:58:48 AM
Time Spent: 00:02:01
Email: gpitonyak471@gmail.com
IP Address: 47.132.246.46

Page 1: Storm Water Management on Ivy Lane

Q1

Name

First name

George

Last name

Pitonyak

Q2

Street Address

3918 Ivy Lane

Q3

Would you support the construction of swales in the right of way of Ivy Lane to better manage flood waters ?

Yes,

Need additional Information

Q4

What additional information do you need to make a decision on the question above?

Who pays for this and installs under driveway piping?

Q5

What concerns do you have about this project?

None.

Ivy Lane Storm Water Survey

#4

COMPLETE

Collector: Email Invitation 1 (Email)
Started: Wednesday, February 14, 2024 12:34:29 PM
Last Modified: Wednesday, February 14, 2024 12:35:46 PM
Time Spent: 00:01:17
Email: k.f.tumolo@gmail.com
IP Address: 107.141.226.121

Page 1: Storm Water Management on Ivy Lane

Q1

Name

First name	Karen
Last name	Tumolo

Q2

Street Address

3916 Ivy Lane

Q3

Yes

Would you support the construction of swales in the right of way of Ivy Lane to better manage flood waters ?

Q4

What additional information do you need to make a decision on the question above?

None

Q5

What concerns do you have about this project?

None

Ivy Lane Storm Water Survey

#5

COMPLETE

Collector: Email Invitation 1 (Email)
Started: Wednesday, February 14, 2024 1:06:57 PM
Last Modified: Wednesday, February 14, 2024 1:12:40 PM
Time Spent: 00:05:42
Email: mwal397952@aol.com
IP Address: 47.132.247.90

Page 1: Storm Water Management on Ivy Lane

Q1

Name

First name m sue

Last name Walters

Q2

Street Address

3914 ivy lane

Q3

Yes

Would you support the construction of swales in the right of way of Ivy Lane to better manage flood waters ?

Q4

What additional information do you need to make a decision on the question above?

need nothing further. the flooding needs to get remediated for all properties in this area.

Q5

What concerns do you have about this project?

I also thought John saw value in improving the existing swale between lots 3917 (Skoczalek) and 3913 (Hathcock). there is a short shallow swale that gets plenty of use and helps the street. John had verbalized that would be a good one to improve and both homeowners expressed interest at the time.

#6

COMPLETE

Collector: Email Invitation 1 (Email)
Started: Sunday, February 18, 2024 7:33:58 AM
Last Modified: Sunday, February 18, 2024 7:53:24 AM
Time Spent: 00:19:26
Email: jlflanigan@gmail.com
IP Address: 107.202.120.237

Page 1: Storm Water Management on Ivy Lane

Q1

Name

First name **James**
Last name **Flanigan**

Q2

Street Address

3921 Ivy Lane

Q3

Need additional Information

Would you support the construction of swales in the right of way of Ivy Lane to better manage flood waters ?

Q4

What additional information do you need to make a decision on the question above?

I want to see a proposed detailed design before weighing in.

Q5

What concerns do you have about this project?

I'm concerned with bringing more water onto or near my property. Without a design to review I'm not a fan of using the front easement or the side of my property which does not have an easement for the overflow of water from the general community. What possibilities have been explored for individual treatment of storm water at each property rather than the funneling of water to these proposed ditches that would run to the sound. How do you propose to treat the bulkheads where the water would exit to the sound?

#7

COMPLETE

Collector: Email Invitation 1 (Email)
Started: Sunday, February 18, 2024 10:28:37 AM
Last Modified: Sunday, February 18, 2024 10:31:52 AM
Time Spent: 00:03:15
Email: jstevens@richmond.edu
IP Address: 47.132.241.53

Page 1: Storm Water Management on Ivy Lane

Q1

Name

First name	Jerry
Last name	Stevens

Q2

Street Address

3905 Ivy Lane

Q3 Yes

Would you support the construction of swales in the right of way of Ivy Lane to better manage flood waters ?

Q4

What additional information do you need to make a decision on the question above?

None....the swales make sense.

Q5

What concerns do you have about this project?

My only concern is if the project takes a long time with a lot of disruption in the neighborhood.

Ivy Lane Storm Water Survey

#8

COMPLETE

Collector: Email Invitation 1 (Email)
Started: Tuesday, February 20, 2024 3:38:20 PM
Last Modified: Tuesday, February 20, 2024 4:12:42 PM
Time Spent: 00:34:22
Email: sko3142@gmail.com
IP Address: 73.250.179.32

Page 1: Storm Water Management on Ivy Lane

Q1

Name

First name **Henry**
Last name **Skoczalek**

Q2

Street Address

3917 Ivy Ln

Q3

Yes

Would you support the construction of swales in the right of way of Ivy Lane to better manage flood waters ?

Q4

What additional information do you need to make a decision on the question above?

NA

Q5

What concerns do you have about this project?

I had a swale on my property (3917 Ivy Lane) next to my neighbor at 3921 Ivy Lane. Since I have moved here, I have watched the swale erode a little each year. You have recommended the construction of shallow swales between the driveways on both sides of the street in the affected area. If the shallow swale you are proposing for my side of the street goes through to 3921 Ivy La, then that would take pressure off of my swale. Which would take some pressure off of my bulkhead. I am concerned that you may be unaware that in most storms a large puddle forms in front of 3921 Ivy Lane. I want to confirm that the swale you are suggesting extends past 3921 Ivy Lane. If you only go as far as my property (3917), it will actually create more havoc and strain on my side swale and my bulkhead.

John L. Risoldi Sr.
3901 Ivy Lane
Kitty Hawk, NC 27949
February 13, 2024

Melody Clopton
101 Veterans Drive
Kitty Hawk, NC 27949

Dear Melody Clopton:

I read the article in the Coastland Times about the flooding on Ivy Lane. Giving you some history. I have been living at my home located at 3901 Ivy Lane since 1996. When I moved in there was some minor flooding at the end of my driveway and was tolerable. When the road was repaved is when all the trouble started. Not sure when that was. The road is higher than the driveways because the company paved over the concrete pad that extends to the road. So when it rains the water pools at the end of my driveway.

With the pooling of water on a normal rain I lose 2 parking spots because the water is deep and getting to the vehicles without boots is impossible. Willie Midgett came out and put a swell in the area and it only made my pooling of water worse. So public works put it back the way it was. I added a French drain to help get rid of the water and it works, but is slow to drain the water out.

Now there is talk about putting another swell between my home and the house to the south of me at 3847 Ivy Lane. Robert Adamson lives at that address and I am sure he will be addressing his concerns. We both take pride in our yards and have spent a considerable amount of money sodding, irrigating and fertilizing our yards. The only thing that the swell is going to go is hold water. Both of our drain fields are in that area. The standing water will cause problems with draining because the ground will be saturated.

There is another problem with flooding. Since Ange's bulk headed their lot next to 3900 Ivy Lane. When the west wind blows there is major flooding from the wind driven water and the road floods. It comes over the bulkhead. This never happened until this was done. It is not uncommon for the road to be covered with 18 inches of water. The house at 3848 Ivy Lane has standing water in front of it due to the buses and trash trucks driving on the grassy area digging ruts by not staying on the pavement.

Robert Adamson and I were not invited to the meeting when everyone met to discuss the problem. We could not give our opinion or input at that time. This has been going on for some time. When I put my drains in the front yard. I put them where the road sloped down to help the drainage. The problem is the road is higher than the driveways due to the paving of the road. The road needs to be paved again due to cracking. When the road is paved again the problem will be worse than it is now. Bill Fruit a former commissioner for the town had Kitty Hawk Landing surveyed and was talk about putting in drain pipes to fix it properly. When the cost came in the Town declined to do it.

I am not in favor of the proposal because it will make the problem worse. Going over to Pineway Drive and Tarkle Ridge, the houses that have swells constantly stay full of water and the water smells. It also breeds mosquitoes in summer. This solution is not a fix. It will acerbate the problem and make a bigger mess near our homes. The only way to fix it properly would be to grate the road where it is lower than the driveways the way it was before the road was paved. It was draining into the cul de sac naturally by gravity.

I respectfully request to reconsider doing this as I said before it is not going to fix the problem. If you would like to meet with me for a meeting I am available to discuss it. I appreciate you and Willie Midgett coming over and looking at the problem today.

I have attached pictures to help explain what I am talking about:

- **Picture A:** was taken this morning at 6:37am February 13, 2024 after a very light rain. As you can see looking north there is considerable standing water. The mailbox area has no water to the south of it. My driveway as you can see is lower than the road.
- **Picture B:** was taken same time as **Picture A**. This picture is looking south toward 3848 and the cul de sac. As you can notice where the post are on the left you see some water. This water is the drains I put in to help get rid of the water in **picture A**. That location was chosen because the flow ran toward the end of the cul de sac and drains there. The big puddle on the right side is from the busses and trash trucks that run in that area and it is a good size rut.
- **Picture C:** was taken the same time as **Pictures A&B**. The picture shows the area that is mentioned in the article where the proposed swell is recommended by John Delucia to be located. There is water on the drive way at 3847 and a small amount of water in the drive way for 3845. How will a swell in that area do anything to remove water? It does not pool up there as you can see in the picture.
- **Picture D:** was taken at 11:20am February 13, 2024 from the north looking to south as you can see the west wind is blowing and the water is running down the right side of the road and exiting to the sound..
- **Picture E:** was taken when **picture D** was taken. It shows the proposed site for the new swell that John Delucia determined where it should to go. It is virtually dry why would you put that there? It does not make any logical sense to me to put that there.

Respectfully,



John L. Risoldi Sr.

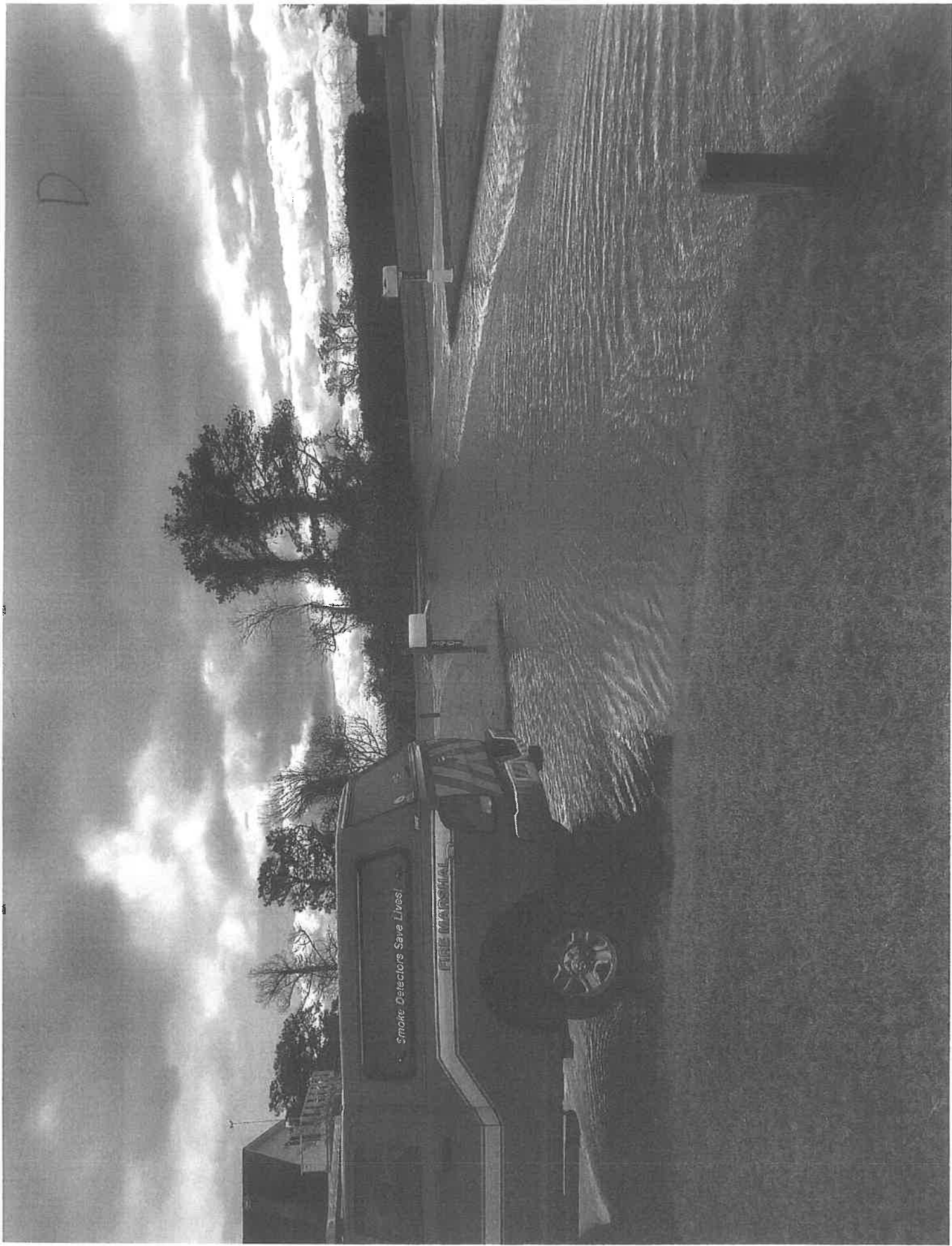
A



B









QC

Post Office Box 549
101 Veterans Memorial Drive
Kitty Hawk, NC 27949



Phone (252) 261-3552
Fax (252) 261-7900
kittyhawknc.gov

TO: Kitty Hawk Town Council

SUBMITTED BY: Town Manager and Finance Director

DATE: May 6, 2024

RE: Budget Amendment - Additional Funds - Police Station Building Fund 41

REQUEST:

In accordance with G.S.159-28 (a1), before a unit may incur an obligation, the Finance Officer must ensure that there is an appropriation authorizing the expenditure and that sufficient money remains in the appropriation to cover the obligations.

As we move forward with construction contracts, the Town needs to ensure that the Police Building Capital Project Fund 41, has sufficient funds to cover anticipated expenses.

We are requesting a budget amendment for Fund 41, in the amount of **\$230,307.00**. This will cover Special Agent Inspections Fees of \$32,574.00; Security, Cabling and Equipment expenditure of \$159,070 as well as the balance owed for future services for the already approved Dills Architects contract, in the amount of \$97,664.00.

SUMMARY:

The original budget for the Police Building Capital Project – Fund 41 was approved on September 6, 2022. Of the original budget of \$5,750,000, \$4,100,00 was used to purchase the property located at 5200 N. Croatan HWY and \$286,352.55 was spent in Maintenance, Repairs, Buildings and Grounds. This left a balance of \$1,363,647.45

In May of 2023, after the schematic design and construction estimate was complete, Town Council amended the budget to add \$2,500,000 to Fund 41 with an ending balance of \$3,856,025 for the project. After incurred expenses, Fund 41 has a current balance of \$3,599,010.56.

The lowest bid for the project is \$3,540,000. We anticipate special agent inspections totaling \$32,574 during the project, security system, cabling and equipment being \$159,079.00. In addition, we still owe \$97,654 to Dills Architects for construction administration fees, previously approved in their contract.

We have included copies of the two previous budget amendments, the Fund 41 Project Budget summary and expenditures to date.

MOTION REQUIRED:

I recommend approval of the Budget Ammendent for Police Station Capitol Improvement Fund 41,
in the amount of \$230,307.00

Capital Project Ordinance Fund 41

For the Town of Kitty Hawk

BE IT ORDAINED by the Governing Board of the Town of Kitty Hawk, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted as follows:

Section 1: The project authorized is the remodeling of the property located at 5200 N. Croatan Highway for the relocation of the Police Department. The project is to be financed from various sources. The project life is estimated to be through July 2023; and can be amended from time to time throughout the project as deemed necessary by the Town.

Section 2: The appropriate officers of the Town are hereby directed to proceed with the capital project within the appropriated amounts and utilizing the proposed funding sources named directly below.

Section 3: The following amounts are appropriated for the project:

Land Purchase	\$4,100,000
Legal Fees	\$5,000
<u>Building Renovation</u>	<u>\$1,645,000</u>
Total appropriations	\$5,750,000

Section 4: The following revenues and funding sources are available to complete this project:

Transfer from Capital Reserve Fund designated for Police	\$1,203,583
Transfer from Capital Project Fund 40	\$2,620,274
<u>Transfer from General Fund</u>	<u>\$1,926,144</u>
Total estimated revenues	\$5,750,000

Section 5: The Finance Director 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 6: The Finance Director 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 Council.

Section 7: Copies of this capital project ordinance shall be furnished to the Clerk, to the Governing Board, and to the Finance Director for direction in carrying out this project.

Ordinance No. 22-14

Adopted the 6th day of September 2022.


Lynn U. Morris, Town Clerk


D. Craig Garriss, Mayor

**Capital Project Ordinance Fund 41
For the Town of Kitty Hawk**

BE IT ORDAINED by the Governing Board of the Town of Kitty Hawk, 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 on September 6th of 2022 is hereby amended as follows:

Section 1: The project authorized is the remodeling of the property located at 5200 N. Croatan Highway for the relocation of the Police Department. The project is to be founded from various sources. The project life is estimated to be through July 2024; and can be amended from time to time throughout the project as deemed necessary by the Town.

Section 2: The appropriate officers of the Town are hereby directed to proceed with the capital project within the appropriated amounts and utilizing the proposed funding sources named directly below.

Section 3: The following amounts are appropriated for the project:

Maintenance and Repairs Building	\$ 236,481
Capital Outlay Land Purchase	\$4,105,000
Capital Outlay Building Renovation	<u>\$3,908,519</u>
Total appropriations	\$8,250,000

Section 4: The following revenues and funding sources are available to complete this project:

Transfer from Capital Reserve Fund designated for Police	\$1,203,583
Transfer from Capital Project Fund 40	\$2,620,274
Transfer from General Fund	<u>\$4,426,143</u>
Total estimated revenues	\$8,250,000

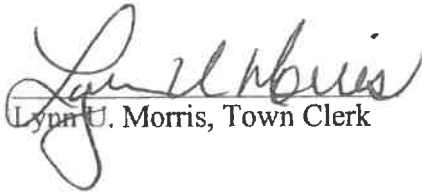
Section 5: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and on the total revenues received or claimed.

Section 6: The Finance Director 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 Council.

Section 7: Copies of this capital project ordinance shall be furnished to the Clerk, to the Governing Board, and to the Finance Director for direction in carrying out this project.

Ordinance No. 23-01

Adopted the 1st day of May 2023.


Lynn U. Morris, Town Clerk


D. Craig Garriss, Mayor

FUND 41-Capital Project Remodeling Building at 5200 N Croatan Hwy

Account	Original Budget Sept 6, 2022	Amendment Budget May 1st 2023	Current Fiscal Year 22/23	Current Fiscal Year 23/24	Project to Date Activity	Budget Remaining
41-0000-3911-0000	1,926,144.00	4,426,143.00	4,426,143.00		4,426,143.00	0.00
41-0000-3921-0000	1,203,583.00	1,203,583.00	1,203,583.00		1,203,583.00	0.00
41-0000-3984-0000	2,620,274.00	2,620,274.00	2,620,274.00		2,620,274.00	0.00
Total Revenues	5,750,001.00	8,250,000.00	8,250,000.00		8,250,000.00	0.00

41-4100-5192-0000	5,000.00	0.00			0.00	0.00
41-4100-5295-0000		236,481.00	236,480.55		236,480.55	0.45
41-4100-5570-0000	4,100,000.00	4,105,000.00	4,107,622.00		4,107,622.00	-2,622.00
41-4100-5580-0000	1,645,000.00	3,908,519.00	65,575.70	241,311.19	306,886.89	3,601,632.11
Total Expenses	5,750,000.00	8,250,000.00	4,409,678.25	241,311.19	4,650,989.44	3,599,010.56

Net balance 3,599,010.56
Pool cash balance 3,599,010.56 available
Construction Contract (3,540,000.00)
Special Agent Inspection -Estimate (32,574.00)
Security System -
Cabling and Equipment Estimate (159,079.00)
Dill's Architects balance (97,664.00)
-230,306.44 BUDGET AMENDMENT REQUEST

Account 41-4100-5270-0000	Capital Outlay Land purchase			
	date		vendor	amount
	8/16/2022	Initial deposit stipulated on the purchase		205,000.00
	9/19/2022	Final Payment purchase property		3,895,000.00
	9/19/2022	Sharp Graham Baker & Varnell		7,622.00
				Subtotal 4,107,622.00
Account 41-4100-5295-0000	Maintenance and Repairs B&G			
	date		vendor	amount
	8/26/2022	Major Home Inspections		7,250.00
	9/14/2022	Pro- Pest Control		80.00
	9/21/2022	Quible and Associates		3,500.00
	9/21/2022	Sea Level Consulting Inc		6,000.00
	10/5/2022	Carolina Landscaping		4,640.00
	10/20/2022	Carolina Landscaping		12,270.00
	10/20/2022	NCDEQ stormwater permit and renewal		505.00
	10/20/2022	NCDEQ stormwater permit and renewal		505.00
	11/3/2022	Albemarle & Associates Ltda - consultations Cadd technician		4,000.00
	11/22/2022	North Beach Services #50649-1 HVC disconnection		2,700.00
	12/1/2023	Applied labvoratory - Asbestos inspection		2,800.00
	12/1/2023	B & M Contractors Inc- Electrical disconnections		9,230.00
	12/15/2023	North Beach Services HVAC Inspections		1,330.00
	2/2/2023	Albermarle & Associates LTD -Storm Water permit transfer		4,671.55
	2/2/2023	East Coast Abatement Co, Inc		140,250.00
	3/2/2023	Johns Btothers Security- Relocate Fire Alarm		8,999.00
	3/15/2023	Carolina Ladinscaping & tractor Service		3,000.00
	3/23/2023	East Coast Abatement Co, Inc		24,750.00
				Subtotal 236,480.55
Account 41-4100-5580-0000	Capital Outlay Building Renovation			
	date		vendor	
	10/27/2022	Within Interior Design Field Surveyy Invoice #22206		8,312.00
	11/8/2022	Within Interior Design Preliminary Exterior Rendering #22213		8,312.00
	12/6/2023	Within Interior Design Prelimiary submittal 1#22240		8,312.00
	12/6/2023	Within Interior Design Charrette Programming Meeting #22226		8,312.00
	12/21/2023	Within Interior Design on board review with Town staff# 22243		8,312.00
	12/28/2023	Within Interior Design Revised plan & Final Design Schematics #22248		8,312.00
		NEW August 30,2023 Contract \$354,453- Design and Construction		49,872.00
	6/30/2023	Dills Architects Design Services Inv#23002-0001		15,703.70
	11/9/2023	Dills Architects Design Services Inv#23002-0002 35% design		78,915.54
	1/5/2024	Dills Architects Design Services Inv#23002-0003 100% design		124,566.08
	3/1/2024	Dills Architects Design Services Inv#23002-0004 100% Final design Documents		37,604.57
				Subtotal 306,661.89
Account 41-4100-5580-0000	Other expenses			
	date			
	2/19/2024	Print plus - Plans		225.00
				PROJECT TOTAL expenses 4,650,989.44



We are guided by our TIDES



May 6, 2024

Honorable Mayor, Craig Garriss
Members of Kitty Hawk Town Council

Dear Mayor Garriss and esteemed members of the Kitty Hawk Town Council,

It gives me immense pleasure to present to you and our community the recommended budget for Fiscal Year 2025. This budget is prepared and balanced in accordance with the provisions of the North Carolina Local Government Budget and Fiscal Control Act, as mandated by North Carolina General Statute Chapter 159-11.

As we enter Fiscal Year 2025, I am pleased to report that the Town is in a strong position both strategically and financially. We have developed a solid leadership team that has crafted a Town Vision and Mission Statement as well as Core Values. In the upcoming Fiscal Year, one of our primary focuses is to actively implement this strategic philosophy to provide exceptional services and opportunities for our staff and community.

MISSION STATEMENT

The Town of Kitty Hawk emphasizes community involvement, family values, and responsible use of Town resources. Our top priorities include preserving the town's rich history, enhancing natural resources, and promoting resilience. We are committed to striking a balance between the needs of our year-round residents, property owners and visitors, while continuously improving the quality of coastal living.

VISION STATEMENT

We are committed to maintaining the tradition of persistence and innovation that has been the foundation of our community for centuries. We aim to be highly skilled, adaptable, and resilient so that we can successfully navigate through any challenges that come our way. We will follow our TIDES to create abundant opportunities for our team and community.

CORE VALUES

- Teamwork
- Integrity
- Dedication
- Engagement
- Service



We are guided by our TIDES



- Capital reserve funding for future firetrucks, boardwalks and dock repair, public works vehicle and building addition, beach nourishment project, and public safety equipment and vehicles
- Establishment of a Community Relations line item in Administration. This line item will be used to support community activities and engagement initiatives
- Upgrade to current permit management software, IWorq, that will allow online applications and payments
- Updated Fee Schedule to be more inline with other municipalities in the area.

TOWN PROJECTS

Police Station Building Project

The Town is making progress with the remodeling and construction of the new Police Station Building located at 5200 N. Croatan HWY. The design phase has been completed, and a contract has been awarded to AR Chesson for the remodeling and construction work. This project is much needed as the current Police Department is prone to flooding, the building is too small for the current staff level, and it is outdated and unsuitable to support effective police work. The project bid is \$3,540,000 which includes 8,140 square feet of renovation, a 940 square feet addition, and a 125kW diesel generator. We anticipate additional costs for furniture and fixtures, security, and camera systems as well as special agent inspections. The project is estimated to take 270 days to complete.

The Police Station Capital Project fund currently has \$3,599,010.56, while this is enough to cover construction the Town will have to add additional funds, from the unrestricted fund balance to this project to cover the other associated costs.

Multi-Use Path

The Town is anticipating the beginning of design and construction for a multi-use path along the west side of Highway 158. The Town has initiated this project in partnership with the North Carolina Department of Transportation to help ensure the safety and well-being of our residents and visitors. This has been in the planning stage for many years, and we look forward to bringing the project to fruition. This project will complete a connection between Kitty Hawk's existing multi-use path, beginning at Cypress Knee Trail. The path will cover approximately 4 miles, moving along the west side of the bypass and joining the existing sidewalk at the Kill Devil Hills border. The need for this project is supported by the 2011 Dare County Bike and Pedestrian Road Safety Review, the Town's Recreation Plan, the Town's Comprehensive Land Use Plan, and



The town has experienced a higher-than-usual utilization of health insurance claims this fiscal year, leading to a roughly nine percent increase in health insurance premiums. At this time, the town has decided to maintain dependent premiums for the upcoming fiscal year. It's worth noting that historically, the town has performed quite well, with minimal premium increases. We remain optimistic that the upcoming fiscal year will be a good claims year, but if we see a continued increase in the future, we will have to re-evaluate our current plan offerings and level of coverage. This year the Town is also funding health insurance coverage to retirees hired prior to January 1, 2013.

The current fiscal year has experienced several long-term staff retirements, which allowed the Town to re-evaluate job duties, align position functions with the requirements of our customers, and be more fiscally responsible with staffing dollars. Consequently, the Office Assistant/Receptionist position at Town Hall has been reclassified as an Administrative Planning Assistant. This change enables us to provide more support and depth in our permitting and zoning office while still maintaining front-desk customer service and accomplishing administrative tasks.

We have recently expanded the responsibilities of our Town Clerk position to include the role of Public Information Officer. We believe that these additional duties complement the Town Clerk's existing responsibilities and will provide valuable knowledge and skills that will benefit all our Town stakeholders.

In preparation for the Town's Building Inspector's retirement, which is expected to happen in 2025, we have added a Building Inspector Trainee position. Due to the challenge of finding qualified building inspectors, we decided to provide an existing employee with the opportunity to undergo an apprenticeship. The trainee will be working closely with the current Building Inspector to learn the necessary skills and gain experience on the job. Our goal is to have the trainee obtain at least a level 1 building inspector license by the time of retirement in 2025.

The budget has allocated funds for a new Custodian position, which will be a part of the Public Works department. Due to the increase in the number of properties owned by the Town, the addition of leased spaces, and higher demands on our Public Works department, it has become apparent that it would be beneficial to have an in-house custodian who can take care of cleaning all Town-owned properties. In addition, this position will also provide extra assistance to our Public Works team. The Town has explored hiring an outside service, but the cost and quality of work provided by them have not been satisfactory.

Community Engagement

The citizens of Kitty Hawk have expressed a desire for more community involvement and interaction with their neighbors. In addition to the very successful events sponsored by our Public Safety departments, this year the Town has organized several Town-wide events such as a Halloween event, a successful Holiday Motorcade, and a positive Community Trash Collection event. The feedback received from these events has been overwhelmingly positive. To support



Operating Expenditures

Operating expenditures provide the means necessary for each Department within the Town to carry out the day-to-day services provided to Town residents. These expenses are reviewed thoroughly each year by Town Department Heads and management to ensure accountability and operational efficiency. Operational cost highlights in the Fiscal Year 2025 budget by Department include:

Administrative Services

- Establishment of Community Relations Line Item

Finance Department

- None

Fire Department

- Vehicle Replacement
- Equipment purchases; AED's, Extrication chain kits and saws

Non-Departmental

- None

Ocean Rescue

- None

Planning and Inspections

- Upgrade to permitting software to allow online applications and credit card payment, as well as more comprehensive workflow management

Police Department

- Replacement of 2 vehicles, including equipment and radios
- Replace in-car laptops
- Purchase drone

Public Works

- Creation of 1 new position – Public Works Technician/Custodian
- Replacement of one vehicle
- Purchase of single-axle dump truck

Town Council

- No highlights



The current chart summarizes the Capital reserve available for future projects:

CAPITAL RESERVE FUND BALANCE						
RESERVE FUND -21						
Department	Description	Actual FY 22-23	Projected FY 23-24	FISCAL YEAR 2024-2025		
				Transfer in	Transfer Out	Ending Balance
4100	IT Development	49,071	49,071	-		49,071
4100	Phone System Replacement	13,000	13,000	-		13,000
4100	Document Imaging System	20,000	-	-		-
4130	Software Upgrades					-
4270	Board Walks and Dock Repairs	44,000	94,000	10,000	-	104,000
4270	Future Sidewalk US 158	264,000	-		-	-
4270	Town Park & Recreation Develop.	144,735	174,735		-	174,735
4270	HVAC Replacement at Fire Station	5,000	15,000	10,000	-	25,000
4270	Caterpillar Backhoe replacement	23,000	31,000	8,000	-	39,000
4270	Upgrade Public Works Building	-	25,000	25,000	-	50,000
4270	Dump Trailer Replacement	-	10,000			10,000
4270	Rehab Fire House Galley			15,000		15,000
4310	Police Department Building	-	-		-	-
4310	Police in car- radios	-	12,000	20,000	-	32,000
4340	Fire Truck & Equipment	-	200,000	200,000	-	400,000
4340	800 mhz- Radio Replacements	-	6,500		-	6,500
4410	Storm Damage/Beach Nourishment	2,769,358	2,858,175	152,172	-	3,010,347
4910	Land Use Plan Update	-	3,000	3,000	-	6,000
Total		3,332,163	3,491,481	443,172	-	3,934,653

Beach Renourishment Fund

In accordance with North Carolina General Statute funds collected and expended for the Beach Nourishment project must be accounted for as part of the Town's General Fund. The Beach Nourishment project was completed in 2017 and the first renourishment project was completed in 2022. Since the completion of these projects, the Town and property owners have continued to benefit from the stability these projects have provided. The Municipal Service District and Town-wide dedication is expected to remain in place to fund future beach renourishment projects.

The budget continues to dedicate 0.035 cents of the 0.30 cents town-wide tax to the beach renourishment project. Properties located in the Municipal Service District will continue to pay an additional .10 cents that is restricted for expenditures related specifically to beach renourishment. The Fiscal Year 2025 budget reflects a transfer to the fund of \$152,172.

Town of Kitty Hawk Budget Ordinance - FY 2024-2025

BE IT ORDAINED by the Town Council of the Town of Kitty Hawk, North Carolina, that:

GENERAL FUND BUDGET

ESTIMATED GENERAL FUND REVENUES: It is estimated that the following General Fund Revenues will be available during the fiscal year beginning July 1, 2024, and ending June 30, 2025, to meet appropriations approved by the Town Council herein:

Source	Amount
Ad Valorem Tax (\$.265)	\$3,890,205
Ad Valorem Tax (\$.035) Beach Nourishment	\$513,801
Ad Valorem Tax MSD (\$.10) Beach Nourishment	\$552,521
Prior Years Taxes	\$15,000
Penalties/Interest	\$6,000
Motor Vehicle Tax	\$208,473
Motor Vehicle Tax (\$.035) Beach Nourishment	\$27,534
Motor Vehicle Tax (\$.10) MSD	\$11,136
Local Option Sales Tax	\$1,955,670
Local Option Sales Tax – BN & MSD	\$234,330
Land Transfer Tax	\$480,000
Occupancy Tax	\$2,217,697
Beer and Wine Tax	\$16,000
Telecom Tax	\$14,800
Electric Utility Tax	\$426,800
Cable Franchise Tax	\$71,200
Piped Natural Gas Tax	\$3,900
PEG Channel Tax	\$25,600
Solid Waste Disposal Tax	\$2,900
Mixed Beverage Tax (ABC)	\$86,000
Building Permits	\$175,000
Homeowner Recovery Fee	\$1,265
CAMA Permits	\$2,585
Planning Permits and Fees	\$15,000
Board of Adjustment Fees	\$100
Site Plan Reviews	\$100
Sanitation Fees (Garbage Carts)	\$10,000
Dept Of Justice Asset Forfeiture Program	\$1,000
Powell Bill Allocation	\$131,724
NCDOR Unauthorized Sub-Tax Distribution	\$3,000
Dare County Sand Fencing	\$24,000

CAPITAL RESERVE FUND BUDGET

ESTIMATED CAPITAL RESERVE FUND REVENUES: It is estimated that the following Capital Reserve Fund Revenues will be available during the fiscal year beginning July 1, 2024, and ending June 30, 2025, to meet appropriations approved by the Town Council herein.

Function	Budget
Transfer in from General Fund for Future Capital	\$291,000
Transfer in from General Fund Excess Beach Nourishment	\$152,172
Total	\$443,172

CAPITAL RESERVE FUND APPROPRIATIONS: The following amounts are hereby appropriated for the operation of the Capital Reserve Fund and its activities for the fiscal year beginning July 1, 2024, and ending June 30, 2025

Function	Budget
Reserves	\$443,172
Total	\$443,172

ESTABLISHED TAX RATES:

The following tax rates per hundred-dollar valuation and collection rates are levied on all real estate, corporate utilities, and personal property in the Town of Kitty Hawk as of January 1, 2024.

Town-wide ad valorem tax rate is (0.265 cents)

Town-wide beach nourishment tax is (0.035cts)

Municipal service district tax MSD tax is (0.10cts)

The town-wide beach nourishment tax and municipal service tax are restricted to beach nourishment purposes, including debt payment on bonds issued for beach nourishment.

Tax	Value	Tax rate	Levy	Collection rate	Budgeted Levy
Town-wide ad valorem	1,471,386,197	0.265	3,899,173	99.8%	3,890,205
Town-wide Beach Nourishment	1,471,386,197	0.035	514,985	99.8%	513,801
Municipal Service District	553,683,565	0.100	553,684	99.8%	552,521

A penny of Town Wide Property Tax is projected to generate approximately \$147,139.

A penny of Municipal Service District Tax is projected to generate approximately \$55,368.

2024 Date	Action Item
March 19 & April 16	<u>Budget Work Session with Town Council</u>
May 2022	<u>Public Hearing Advertised for Budget Ordinance</u>
May 2022	<u>Town Manager files proposed Budget with Town Clerk</u>
June 3	<u>Council Holds Public Hearing on Proposed Budget and adoption of FY 2024-2025 Budget Ordinance</u>
July 1	<u>Approved FY 2024-2025 budget becomes effective</u>
<u>For information regarding meeting times and locations, visit www.townofkittyhawk.org</u>	

The Town budget is adopted by ordinance in accordance with the North Carolina Local Government Budget & Fiscal Control Act (N.C.G.S. 159). It must be adopted no earlier than 10 days after the budget is presented to the Council and not later than July 1 of each year. The budget ordinance shall cover a fiscal year beginning July 1 and ending June 30 of each fiscal year. State law requires a balanced budget, i.e., a budget when the sum of estimated revenues and appropriated fund balances is equal to appropriations. The budget is developed on the modified accrual basis of accounting.

In accordance with General Statute Chapter 159 Department Heads transmit their budget requests to the designated budget officer with a list of expected expenditures before April 30 of each year. The budget officer then compiles all Department requests and develops a balanced budget. After the fiscal year begins, staff prepares monthly reports of budgeted-versus-actual revenues and expenditures. These reports are used by management to monitor spending and plan for the next year's budget.

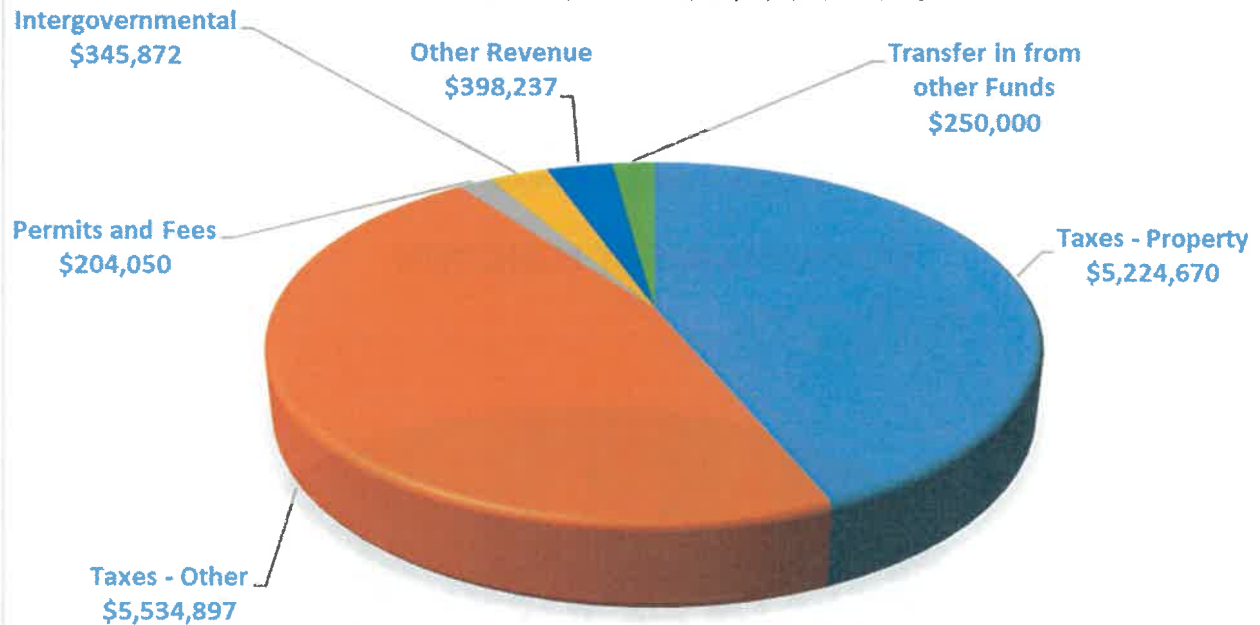
Budget Amendments

Expenses or transfers incurred throughout the year more than appropriations must have prior Council approval. These approvals are formally acknowledged by the Town Council in the form of budget amendments. The budget is prepared on a line-item basis and budgetary compliance is maintained at the Department level.

Summary of General Fund Revenues by Percentage

Percentage of Revenues by Source						
REVENUES CLASIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised Budget FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25	% Total Revenues
Taxes- Property	5,072,731	5,118,146	5,166,970	5,156,646	5,224,670	43.69%
Taxes- other	5,857,171	5,477,390	5,471,611	5,058,714	5,534,897	46.29%
Permits and Fees	199,970	261,602	203,400	177,590	204,050	1.71%
Intergovernmental	1,360,274	592,962	379,643	359,070	345,872	2.89%
Fines and Forfeits	8,830	4,233	3,750	2,800	3,500	0.03%
Interest Earnings	22,895	451,702	150,000	592,046	159,724	1.34%
Other Revenue	96,407	160,536	117,602	192,604	194,737	1.63%
Fund Balance Appropriated	-	-	251,601	0	-	-
Fund Balance Appropriated Powell Bill	-	-	-	0	40,276	0.34%
Transfer in From Capital Reserve Fund	84,000	97,735	349,000	349,000	250,000	2.09%
Transfer In from Special Revenue Fund	-	1,138,069	-	0	-	-
Total Revenues	12,702,278	13,302,374	12,093,577	11,888,469	11,957,726	100.00%

TOP FIVE REVENUES SOURCES



The following revenue sources represent larger revenue sources that have a significant impact on the Town's operating budget:

Property Tax

The Town's largest revenue source at 43.69% of General Fund revenues is the proposed property tax, budgeted at \$5,224,670. Property tax is calculated according to the gross taxable value assessment certified by the Dare County Tax Office based on the Town's property tax rate.

Collected by the Dare County Tax Office, the property tax amount is calculated by multiplying the Town's assessed property values by the property tax rate set by the Council after the Property Appraiser certifies the gross taxable value. The proposed budget uses the tax rate of 0.30 cents per \$100 of property valuation town-wide and budgets based on a 99.77%-collection rate. Of the 0.30 cent property tax, .035 cents of this tax rate are specifically dedicated to the beach nourishment fund. Residents located within the beach nourishment Municipal Service District also pay an additional 0.10 cents in addition to the town wide property tax of 0.30 cents per \$100 of property valuation.

A penny of property tax rate is projected to generate approximately \$147,139. The Town receives a large portion of its property tax revenues from October through February, as the tax bills go out in July and become due on September 1.

As indicated above, property tax revenue is heavily affected by property values as well as new construction. Based on market indicators for Kitty Hawk properties, staff predicts property values will remain constant or rise at a slow pace over the next several years. The Town has maintained the same property tax rate since 2015-2016. Dare County has scheduled the next tax revaluation in January 2025.

Motor Vehicle Tax

Residents in North Carolina are required to register their motor vehicles with the state. These motor vehicles are taxed at the same rate as the Town's property tax rate. Motor vehicles are valued by year, make and model in accordance with the North Carolina Vehicle Valuation Manual. Values are based on the retail level of trade for property tax purposes.

The Motor Vehicle Tax will generate an estimated \$247,143 for FY 24/25 and represents 2.07% of the General Fund Revenues.

Local Option Sales Tax

The State of North Carolina currently implements a 6.75% sales tax rate on all qualifying sales within Dare County. 2% of this sales tax consists of a Dare County local sales tax while the remaining 4.75% is the North Carolina State Sales Tax.

Grant funding that can be anticipated in advance of the fiscal year will generate an estimated \$25,000. The Town expects this revenue to increase as grants are applied for and awarded throughout the year.

Interest Earnings on Investments

The Town has legal limitations on investments allowed under NC General Statute 159-30, however, does make investments to maximize the return of available funds. The Town has experienced very low interest rate returns over the past several years because of the Federal Treasury rates, however, continues to receive revenue from investments. In addition, the Town is consistently analyzing the investment funds available to the Town through the North Carolina Capital Management Trust to maximize return on investments.

The interest earnings on investments are expected to generate an estimated \$159,724.

Transfers from Capital Reserve and Fund Balance

These revenues typically represent funds transferred into the current year budget from Town reserves. These funds are typically not collected throughout the fiscal year and have been set aside in previous years to fund large capital projects. These funds are transferred into the budget in the year in which the capital purchase is to be funded. In addition, funds may also be transferred from the Town Fund Balance to balance the budget.

The FY 24-25 budget identifies transfers in the amount of \$250,000 from the Capital Reserve and \$40,276 from the fund balance.

General Fund Revenues- Detailed

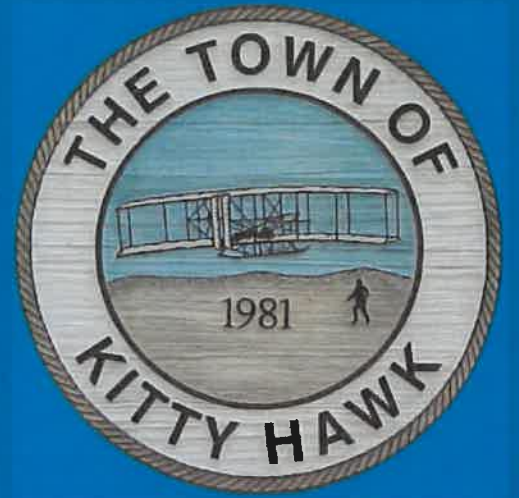
GENERAL FUND - 10

ACCOUNT NUMBER	REVENUE SOURCE	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised Budget FY 23/24	Estimated 06/30/2024	BUDGET FY 24/25
TAXES - PROPERTY						
10-0000-3100-2024	Ad Valorem Tax (\$.265)	3,790,007	3,846,310	3,865,429	3,864,683	3,890,205
10-0000-3172-2024	Ad Valorem (\$.035) BN	502,428	505,509	510,528	510,864	513,801
10-0000-3174-2024	Ad Valorem (\$.10) MSD	536,167	538,950	538,958	544,585	552,521
10-0000-3100-0000	Ad Valorem Prior Years	14,027	-17,666	15,000	4,654	15,000
10-0000-3100-4170	Ad valorem and Vehicle Penalties ,Fees, Interest	5,889	4,943	6,000	3,500	6,000
10-0000-3280-4121	Motor Vehicle Tax	188,965	202,923	195,000	193,489	208,473
10-0000-3280-4123	Motor Vehicle Tax - (\$.035)BN	24,950	26,795	25,755	25,138	27,534
10-0000-3280-4125	Motor Vehicle Tax - (\$.10)MSD	10,298	10,382	10,300	9,733	11,136
	Subtotal	5,072,731	5,118,146	5,166,970	5,156,646	5,224,670
TAXES - OTHER						
10-0000-3230-0000	Local Option Sales Tax	1,816,481	1,873,410	1,909,736	1,904,689	1,955,670
10-0000-3230-0012	Local Option Sales Tax - BN MSD	220,618	225,649	230,264	0	234,330
10-0000-3245-0000	Land Transfer Tax	887,179	528,799	446,911	481,525	480,000
10-0000-3270-0000	Occupancy Tax	2,299,996	2,205,522	2,250,000	2,026,135	2,217,697
10-0000-3322-0000	Beer and Wine Tax	14,677	16,955	15,000	16,000	16,000
10-0000-3324-4001	Telecom Tax	14,587	14,836	14,500	14,619	14,800
10-0000-3324-4002	Electric Utility Tax	410,031	426,818	415,000	426,120	426,800
10-0000-3324-4003	Cable Franchise Tax	76,773	71,131	75,000	71,000	71,200
10-0000-3324-4004	Piped Natural Gas Tax	3,817	4,073	4,500	3,682	3,900
10-0000-3324-4005	PEG Channel	25,808	25,641	25,700	25,683	25,600
10-0000-3471-0000	Solid Waste Disposal Tax	2,788	3,016	3,000	2,979	2,900
10-0000-3837-0000	Mixed Beverage Tax (ABC)	84,416	81,540	82,000	86,282	86,000
	Subtotal	5,857,171	5,477,390	5,471,611	5,058,714	5,534,897
PERMITS AND FEES						
10-4910-3343-4010	Building Permits	168,628	230,485	175,000	150,405	175,000
10-4910-3343-4011	Homeowner Recovery Fee	998	1,580	1,200	1,500	1,265
10-4910-3343-4012	CAMA Permits	4,495	2,845	2,000	1,510	2,585
10-4910-3343-4013	Planning Permit and Fees	15,574	15,702	15,000	15,130	15,000
10-4990-3345-4020	Board of Adjustment Fees	-	-	100	0	100
10-4990-3345-4021	Site Plan Review Fees	-	-	100	0	100
10-0000-3470-0000	Sanitation Fees (Garbage Carts)	10,275	10,990	10,000	9,045	10,000
	Subtotal	199,970	261,602	203,400	177,590	204,050
INTERGOVERNMENTAL						
10-0000-3311-4091	Dept of Justice Asset Forfeiture Program	-	10,395	1,000	0	1,000
10-0000-3316-0000	Powell Bill Allocation (pass through)	119,667	119,297	119,297	131,724	131,724
10-0000-3317-4092	NCDOR Unauthorized Sub Tax Distribution	2,042	2,900	3,000	1,000	3,000
10-0000-3431-0000	Grants -Other	8,125	1,500	-	0	0
10-0000-3432-0000	Dare County - Sand Fencing (pass through)	-	24,000	10,000	5,000	24,000
10-0000-3496-0000	Grants- Dare County Tourism Board	-	-	-	0	-
10-0000-3623-0000	Federal Grant Revenue (pass through)	136,752	3,885	-	0	-
10-0000-3633-0000	State Grant Revenue (pass through)	-	174,440	-	0	-
10-4310-3431-0000	Gov. Crime Commission Grant (pass through)	-	-	25,000	0	-
10-4410-3333-0000	Dare County Payment to Obligation Bonds	1,093,688	256,545	221,346	221,346	186,148
	Subtotal	1,360,274	592,962	379,643	359,070	345,872

General Fund Revenues - Detailed

GENERAL FUND - 10

ACCOUNT NUMBER	REVENUE SOURCE	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised Budget FY 23/24	Estimated 06/30/2024	BUDGET FY 24/25
FINES & FORFEITS						
10-0000-3330-0000	Dare County Court Fees	2,147	1,083	2,000	1,000	1,500
10-0000-3331-0000	Code Enforcement Fines & Parking Violations	1,530	1,750	1,500	1,500	1,500
10-0000-3332-0000	Fines and Forfeitures	5,153	1,400	250	300	500
	Subtotal	8,830	4,233	3,750	2,800	3,500
INTEREST EARNINGS						
10-0000-3831-1004	Interest on Investments	22,895	451,702	150,000	592,046	159,724
	Subtotal	22,895	451,702	150,000	592,046	159,724
OTHER REVENUE						
10-0000-3412-0000	Town Merchandise Sales	587	559	300	400	500
10-0000-3434-0000	General Donations	1,140	10,350	1,300	8,300	1,000
10-0000-3834-0000	Office Rental - Beach Medical & Bear Drugs	4,800	64,646	84,333	143,000	165,237
10-0000-3835-0000	Sale of Surplus Property	32,139	20,610	10,000	24,865	10,000
10-0000-3835-0002	Sale of Asset program 1033 Dept of Defense	27,200	7,925	-	-	-
10-0000-3839-0000	Miscellaneous Revenue	28,499	52,397	18,669	13,039	15,000
10-4270-3839-0110	Icarus International	2,042	4,050	3,000	3,000	3,000
	Subtotal	96,407	160,536	117,602	192,604	194,737
FUND BALANCE						
10-0000-3991-0000	Fund Balance-Appropriated	-	-	251,601	-	-
10-0000-3991-0000	Fund Balance Appropriated-Powell Bill	-	-	-	-	40,276
	Subtotal	-	-	251,601	-	40,276
TRANSFER IN FROM CAPITAL RESERVE						
10-0000-3900-0000	Phone System Replacement	-	22,000	-	-	-
10-0000-3900-0000	Fuel Storage Tank Replacement	29,000	-	-	-	-
10-0000-3900-0000	Fire - Training Equipment	30,000	-	-	-	-
10-0000-3900-0000	Future Side Walk USA 158 payment to DOT	-	-	289,000	289,000	-
10-0000-3900-0000	Fire Truck	-	55,735	-	-	-
10-0000-3900-0000	Ocean Rescue Radios Replacement	25,000	-	-	-	-
10-0000-3900-0000	Land Use Plan Update Reserve	-	20,000	-	-	-
10-0000-3900-0000	Document imaging	-	-	20,000	20,000	-
10-0000-3900-0000	BN Byrd Street Beach Access deck repairs	-	-	40,000	40,000	-
10-0000-3900-0000	Beach Nourishment (Lilian St & Byrd acces)	-	-	-	-	250,000
	Subtotal	84,000	97,735	349,000	349,000	250,000
10-0000-3982-0000	TRANSFER IN FROM SPECIAL REVENUE FUND	-	1,138,069	-	-	-
	Subtotal	-	1,138,069	-	-	-
TOTAL REVENUES		12,702,278	13,302,374	12,093,577	11,888,469	11,957,726



NON-DEPARTMENTAL

FY 2024-2025

NON-DEPARTMENTAL OPERATING EXPENDITURES

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4100

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
OPERATING						
10-4100-5005-0000	PEG Government Channel (pass through)	26,975	26,600	30,000	26,766	27,000
10-4100-5006-0000	Tax Collection Fees to Dare County	57,168	57,942	59,000	59,918	58,353
10-4100-5007-0000	Collection Fees -NCVTS	7,451	7,644	8,000	7,049	9,045
10-4100-5220-0000	Employee Relations and Events	2,143	16,572	8,000	11,781	11,000
10-4100-5250-0000	Vehicle Supplies	267	450	300	100	300
10-4100-5299-0000	Departmental Supplies	7,176	9,457	6,000	3,756	4,000
10-4100-5310-0000	Travel and Training Development Town wide		176	25,000	21,626	15,000
10-4100-5321-0000	Telephone, Communications , Email	12,408	39,767	30,000	27,138	25,000
10-4100-5325-0000	Postage	284	-	300	0	300
10-4100-5330-0000	Utilities	3,713	4,440	4,500	4,500	4,500
10-4100-5340-0000	Printing	-	-	200	0	500
10-4100-5370-0000	Advertising	1,240	2,359	1,500	3,703	2,500
10-4100-5383-0000	IT Services	69,152	118,362	82,429	68,438	105,980
10-4100-5440-0000	Service & Maintenance Contracts	7,833	13,306	11,000	12,739	11,000
10-4100-5450-0000	Insurance & Bonding	220,790	250,466	277,000	283,278	319,000
10-4100-5451-0000	Employee Assistance Program	2,236	1,999	2,500	2,500	1,800
10-4100-5455-0000	Unemployment Compensation Contribution	2,247	-	3,000	3,230	4,000
10-4100-5456-0000	Fines and Forfeitures	4,943	417	200	0	400
10-4100-5491-0000	Dues & Subscriptions	2,725	2,873	4,000	9,000	8,000
	Subtotal	428,751	552,831	552,929	545,522	607,678
MAINTENANCE & REPAIRS						
10-4100-5352-0000	Maintenance and Repairs -Equipment	-1,028	-		0	-
10-4100-5353-0000	Maintenance and Repairs - Vehicle	637	-		600	500
	Subtotal	-391	-	-	600	500
PROGRAMS AND GRANTS						
10-4100-5090-0000	Grant - Gov. Education Access Channel	5,000		-	-	-
	Subtotal	5,000	-	-	-	-
CONTINGENCY						
10-4100-5991-0000	Budgetary Contingency	-	-	60,129	-	27,063
	Subtotal	-	-	60,129	-	27,063
CAPITAL OUTLAY						
10-4100-5540-0000	Capital Outlay Vehicles		43,059		0	
10-4100-5550-0000	Capital Outlay Equipment		104,599		0	
	Subtotal	-	147,658	-	-	-
TRANSFER TO CAPITAL RESERVE						
10-4100-5921-0000	VOIP Town Phone System	5,000	-	-	-	-
	Subtotal	5,000	-	-	-	-
TOTAL NON-DEPARTMENTAL EXPENDITURES		438,360	700,489	613,058	546,122	635,241



TOWN COUNCIL FY 2024-2025

GOVERNING BODY (TOWN COUNCIL) OPERATING EXPENDITURES

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4110

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
PERSONNEL						
10-4110-5121-0000	Council Compensation	29,250	27,850	30,900	30,600	30,000
10-4110-5181-0000	FICA	2,394	2,314	2,363	27,540	2,295
	Subtotal:	31,644	30,164	33,263	58,140	32,295
OPERATING						
10-4110-5310-0000	Travel and Training	358	512	4,500	10	512
10-4110-5321-0000	Telephone, Communications, Email	920	2,400	3,000	2,909	2,400
10-4110-5491-0000	Dues and Subscriptions	4,717	4,685	8,000	357	4,685
10-4110-5492-0000	Contract Services - Dare Co. Board Elections	5,865	-	5,500	5,747	-
10-4110-5499-0000	Miscellaneous	611	1,305	1,500	1,538	1,305
	Subtotal:	12,471	8,902	22,500	10,561	8,902
TOTAL GOVERNING BODY EXPENDITURES		44,115	39,066	55,763	68,701	41,197



RECREATION COMMITTEE

FY 2024-2025

RECREATION COMMITTEE OPERATING EXPENDITURES

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4111

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
OPERATING						
10-4111-5370-0000	Advertising	-	75	200	-	200
10-4111-5396-0000	Contracter Services - Transcriptions	-	-	200	-	200
10-4111-5499-0000	Miscellaneous	1,900	-	10,000	3,500	10,000
10-4111-5499-0000	Trails and Recreation Opportunities	-	-	-	-	-
Subtotal:		1,900	75	10,400	3,500	10,400
TOTAL RECREATION EXPENDITURES		1,900	75	10,400	3,500	10,400



ADMINISTRATION

FY 2024-2025

ADMINISTRATIVE SERVICES OPERATING EXPENDITURES

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4120

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
PERSONNEL						
10-4120-5121-0000	Salaries & Wages	326,201	363,939	366,538	349,324	378,037
10-4120-5121-0000	Salaries & Wages- Merit Pay				-	4,664
10-4120-5181-0000	FICA	23,791	27,030	28,132	26,723	29,057
10-4120-5182-0000	Retirement Contribution	37,734	40,648	47,504	43,868	51,791
10-4120-5183-0000	Health Insurance	59,564	51,877	75,576	55,420	84,763
10-4120-5184-0000	401K	6,324	5,925	7,331	5,577	7,561
	Subtotal	453,614	489,419	525,081	480,912	555,873
PROFESSIONAL SERVICES						
10-4120-5192-0000	Professional Services -Legal	44,635	47,887	50,000	47,931	50,000
10-4120-5199-0000	Professional Services - Other	30	-	1,000	-	1,000
	Subtotal	44,665	47,887	51,000		51,000
OPERATING						
10-4120-5299-0000	Supplies Departmental	2,095	4,192	5,000	7,311	5,000
10-4120-5310-0000	Travel & Training	2,516	4,440	9,669	8,879	8,000
10-4120-5321-0000	Telephone, Communications , Email	3,241	1,932	5,000	2,500	5,000
10-4120-5325-0000	Postage	95	187	250	350	400
10-4120-5349-0000	Printing Codification of Ordinances	7,066	3,282	3,500	1,500	3,200
10-4120-5370-0000	Advertising	-	2,029	2,500	1,100	2,500
10-4120-5396-0000	Contract Services Video & Transcription	10,429	9,975	14,000	11,725	14,500
10-4120-5440-0000	Service & Maintenance Contracts	446	1,864	8,420	1,900	8,500
10-4120-5491-0000	Dues and Subscriptions	1,577	2,417	2,000	2,728	3,800
10-4120-	Community Engagement - new				-	10,000
	Subtotal	27,465	30,319	50,339	37,993	60,900
CAPITAL OUTLAY						
10-4120-5520-0000	Capital Outlay-Documents Management Scan	-	-	20,000	-	-
	Subtotal			20,000	-	-
TOTAL ADMIN SERVICES EXPENDITURES		525,744	567,625	646,420	518,905	667,773



FINANCE

FY 2024-2025

FINANCE DEPARTMENT OPERATING EXPENDITURES

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4130

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
PERSONNEL						
10-4130-5121-0000	Salaries & Wages	121,499	137,166	146,790	138,076	156,279
10-4130-5121-0000	Salaries & Wages- Merit Pay				-	1,928
10-4130-5181-0000	FICA	8,747	9,797	11,275	10,563	12,001
10-4130-5182-0000	Retirement Contribution	14,178	16,753	19,024	18,346	21,410
10-4130-5183-0000	Health Insurance	29,506	29,080	33,878	30,256	35,599
10-4130-5184-0000	401K	2,307	2,384	2,936	1,889	3,126
	Subtotal	176,237	195,180	213,903	199,130	230,343
PROFESSIONAL SERVICES						
10-4130-5191-0000	Prof. Services Auditor & Actuaries	29,835	29,358	35,000	41,589	40,000
	Subtotal	29,835	29,358	35,000	41,589	40,000
OPERATING						
10-4130-5299-0000	Supplies	2,000	1,260	2,000	2,600	1,500
10-4130-5310-0000	Travel & Training	3,613	7,468	7,000	4,800	6,000
10-4130-5321-0000	Telephone, communications , Email	778	1,322	1,000	1,132	1,500
10-4130-5325-0000	Postage	426	481	400	425	500
10-4130-5340-0000	Printing	68	-	200	-	200
10-4130-5440-0000	Service & Maintenance Contracts	26,495	25,320	30,000	27,500	30,000
10-4130-5491-0000	Dues and Subscriptions	-	176	200	307	400
	Subtotal	33,380	36,027	40,800	36,764	40,100
CAPITAL OUTLAY						
	Subtotal	-	-	-	-	-
TRANSFER TO CAPITAL RESERVE						
	Subtotal	-	-	-	-	-
TOTAL FINANCE EXPENDITURES		239,452	260,565	289,703	277,483	310,443



PUBLIC WORKS

FY 2024-2025

PUBLIC WORKS DEPARTMENT OPERATING EXPENDITURES

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4270

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
PERSONNEL						
10-4270-5121-0000	Salaries & Wages	259,807	295,218	316,336	310,828	392,033
10-4270-5121-0000	Salaries & Wages - Merit Pay				-	4,854
10-4270-5122-0000	Overtime	-	-	5,000	-	5,000
10-4270-5181-0000	FICA	19,213	21,842	24,812	23,778	30,648
10-4270-5182-0000	Retirement Contribution	27,650	33,211	38,305	36,568	50,403
10-4270-5183-0000	Health Insurance	60,675	63,454	78,295	61,618	124,207
10-4270-5184-0000	401K	3,917	4,899	5,911	5,033	7,358
	Subtotal	371,262	418,625	468,659	437,825	614,503
OPERATING						
10-4270-5212-0000	Uniforms	2,701	4,475	3,000	4,247	2,000
10-4270-5250-0000	Vehicle Supplies- Fuel	18,423	15,270	15,000	11,993	15,000
10-4270-5260-0000	Shop Tools & Equipment	6,684	4,510	3,000	4,804	3,000
10-4270-5293-0000	Supplies Signs	3,310	2,697	13,000	5,000	5,000
10-4270-5299-0000	Departmental Supplies	3,784	6,455	4,000	4,393	3,000
10-4270-5310-0000	Travel & Training	2,576	3,403	5,000	5,235	5,000
10-4270-5321-0000	Telephone, Communications , Email	7,900	8,024	10,000	8,369	10,000
10-4270-5330-0000	Utilities	19,144	33,349	25,000	37,437	30,000
10-4270-5433-0000	ATV Rental	5,679	8,503	5,000	11,329	6,000
10-4270-5440-0000	Service & Maintenance Contracts	27,445	49,062	120,746	95,746	133,500
10-4270-5491-0000	Dues and Subscriptions	404	436	1,500	1,000	1,500
	Subtotal	98,050	136,183	205,246	189,553	214,000
MAINTENANCE AND REPAIRS						
10-4270-5295-0000	Building and Grounds	125,900	380,528	342,854	340,000	153,000
10-4270-5295-0000	Icarus	-			3,000	11,000
10-4270-5352-0000	Equipment	17,902	6,070	15,000	21,000	15,000
10-4270-5353-0000	Vehicle	10,754	5,385	7,000	6,000	7,000
10-4270-5599-0000	Sand Fence - (pass through)	15	25,377	24,000	20,000	24,000
	Subtotal	154,571	417,359	388,854	390,000	210,000
CAPITAL OUTLAY						
10-4270-5540-0000	Vehicles	73,251	37,072		-	155,000
10-4270-5550-0000	8" Stormwater Pump with accessories	100,290			-	-
10-4270-5550-0000	Mower Blower	17,260	17,224		-	-
10-4270-5595-0000	Pruitt Park Playground Replacement	-	-	24,718	23,663	-
	Subtotal	190,801	54,295	24,718	23,663	155,000
TRANSFER TO CAPITAL RESERVE						
10-4270-5921-000	Dump trailer Replacement			10,000	10,000	
10-4270-5921-0000	Town Parks and Recreation Development	-	-	30,000	30,000	
10-4270-5921-0000	US 158 Sidewalk	-	-	25,000	25,000	
10-4270-5921-0000	Town Wide Boardwalk and Dock Repairs	10,000	10,000	50,000	50,000	10,000
10-4270-5921-0000	Future HVAC Fire House replacement	5,000	10,000	10,000	10,000	10,000
10-4270-5921-0000	Replacement Caterpillar Backhoe	15,000	8,000	8,000	8,000	8,000
10-4270-5921-0000	Upgrade Public Works Building	-	-	25,000	25,000	25,000
10-4270-5921-0000	Rehab Fire House Galley ** new					15,000
	Subtotal	30,000	28,000	158,000	158,000	68,000
	Public Works Subtotal	844,684	1,054,462	1,245,477	1,199,040	1,261,503

PUBLIC WORKS DEPARTMENT OPERATING EXPENDITURES (Continued)

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4510 & 4710

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
TRANSPORTATION (4510)						
10-4510-5195-0000	Engineering Services		9,209	10,000		-
10-4510-5199-0000	Prof. Services Engineering (pass through PB)	800	12,550			20,000
10-4510-5293-0000	Street Signs	-		4,000		2,000
10-4510-5295-0000	Street Maintenance and Repairs					-
10-4510-5590-0000	Street Maint. & Repairs (pass through PB)	127,197	114,152	130,000		150,000
10-4510-5595-0000	Capital outlay Infrastructure			320,000		-
	Subtotal	127,997	135,911	464,000	-	172,000
ENVIRONMENTAL SERVICES (4710)						
10-4710-5690-0000	Chipping Contracted Services	12,750	14,129	16,000		16,000
10-4710-5691-0000	Solid Waste Collection	1,152,434	1,179,644	1,250,000		1,250,000
	Subtotal	1,165,184	1,193,773	1,266,000	-	1,266,000
TOTAL PUBLIC WORKS EXPENDITURES						
		2,137,865	2,384,147	1,730,000	-	2,699,503



POLICE DEPARTMENT FY 2024-2025

POLICE DEPARTMENT OPERATING EXPENDITURES

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4310

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
PERSONNEL						
10-4310-5121-0000	Salaries & Wages	1,051,075	1,096,855	1,273,406	1,114,198	1,341,387
10-4310-5121-0000	Part time Salaries	-	-	-	-	2,500
10-4310-5121-0000	Salaries & Wages- Merit Pay	-	-	-	-	17,732
10-4310-5122-0000	Overtime	7,036	10,776	15,000	16,000	15,000
10-4310-5181-0000	FICA	75,552	78,725	98,739	86,461	111,046
10-4310-5182-0000	Retirement Contribution	128,067	137,818	182,262	156,885	205,477
10-4310-5183-0000	Health Insurance	296,211	297,188	396,465	267,098	418,092
10-4310-5184-0000	401K-State Mandate 5%	-	-	-	-	64,292
10-4310-5184-0000	401K 2%	67,321	67,474	86,688	73,018	29,244
	Subtotal	1,625,262	1,688,836	2,052,560	1,713,660	2,204,770
PROFESSIONAL SERVICES						
10-4310-5193-0000	Medical & Physicals	7,126	7,091	6,000	5,376	7,500
	Subtotal	7,126	7,091	6,000	5,376	7,500
OPERATING						
10-4310-5212-0000	Uniforms	14,545	14,126	28,856	14,135	28,000
10-4310-5212-0001	Uniforms Allowance	-	-	-	-	1,000
10-4310-5220-0000	Employee events Police Department	2,585	2,215	-	-	-
10-4310-5250-0000	Vehicle Supplies- Fuel	46,923	47,325	53,000	47,541	53,000
10-4310-5299-0000	Supplies Departmental	10,590	8,862	15,100	7,994	14,100
10-4310-5310-0000	Travel & Training	12,688	23,384	26,268	12,572	33,000
10-4310-5321-0000	Telephone, Communications , Email	29,957	26,930	33,000	26,914	33,000
10-4310-5325-0000	Postage	1,274	856	1,700	751	1,300
10-4310-5330-0000	Utilities	5,870	5,692	6,500	6,407	6,500
10-4310-5340-0000	Printing	1,352	1,492	1,700	758	1,500
10-4310-5440-0000	Service & Maintenance Contracts	40,601	72,204	144,646	138,669	90,828
10-4310-5491-0000	Dues and Subscriptions	1,661	1,517	1,800	2,288	2,200
10-4310-5495-0000	Dept. Of Justice Assest Forfeiture	-	-	1,000	-	-
10-4310-5498-0000	Controlled Substances Tax- Restricted	1,730	1,760	2,104	1,000	-
	Subtotal	169,776	206,364	315,674	259,029	264,428
MAINTENANCE AND REPAIRS						
10-4310-5352-0000	Equipment	19,317	24,051	26,000	11,597	26,000
10-4310-5353-0000	Vehicle	20,833	22,589	27,000	25,000	27,000
	Subtotal	40,150	46,640	53,000	36,597	53,000
PROGRAMS AND GRANTS						
10-4310-5070-0000	Governor's Crime Commission Grant	-	-	25,000	-	-
10-4310-5497-0000	Community Outreach Programs	1,556	2,667	5,000	3,500	8,500
	Subtotal	1,556	2,667	30,000	3,500	8,500

POLICE DEPARTMENT OPERATING EXPENDITURES (Continued)

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4310

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
CAPITAL OUTLAY						
10-4310-5540-0000	Vehicles	68,820	71,852	139,100	140,342	105,792
10-4310-5550-000	Equipment	65,242	33,502	99,300	90,000	152,695
	Subtotal	134,062	105,354	238,400	230,342	258,487
TRANSFER TO CAPITAL RESERVE						
10-4310-5921-0000	Future Police Department Building	1,000,000	1,083,583	-		
10-4310-5921-0000	Future In car radios	-	-	12,000	12,000	20,000
10-4310-5940-0000	Transfer out to capital project fund 41	-	4,426,143	-		-
	Subtotal	1,000,000	5,509,726	12,000	12,000	20,000
SEPARATION ALLOWANCE						
10-4311-5131-0000	Separation Allowance	88,987	111,016	134,649	128,975	89,100
10-4311-5181-0000	FICA Separation Allowance	6,659	8,457	10,301	9,867	6,816
	Subtotal	95,646	119,473	144,950	138,842	95,916
TOTAL POLICE DEPARTMENT EXPENDITURES		3,073,578	7,686,151	2,852,584	2,399,346	2,912,601



FIRE DEPARTMENT FY 2024-2025

FIRE DEPARTMENT OPERATING EXPENDITURES

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4340

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 21/22	Revised BUDGET FY 22/23	ESTIMATED 6/30/2024	BUDGET FY 24/25
PERSONNEL						
10-4340-5121-0000	Salaries & Wages	934,734	1,060,743	1,204,548	1,148,388	1,199,902
10-4340-5121-0000	Part time Salaries	-	-	-	-	85,145
10-4340-5121-0000	Volunteer Incentive Pay	-	-	-	-	12,000
10-4340-5121-0000	Salaries & Wages - Merit Pay	-	-	-	-	15,186
10-4340-5122-0000	Overtime	21,841	29,331	24,000	31,653	24,000
10-4340-5181-0000	FICA	71,578	81,441	94,351	79,653	101,335
10-4340-5182-0000	Retirement Contribution	103,260	125,599	146,630	37,284	169,319
10-4340-5183-0000	Health Insurance	197,694	223,805	279,324	224,689	255,882
10-4340-5184-0000	401 K	14,131	14,125	22,628	17,650	23,998
10-4340-5185-0000	Firefighter Pension Fund	2,740	800	5,310	2,700	5,310
	Subtotal	1,345,978	1,535,844	1,776,791	1,542,017	1,892,076
PROFESSIONAL SERVICES						
10-4340-5193-0000	Medical & Physicals	10,223	9,326	14,500	9,221	14,500
	Subtotal	10,223	9,326	14,500	9,221	14,500
OPERATING						
10-4340-5212-0000	Uniforms & Personal Protective Equipment	19,420	23,510	22,500	26,028	22,500
10-4340-5250-0000	Vehicle Supplies- Gas & Oil	16,160	21,151	17,000	19,055	17,500
10-4340-5299-0000	Supplies Departmental	17,249	16,336	18,600	16,500	18,600
10-4340-5310-0000	Travel & Training	17,561	17,084	20,000	18,784	20,000
10-4340-5321-0000	Telephone, Communications, Email	21,997	18,520	23,500	22,603	24,000
10-4340-5325-0000	Postage	54	99	250	150	250
10-4340-5330-0000	Utilities	12,264	10,841	15,000	12,565	14,000
10-4340-5440-0000	Service & Maintenance Contracts	11,052	6,924	13,000	5,500	4,408
10-4340-5491-0000	Dues and Subscriptions	2,126	2,224	2,500	2,800	2,500
	Subtotal	117,883	116,689	132,350	123,985	123,758
MAINTENANCE AND REPAIRS						
10-4340-5352-0000	Equipment	16,884	21,023	17,000	24,629	17,000
10-4340-5353-0000	Vehicle	47,749	66,737	50,000	87,678	50,000
	Subtotal	64,633	87,760	67,000	112,307	67,000
PROGRAMS AND GRANTS						
10-4340-5497-0000	Emergency Management Plan	-	-	30,000	21,519	12,000
		-	-	30,000	21,519	12,000
CAPITAL OUTLAY						
10-4340-5540-0000	Vehicle	0	55,803	-	-	52,000
10-4340-5550-0000	Equipment	206,448	37,600	30,000	35,000	25,000
10-4340-5550-0000	Equipment (FY 23-24 Self Breath Apparatus)	-	-	100,000	100,000	-
10-4340-5550-0000	Gym Equipment	-	-	6,000	-	-
	Subtotal	206,448	93,403	136,000	135,000	77,000
TRANSFER TO CAPITAL RESERVE						
10-4340-5921-0000	Future Fire Truck Reserve	30,575	25,000	200,000	200,000	200,000
10-4340-5921-0000	800 mhz - Radio Replacement	-	-	6,500	6,500	-
	Subtotal	30,575	25,000	206,500	206,500	200,000
TOTAL FIRE DEPARTMENT EXPENDITURES		1,775,740	1,868,021	2,363,141	2,150,549	2,386,334



OCEAN RESCUE FY 2024-2025

OCEAN RESCUE DEPARTMENT OPERATING EXPENDITURES

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4370

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
PERSONNEL						
10-4370-5121-0000	Salaries & Wages	125,326	122,500	157,973	118,056	170,721
10-4370-5181-0000	FICA	9,587	9,371	12,085	7,969	13,061
	Subtotal	134,913	131,872	170,058	126,025	183,782
PROFESSIONAL SERVICES						
10-4370-5193-0000	Medical & Physicals	1,524	2,335	1,500	2,500	1,600
	Subtotal	1,524	2,335	1,500	2,500	1,600
OPERATING						
10-4370-5212-0000	Uniforms	4,580	4,180	5,000	4,000	5,000
10-4370-5250-0000	Vehicle Supplies- Gas & Oil	3,500	3,068	3,500	2,210	3,500
10-4370-5299-0000	Departmental Supplies	3,731	2,994	5,400	5,400	5,400
10-4370-5310-0000	Travel & Training	440	1,519	1,000	700	1,200
10-4370-5321-0000	Telephone, Communications , Email	149	299	1,000	1,212	1,000
10-4370-5340-0000	Printing	678	-	700	300	700
10-4370-5433-0000	ATV Lease	5,125	6,345	9,000	9,000	9,500
10-4370-5491-0000	Dues and Subscriptions	-	150	-	-	-
	Subtotal	18,203	18,555	25,600	22,822	26,300
MAINTENANCE AND REPAIRS						
10-4370-5352-0000	Equipment	1,216	948	1,800	1,908	2,000
10-4370-5353-0000	Vehicle	1,319	3,014	2,500	1,982	2,500
	Subtotal	2,535	3,962	4,300	3,890	4,500
CAPITAL OUTLAY						
10-4370-5540-0000	Vehicle -FY 23-24 (replace 2012 Chevy)	25,593	46,831	50,000	50,427	
10-4370-5550-0000	2023 Yamaha Jet Ski		16,688	-	-	
	Subtotal	25,593	63,518	50,000	50,427	-
TOTAL OCEAN RESCUE DEPARTMENT EXPENDITURES		182,768	220,242	251,458	205,665	216,182

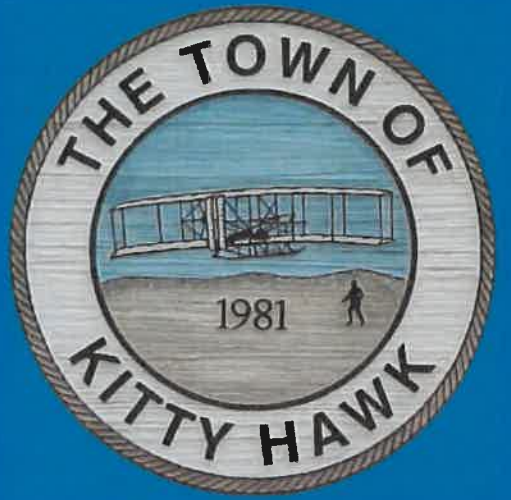


BEACH NOURISHMENT FY 2024-2025

BEACH NOURISHMENT OPERATING EXPENDITURES

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4410

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
PROFESSIONAL SERVICES						
10-4410-5195-0000	Beach Profile Survey	13,828	-	107,135	87,134	50,000
	Subtotal	13,828	-	107,135	87,134	50,000
OPERATING						
10-4410-5006-0000	Dare County Collection Fee - (BN and MSD)	16,882	16,576	15,740	17,672	17,000
10-4410-5598-0000	Beach Maintenance	13,420	45,430	60,000	54,602	250,000
	Subtotal	30,302	62,006	75,740	72,274	267,000
DEBT SERVICE						
10-4410-5710-0000	Principal	1,999,800	1,004,086	1,004,086	1,004,086	1,004,086
10-4410-5720-0000	Interest	71,211	93,982	73,098	73,098	52,212
	Subtotal	2,071,011	1,098,068	1,077,184	1,077,184	1,056,298
TRANSFER TO CAPITAL RESERVE						
10-4410-5921-0000	Excess Beach Nourishment Collections	273,009	403,775	364,227	364,227	152,172
	Subtotal	273,009	403,775	364,227	364,227	152,172
TOTAL BEACH NOURISHMENT EXPENDITURES		2,388,150	1,563,849	1,624,286	1,600,819	1,525,470



PLANNING AND INSPECTIONS

FY 2024-2025

PLANNING & INSPECTIONS DEPARTMENT OPERATING EXPENDITURES

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4910

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
PERSONNEL						
10-4910-5121-0000	Salaries & Wages	206,129	227,786	239,813	265,731	333,878
10-4910-5121-0001	Salaries & Wages - Merit Pay					4,120
10-4910-5122-0000	Salaries & Wages - Over Time					3,500
10-4910-5181-0000	FICA	15,076	16,771	18,437	19,447	25,679
10-4910-5182-0000	Retirement Contribution	23,805	27,822	31,080	34,412	45,741
10-4910-5183-0000	Health Insurance	44,597	43,869	48,717	48,345	69,288
10-4910-5184-0000	401K	3,797	4,074	4,796	4,970	6,678
	Subtotal	293,404	320,323	342,843	372,906	488,883
PROFESSIONAL SERVICES						
10-4910-5195-0000	Professional Services- Engineering	480	-	2,000	-	2,000
10-4910-5199-0000	Prof . Serv.- contracted Inspections Services	-	-	800	-	800
	Subtotal	480	-	2,800	-	2,800
OPERATING						
10-4910-5212-0000	Uniforms	200	463	250	-	450
10-4910-5250-0000	Vehicle Supplies and Fuel	1,729	1,475	3,000	2,085	3,000
10-4910-5299-0000	Supplies Departmental	594	1,086	2,000	500	2,000
10-4910-5310-0000	Travel & Training	3,807	7,419	7,000	17,000	9,000
10-4910-5321-0000	Telephone, communications, Email	1,406	1,409	1,400	2,204	1,500
10-4910-5325-0000	Postage	183	116	200	200	3,000
10-4910-5340-0000	Printing	2,006	-	2,000	500	2,000
10-4910-5370-0000	Advertising	1,169	612	800	-	800
10-4910-5440-0000	Service & Maintenance Contracts	2,000	90,765	28,242	26,741	21,000
10-4910-5441-0000	Condemnation & Demolition	103	6,265	-	-	-
10-4910-5491-0000	Dues and Subscriptions	1,086	1,194	1,500	-	1,500
10-4910-5693-0000	Homeowner Recovery Fees	936	1,269	1000	1,620	1,000
	Subtotal	15,219	112,073	47,392	50,850	45,250
MAINTENANCE AND REPAIRS						
10-4910-5353-0000	Vehicle	1,314	76	2,500	-	2,500
	Subtotal	1,314	76	2,500	-	2,500
CAPITAL OUTLAY						
10-4910-5540-0000	Equipment	40,764	-	-	-	-
	Subtotal	40,764	-	-	-	-
TRANSFER TO CAPITAL RESERVE						
10-4910-5921-0000	Land Use Plan Update	-	-	3,000	-	3,000
		-	-	3,000	-	3,000
TOTAL PLANNING & INSPECTIONS EXPENDITURES		351,181	432,472	398,535	423,756	542,433



PLANNING BOARD FY 2024-2025

PLANNING BOARD OPERATING EXPENDITURES

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4980

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/22	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
PERSONNEL						
10-4980-5121-0000	Member Compensation	4,100	2,600	5,000	4,000	5,000
10-4980-5181-0000	FICA	314	199	1,000	270	383
	Subtotal	4,414	2,799	6,000	4,270	5,383
OPERATING						
10-4980-5310-0000	Travel & Training	-	-	500	-	500
10-4980-5396-0000	Contracted Services Transcriptions	1,320	730	2,000	2,506	-
	Subtotal	-	-	2,500	-	500
TOTAL PLANNING BOARD EXPENDITURES		4,414	2,799	8,500	4,270	5,883

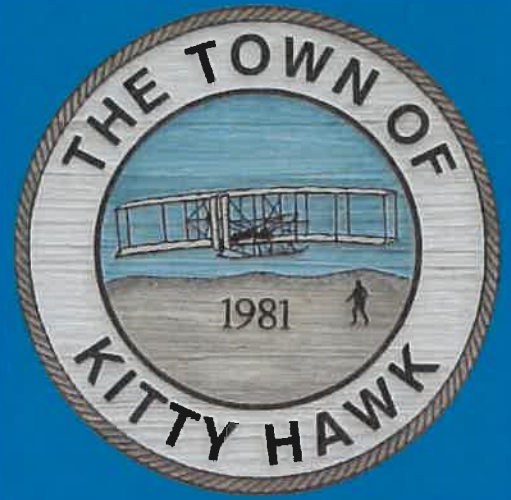


BOARD OF ADJUSTMENT FY 2024-2025

BOARD OF ADJUSTMENT OPERATING EXPENDITURES

GENERAL FUND - 10 / DEPARTMENT DETAIL - 4990

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	ESTIMATED 6/30/2024	BUDGET FY 24/25
PERSONNEL						
10-4990-5121-0000	Member Compensation	200	-	1,500	150	1,500
10-4990-5181-0000	FICA	15	-	102	12	115
	Subtotal	215	-	1,602	162	1,615
PROFESSIONAL SERVICES						
10-4990-5192-0000	Professional Services Legal	-	-	1,500	-	1,500
	Subtotal	-	-	1,500	-	1,500
OPERATING						
10-4990-5310-0000	Travel & Training	-	-	250	-	250
10-4990-5370-0000	Advertising	-	-	150	-	150
10-4990-5396-0000	Contracted Services Transcriptions	60	-	750	-	750
	Subtotal	60	-	1,150	-	1,150
TOTAL BOARD OF ADJUSTMENT EXPENDITURES		275	-	4,252	162	4,265



CAPITAL RESERVE FUND FY 2024-2025

CAPITAL RESERVE FUND REVENUES VS EXPENDITURES

RESERVE FUND - 21 / DEPARTMENT DETAIL

DEPARTMENT	ACTUAL FY 21/22	ACTUAL FY 22/23	Revised BUDGET FY 23/24	BUDGET FY 24/25
REVENUES				
<i>TRANSFER IN FROM THE GENERAL FUND BY DEPARTMENTS FOR THE FUTURE</i>				
4100 Fiber Optic Phone System Replacement	5,000		-	-
4130 Software Upgrades				-
4270 Town Parks & Recreation Development	-		30,000	
4270 Town Board Walks and Dock Repairs	10,000	10,000	50,000	10,000
4270 HVAC replacement at Fire Station	5,000		10,000	10,000
4270 Caterpillar Backhoe replacement	15,000	8,000	8,000	8,000
4270 Future side walk US 158	-	10,000	25,000	-
4270 Upgrade Public Works Building	-		25,000	25,000
4270 Dump Trailer replacement	-		10,000	
4270 Rehab Fire House Galley				15,000
4310 Police Department Building	1,000,000	1,083,583	-	
4310 Police In car radios	-		12,000	20,000
4340 Future Fire Truck Replacement	30,575	25,000	200,000	200,000
4340 800 mhz - Radio Replacements	-		6,500	
4410 Storm Damage/ Beach Nourishment	273,009	509,477	364,227	152,172
4910 Land Use Plan Update	-		3,000	3,000
Interest Earnings	4,777		-	
Capital Reserve Appropriated	-		20,000	
TOTAL RESERVE FUND REVENUES	1,343,361	1,646,060	763,727	443,172
EXPENSES				
<i>TRANSFER OUT TO THE GENERAL FUND FROM THE RESERVE</i>				
4100 Phone System Replacement	-	22,000	-	-
4100 Document Imaging software	-	-	20,000	-
4270 Fuel Storage Tank Replacement	29,000	-	-	-
4310 Police Department Building	3,000,000	1,203,583	-	-
4340 Fire Department Truck	-	55,735	-	-
4340 Fire Department Training Equipment	30,000	-	-	-
4340 800 mhz - Radio Replacements	25,000	-	-	-
4410 Storm Damage/Beach Nourishment	-	-	-	-
4910 Land Use Plan Update	-	20,000	-	-
<i>TRANSFER TO THE RESERVE FUND FOR FUTURE CAPITAL PROJECTS</i>				
4130 Software Upgrades	-	-	-	-
4270 Town Parks & Recreation Development	-	-	30,000	-
4270 Town Wide Boardwalk & Dock Repairs	-	-	50,000	10,000
4270 HVAC replacement at Fire Station	-	-	10,000	10,000
4270 Caterpillar Backhoe replacement	-	-	8,000	8,000
4270 Future side walk US 158	-	-	25,000	-
4270 Upgrade Public Works Building	-	-	25,000	25,000
4270 Dump Trailer Replacement	-	-	10,000	-
4270 Rehab Fire House Galley	-	-		15,000
4310 New Police Department Station	-	-	-	-
4310 Police In car radios	-	-	12,000	20,000
4340 Future Fire Truck Replacement	-	-	200,000	200,000
4340 800 mhz - Radio Replacements	-	-	6,500	-
4410 Storm Damage/Beach Nourishment	-	-	364,227	152,172
4910 Land Use Plan Update	-	-	3,000	3,000
TOTAL RESERVE FUND EXPENDITURES	3,084,000	1,301,318	763,727	443,172

CAPITAL RESERVE FUND BALANCE

RESERVE FUND -21

Department	Description	Actual FY 22-23	Projected FY 23-24	FISCAL YEAR 2024-2025		
				Transfer in	Transfer Out	Ending Balance
4100	IT Development	49,071	49,071	-	-	49,071
4100	Phone System Replacement	13,000	13,000	-	-	13,000
4100	Document Imaging System	20,000	-	-	-	-
4130	Software Upgrades	-	-	-	-	-
4270	Board Walks and Dock Repairs	44,000	94,000	10,000	-	104,000
4270	Future Sidewalk US 158	264,000	-	-	-	-
4270	Town Park & Recreation Develop.	144,735	174,735	-	-	174,735
4270	HVAC Replacement at Fire Station	5,000	15,000	10,000	-	25,000
4270	Caterpillar Backhoe replacement	23,000	31,000	8,000	-	39,000
4270	Upgrade Public Works Building	-	25,000	25,000	-	50,000
4270	Dump Trailer Replacement	-	10,000	-	-	10,000
4270	Rehab Fire House Galley	-	-	15,000	-	15,000
4310	Police Department Building	-	-	-	-	-
4310	Police in car- radios	-	12,000	20,000	-	32,000
4340	Fire Truck & Equipment	-	200,000	200,000	-	400,000
4340	800 mhz- Radio Replacements	-	6,500	-	-	6,500
4410	Storm Damage/Beach Nourishment	2,769,358	2,858,175	152,172	-	3,010,347
4910	Land Use Plan Update	-	3,000	3,000	-	6,000
Total		3,332,163	3,491,481	443,172	-	3,934,653

The Town's formal debt policy is consistent with that contained in North Carolina General Statutes 160-A. 20. This policy states that the issuance of bonds through an installment purchase contract shall be financed for a period not to exceed the anticipated useful life of the project.

Furthermore, it has been the current Town Council's practice to make every effort to avoid debt-service to pay for capital projects or operating expenses in the General Fund. The Town has historically planned and set aside capital reserve funds for the purchase of large capital projects to avoid debt service. The Town has taken the "pay as you go" approach.

The Beach Renourishment 2022 Project was established by adopting Capital Project Ordinance No. 21-01, in which all funds are derived from the special obligation bond and repaid by dedicated revenue sources. This debt is shared between Dare County and the Town of Kitty Hawk through an inter-local agreement with Dare County. Dare County contributes approximately 31% of the principal and interest payments yearly. The final payment for the initial Beach Nourishment project will be made in 2026.

FISCAL YEAR 2024/2025						
Fund	Project	Loan Origination Date	Original Loan Amount	FY 24/25 Principal & Interest Payments	Outstanding Principal Balance	Expected Pay-Off Date
Beach Nourishment Fund	2022-Beach Nourishment	12/14/21	5,020,429	1,056,298	2,008,172	12/14/26
Total Payments by Fund						
			Beach Nourishment Fund	1,056,298		

Year Incorporated: Kitty Hawk was established in the early 18th century as Chickahawk. The Town was incorporated in 1981.

Form of Government: A five-member Town Council, including a Mayor, is elected at-large to establish policy for the Town. A Town Manager appointed by the Council implements that policy in running the Town's government.

Geography/Location: Kitty Hawk is a Town in Dare County North Carolina and is part of what is known as North Carolina's Outer Banks. Kitty Hawk is located on the East Coast of the United States and is part of a string of barrier islands. The Town is surrounded by the Atlantic Ocean to the East and the Albemarle Sound to the West. The Town is nestled between the Town of Southern Shores to the North and Kill Devil Hills to the South.

Size: The Town's corporate boundary encompasses 5,248 acres (8.2 square miles), of which 5,235 acres (8.18 square miles) are land and 30.46 acres (.0476 square miles) are water.

Topography: The topography of Kitty Hawk is relatively flat, with elevations ranging from 4 to 38 feet above mean sea level (MSL) per the North American Vertical Datum of 1988. The Town is approximately 3 miles wide from the Atlantic Ocean to the Currituck Sound at the widest point and approximately $\frac{3}{4}$ of a mile wide at its narrowest point.

Shoreline: There are approximately 10.7 miles of shoreline in the Town, including 3.6 miles of Atlantic Ocean beach, 3.3 miles of Kitty Hawk Bay shoreline, and 3.8 miles of shoreline fronting the Albemarle Sound.

Climate: Kitty Hawk, NC climate is warm during summer when temperatures tend to be in the mid 80's and during winter months temperatures tend to be in the mid 50's.

The warmest month of the year is July with an average maximum temperature of 86.40 degrees Fahrenheit, while the coldest month of the year is January with an average low temperature of 35.80 degrees Fahrenheit.

The annual average precipitation at Kitty Hawk is 51.61 Inches. Rainfall is evenly distributed throughout the year. The wettest month of the year is August with an average rainfall of 5.64 Inches.

G.S. 159-8. Annual balanced budget ordinance.

- (a) Each local government and public authority shall operate under an annual balanced budget ordinance.
- (b) The budget ordinance of a unit of local government shall cover a fiscal year beginning July 1 and ending June 30.

G.S. 159-9. Budget Officer.

- (a) Each local government and public authority shall appoint a budget officer to serve at the will of the governing board. In counties or cities having the manager form of government, the county or city manager shall be the budget officer.

G.S. 159-10 Budget Requests

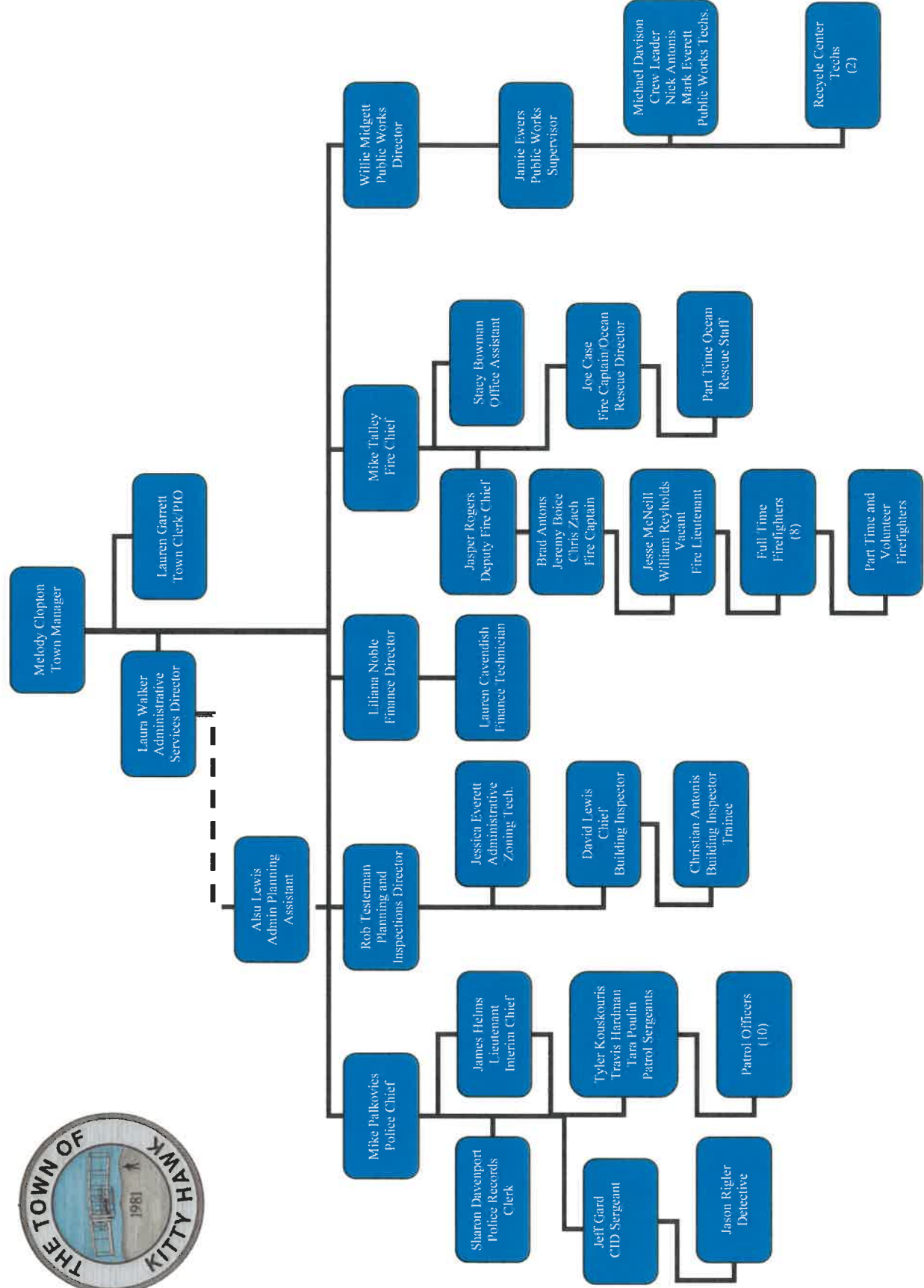
- (a) Before April 30 of each fiscal year (or an earlier date fixed by the budget officer), each department head shall transmit to the budget officer the budget requests and revenue estimates for his/her department for the budget year.

G.S. 159-11 Preparation and submission of budget and budget message

- (a) Upon receipt of the budget requests and revenue estimates and the financial information supplied by the finance officer and department heads, the budget officer shall prepare a budget for consideration by the governing board in such form and detail as may have been prescribed by the budget officer of governing board.
- (b) The budget, together with a budget message, shall be submitted to the governing body no later than June 1. The budget and budget message should, but need not, be submitted at the formal meeting of the board.
- (c) The governing body may authorize or request the budget officer to submit a budget containing recommended appropriations in a manner that will reveal for the governing board the nature of the activities supported by the expenditures that exceed estimated revenues.
- (d) The budget officer shall include in the budget a proposed financial plan for each intragovernmental service fund, and information concerning capital projects.
- (e) The budget shall include a statement of the revenue neutral property tax rate for the budget.

The Town's budget addresses three main types of governmental funds:

1. **General Fund**, the Town's primary operating fund, containing all financial resources of the general government except those required to be accounted for in another fund.
2. **Capital Reserve Fund**, established to account for long-term capital investment projects and other large purchases anticipated in the future.
3. **Capital Project Fund**, established for the construction or acquisition of capital assets (capital projects) or for projects that are financed in whole or at least in part by bonds, notes, or debt instruments.



<u>Grade</u>	<u>Position</u>	<u>Minimum</u>	<u>Maximum</u>
55	Public Works Technician Police Records Clerk	\$40,179.92	\$63,716.61
56	Public Works Technician II	\$42,294.65	\$67,070.12
57	Public Works Crew Leader	\$44,520.69	\$70,600.13
58	Firefighter	\$46,863.88	\$74,315.92
59	Administrative Planning Assistant Police Officer I* Firefighter I Public Works Supervisor	\$49,330.40	\$78,227.29
60	Police Officer II* Firefighter Engineer Building Inspector & Code Enforcement Trainee Administrative Zoning Technician Administrative Records Technician Finance Technician	\$51,926.74	\$82,344.51
61	Police Officer III* & Master Police Officer Master Firefighter	\$54,659.72	\$86,687.43
62	Detective I & II Fire Lieutenant	\$57,536.55	\$91,240.46
63	Police Sergeant I & II Fire Captain Ocean Rescue Director	\$60,654.79	\$96,042.59
64	Chief Building Official Public Information Officer & Town Clerk**	\$63,752.41	\$101,097.46

**Position starting pay is above Step 1 on Pay Scale*

***Exempt position as defined by the Fair Labor Standards Act (FLSA)*

**Approved Positions for
FY 2024-2025**

Department	Full-Time	Part-Time
Administration	4	0
Finance	2	0
Planning & Inspections	4	0
Public Works	6	2
Police	18	2
Fire	16	10
Total	50	14

Longevity Awards

Total	\$5,000
Last Year Longevity Award	\$1,000
Total Change	+\$4,000

Retiree Insurance

Retiree Health Insurance Payments for FY 2024-2025

	Health	Life	Total
Total	\$106,723.56	\$288.00	\$107,011.56

Separation Allowance

Separation Allowance 2024-2025

	Monthly	Annual
Total	\$7,425.00	\$89,100.00

Item	Fee
Town Merchandise	
Town of Kitty Hawk Hats - Baseball	\$12.50
Town of Kitty Hawk Hats - Trucker	\$17.50
Town of Kitty Hawk License Plates	\$7.50
Town of Kitty Hawk Police Patch	\$5.00
Town of Kitty Hawk Fire Department Patch	\$5.00
Town Flag	\$85.00
Town 25th Anniversary Cookbook	\$9.00
Town Documents	
Copies from Town Copy Machine	\$0.25 per page
Zoning Maps	\$3.25
Town Budget Copy	\$10.00
Fire Incident Report (First Copy Free)	\$0.10/page for additional copies
Town Miscellaneous Fees	
Smith Room Rental Fee	\$50.00 \$30.00
Fire Department Meeting Room	\$50.00 \$30.00
Special Meeting /Town Council	\$825.00
Horse Registration Initial Fee	\$50.00 \$30.00
Horse Registration Annual	\$20.00 \$10.00 per horse
Dune Sign	\$31.00
Road Sign Repair	\$250.00
Christmas Tree Lot Permit	\$100.00 Refundable Permit
Police Department	
Accident Report \$5.00	\$5.00
False Alarm -1 st Call in a Month	No charge
False Alarm -2 nd Call in a Month	\$50.00
False Alarm- 3 rd Call in a Month and subsequent calls	\$100.00
Kayak Permits(Annually)	\$300.00
Annual Fee for Precious Metal Permit	\$180.00
Employee Permit for Precious Metal (initial)	\$10.00
Employee permit for Precious Metal (annual)	\$3.00
Special Occasion Permit	\$180.00
Video from In Car Camera	\$15.00
Handicapped Parking Violation	\$100.00
All other Parking Violations	\$25.00

Item	Fee
	additional sq. ft. over 3,000 (heated space)
Accessory Dwelling Units	\$150
Additions for existing SFR and duplex (less than 50% of structure value)	\$75
Pools, driveways, decks and deck additions, accessory structures when not associated with new construction or substantial improvement	\$50
Multifamily/Townhouse/Hotel/Motel	\$150 \$125/unit
Garbage/Trash can fee	1 Can (<3 br)-\$125.00 2 Cans (4 to 6 br)-\$215.00 3 Cans (7 to 9 br)-\$300.00

Special Use Permits

Special Use Permit + Site Plan Review Fees	\$300.00
SUP-Family Dare Care	\$75.00 \$50.00
SUP-Residence in a Commercial Zone	\$25.00

Subdivision Plan Review

Subdivision	\$100.00/lot
Exempt Subdivision	\$150.00-\$50.00/lot

Erosion and Sediment Control

Land Disturbance Permit (less than 5,550 sq ft of disturbance)	\$75.00 \$50.00
Residential Erosion and Sedimentation Control Permit (5,500 sq. ft. or greater)	\$100.00
Commercial Erosion and Sedimentation Control Permit (5,500 sq. ft. or greater)	\$0.05/sq. ft. of disturbed area, \$1,000 maximum

Signs

Zoning	New Sign (per sign)	\$100.00 \$50.00
	Temporary Sign /Banner	\$25.00+\$50.00 deposit
	Change of sign Face	\$40.00 \$25.00
Building	New Sign w/o electric	\$75.00 \$55.00
	New Sign w/electric	\$150.00 \$110.00

Zoning Text/Map Amendment

Zoning Text Amendment	\$350.00 \$250.00
Map Amendment (Rezoning)	\$400.00 \$300.00

Wireless Communication Facility Review

Concealed attached WCF	\$4,500.00
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Item	Fee
2.Above –ground Swimming Pool	\$100 plus cost of electric
3.Building Demolition – Per Building	Residential \$100.00 Commercial \$200.00
4.Day Care, ABC License, inspections, etc.	\$75.00
5.Moving a Building and/or Approved, labeled Modular Unit	\$500.00 per building \$350.00
6.Manufactured mobile home (includes building, electrical, plumbing and mechanical fees)	Single Wide \$250.00 Double Wide \$300.00
Insulation	
1.Minimum permit fee applies to each dwelling	\$75.00 \$55.00 /unit and/or tenant space
Plumbing	
1.Minimum Permit fee applies to each dwelling unit and/or tenant space	\$75.00 \$55.00 , plus \$10.00 \$5.00 per fixture, trap or similar device.
Gas	
1.Minimum permit fee applies to each dwelling unit/or tenant space	\$75.00 \$55.00 , plus \$5.00 per gas outlet/connection
Mechanical	
1.Walk-in cooler or freezer; Commercial cooking	\$75.00/hood
2.Heating, air conditioning and /or combination unit Change Out	\$75.00 per unit, plus per fire, radiation and/or smoke damper-\$5.00
3. New HVAC Installation (Not New Construction)	\$55.00 plus electrical
3.Minimum Permit Fee	\$75.00 \$55.00 plus Non-walk in cooler, freezer, and/or other equipment
Electrical	
1.Temporary Service	\$75.00 \$55.00
2.Temporary Service w/construction site trailer	\$150.00 \$100.00
3.Approved/Labeled Modular (per service size)	Per service size
4.0-200 Ampere Service	\$125.00 \$75.00 plus \$0.50 per ampere above 200.00
5.Minimum permit fee	\$75.00 \$55.00 , plus (waive minimum permit fee, if associated work is [performed in conjunction with new service and /or service change])
5a.Openinings 1-100 receptacle, switches or fixtures	\$50.00 \$35 plus \$0.10 for each additional opening over 100
5b. Sub-panel , Transformer, Generator	\$75.00 \$50.00 each
5c. Baseboard heaters (per thermostat)	Minimum + \$10.00 \$6.00 each

See list of acronyms used in this document at end of glossary.

Appropriation – Funds authorized by Town Council for a specific use.

Assessed Value – The value set by the County Property Appraiser on taxable real property as a basis for levying property taxes.

Balanced Budget – A budget in which total revenues available from taxes and other sources, including amounts carried over from prior fiscal years, equal total expenditures and reserves. North Carolina Law requires municipalities to have balanced budgets.

Beach Nourishment - is the process of dumping or pumping sand from elsewhere onto an eroding shoreline to create a new beach or to widen the existing beach. Beach nourishment does not stop erosion, it simply gives the erosional forces (usually waves) something else to "chew on" for a while.

Budget – A financial plan estimating proposed expenditures for the fiscal year and proposed means of financing such expenditures.

Budget Calendar – A schedule of dates the Town follows in preparing and adopting the budget.

Capital Expenditures – Expenditures over \$5,000 which acquire or add to capital assets, such as land, buildings, improvements other than buildings, machinery, furniture, equipment, etc.

Capital Improvements Plan (CIP) – A financial plan for the construction or purchase of infrastructure, facilities, equipment, vehicles, and technology assets needed over the next five years.

Capital Reserve Fund – A fund used to account for long-term Capital Projects

Classification Plan - A tool in implementing a compensation system that helps ensure equal pay for substantially equal work.

Fund – A separate set of accounts with revenues and expenditures for a defined purpose.

Fund Balance – The amount of revenues exceeding expenditures in a governmental fund. The fund balance in the Town's General Fund constitutes the Town's reserves.

Fund Balance Policy – Funds in the City's reserves committed to unforeseen emergencies (e.g., natural disasters) and other non-routine expenditures formally approved by Council.

Acronyms Used Throughout This Document:

ABC - Mixed Beverage Tax

BN – Beach Nourishment

BN MSD – Beach Nourishment Municipal Service District

CAMA – Coastal Area Management Act

CIP – Capital Improvements Plan

DNR NC – Department of Natural Resources North Carolina

FY – Fiscal Year

FICA – Federal Insurance Contributions Act (federal payroll tax)

GHSP – Governors Highway Safety Program

GCC – Governor’s Crime Commission

HDHP – High Deductible Health Plan

IT – Information Technology

NCVTS – North Carolina Vehicle Transportation System

NCLGERS – North Carolina Local Governmental Employees’ Retirement System

MSD – Municipal Service District

RMS – Records Management System

SCBA - Self Contained Breathing Apparatus

Town of Kitty Hawk Five-Year Capital Improvements Plan FY 2024 to 2029



<u>Section</u>	<u>Page No.</u>
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Capital Reserve Fund Balances	4
Five Year Capital Improvement Plan Chart.....	5
Capital Project Requests by Department.....	6-15

2. **Grants** - Grant funds, when available and applied for, are a way to pay for capital projects. There are a multitude of grant opportunities for a wide variety of projects.
3. **Capital Reserves** - Capital reserves are monies that are set aside specifically for future funding of larger capital items. These funds may be assigned for capital needs, or unassigned, which means that they may be used for any capital expenditure upon approval by Council. To establish a Capital Reserve, the Council will need to pass a resolution.
4. **Capital Project and Grant Project Ordinances** - A Capital Project is financed in whole or part by bond proceeds, notes, or other debt instruments or a project involving the construction or acquisition of a capital asset. A grant project is one which is “financed in whole or in part by revenues received from the federal and/or State government for operation or capital purposes as defined by the grant contract” [G.S. 159-13.2(s)(2)]. A grant or project ordinance is a budget ordinance covering the revenue and expenditures related to a particular project without regard to time.

These types of ordinances, which take the place of an annual budget ordinance for the activities in question, are best suited for large, complex projects that will take more than one fiscal year to complete or are not part of the unit’s recurring operations and expenditures.

5. **Installment Purchase Contracts** - Installment purchase contracts are a local government’s means to finance the purchase of equipment or infrastructure. The Town borrows money from a lender in order to pay for a project and then pays the principal plus any interest back to the lender. The terms of the contract will typically depend on the size and cost of the project.
6. **Fund Balance** - The Town may also decide to allocate available fund balance in order to fund a project. Fund balance represents the Town’s “savings account”. It is important that the use of the fund balance to pay for projects is closely monitored along with cash flows for the Town to maintain an adequate percentage of annual expenses in fund balance. Maintaining a healthy fund balance is essential to the overall financial condition of the Town and its financial ratings. The availability and use of fund balance is also critical to recovering from natural disasters when the need for resources and services is at its highest and revenues from FEMA or state agencies are not reimbursed until a later date. The Town’s policy is to maintain at least \$3.5 million in the fund balance for natural disasters or extraordinary events.

5 YEAR CAPITAL IMPROVEMENTS PLAN						
Department Project Description	Funding	FY 24/25	FY 25/26	FY 26/27	FY 27/28	FY 28/29
Non-Departmental (4100)						
No Requests		-	-	-	-	-
Total		-	-	-	-	-
Administration (4120)						
No Requests		-	-	-	-	-
Total		-	-	-	-	-
Finance (4130)						
No Requests		-	-	-	-	-
Total		-	-	-	-	-
Public Works (4270)						
Town Parks		-	25,000	50,000	-	-
Town Hall Septic Replacement		-	20,000	-	-	-
Fire Department - Exterior Paint		-	30,000	-	-	-
Vehicle Replacement(s)	operating	155,000	40,000	-	40,000	-
Boardwalk and Docks Repair	transfer to Reserve	10,000	10,000	10,000	-	-
Upgrade Public Works Building	transfer to Reserve	25,000	25,000	25,000	25,000	25,000
Mower Replacement		-	-	-	-	12,000
HVAC Replacements Fire Station	transfer to Reserve	10,000	10,000	10,000	10,000	10,000
Replacement Caterpillar Backhoe	transfer to Reserve	8,000	8,000	8,000	8,000	8,000
Rehab Fire House Galley	transfer to Reserve	15,000	-	-	-	-
Total		223,000	143,000	53,000	83,000	55,000
Police (4310)						
Police Equipment (vehicle & , equipment not on car)	operating	152,695	38,900	12,600	12,600	12,600
In car radios	transfer to Reserve	20,000	12,000	12,000	12,000	12,000
Vehicles Replacement	operating	105,792	180,780	180,780	200,000	200,000
Total		278,487	231,680	205,380	224,600	224,600
Fire (4340)						
Self Contained Breathing Apparatus		-	-	35,000	-	-
Gym Equipment		-	-	6,000	-	-
Bunker Gear Replacement		-	30,000	-	-	-
Replacement Fire Truck	transfer to Reserve	200,000	200,000	200,000	200,000	200,000
Fire Equipment	operating	25,000	25,000	25,000	25,000	25,000
Vehicle Replacement	operating	52,000	-	50,000	50,000	50,000
Total		277,000	255,000	316,000	275,000	275,000
Ocean Rescue (4370)						
Replace/Update Radio Equipment		-	20,000	-	-	-
Truck Replacement		-	-	-	60,000	60,000
Jet Ski Replacement		-	-	-	20,000	20,000
Total		-	20,000	-	80,000	80,000
Planning (4910)						
Update Land Use Plan	transfer to Reserve	3,000	3,000	3,000	3,000	-
Total		3,000	3,000	3,000	3,000	-
Powell Bill Funds						
Streets Resurfing Project	operating	172,000	130,000	130,000	130,000	130,000
Total		172,000	130,000	130,000	130,000	130,000
TOTAL 5 YEAR CIP EXPENDITURES		953,487	782,680	707,380	795,600	764,600

Justification: Maintain Town Investment and community access for Town boardwalks, docks, and crossovers.

Estimated Cost:	FY 2024-2025	\$10,000
	FY 2025-2026	\$10,000
	FY 2026-2027	\$10,000

Funding: Transfer to Reserve

Rehab Fire House Galley

Description of the Project or Item(s): Replace failing kitchen equipment in Fire Station.

Justification: Maintain working order of Fire Station kitchen and cooking facilities.

Estimated Cost:	FY 2024-2025	\$15,000
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Funding: Transfer to Reserve

Future HVAC Fire House Replacement

Description of the Project or Item(s): The Fire Station HVAC system is original to the building and has numerous repairs.

Justification: Maintain adequate heating and air conditioning service for building.

Estimated Cost:	FY 2024-2025	\$10,000
	FY 2025-2026	\$10,000
	FY 2026-2027	\$10,000
	FY 2027-2028	\$10,000
	FY 2028-2029	\$10,000

Funding: Transfer to Reserve

Upgrade Public Works Building

Description of the Project or Item(s): Expand Public Works Building for additional storage.

Justification: As the Town grows, the Public Works department will also grow. They have identified a need for increased space and equipment storage and would like to add a modest addition to their current building.

Estimated Cost:	FY 2024-2025	\$25,000
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Mower Replacement

Description of the Project or Item(s): Replace Mower

Justification: The Town must maintain rights-of-way and Town property requires a mower in good working condition. The current mower will be 10 years of age and at the end of its useful life.

Estimated Cost: FY 2028-2029 \$12,000

Funding: Operating Revenue

Backhoe Replacement Reserve

Description of the Project or Item(s): Replace 2007 Caterpillar Backhoe

Justification: Backhoe will be 20 years old in 2027.

Estimated Cost:	FY 2024-2025	\$8,000
	FY 2025-2026	\$8,000
	FY 2026-2027	\$8,000
	FY 2027-2028	\$8,000
	FY 2028-2029	\$8,000

Funding: Transfer to Reserve

Fire Department

Self-Contained Breathing Apparatus (SCBA) Replacement Program

Description of the Project or Item(s): The department needs to replace its SCBA equipment as it will not be able to pass inspection in the near future. Previously, the Town had been trying to replace several units each year. This practice is no longer effective as it prohibits the department from qualifying for grant funds to purchase this equipment. This will provide 10 SCBA units, 20 cylinders and 10 facepieces.

Justification: This meets current and future employer requirements specified in OSHA standards for respiratory protection and safety of employees.

Estimated Cost: FY 2026-2027 \$35,000

Funding: Operating Revenue

Gym Equipment

Description of the Project or Item (s): The Fire Department has a health maintenance program supported by gym equipment.

Justification: The Department is attempting to maintain the gym facility at the Fire Department by updating pieces of gym equipment as needed. The equipment is utilized by the Fire Department and other Town employees to improve the overall health and conditioning of Town employees. These types of purchases aid in lowering the employee health care costs to the Town by encouraging physical fitness.

Estimated Cost: FY 2026-2027 \$6,000

Funding: Operating Revenue

Bunker Gear Replacement

Description of the Project or Item(s): Replacement of expired bunker gear used in fire suppression.

Justification: The replacement of bunker gear is requested due to aging and low inventory of bunker gear for current members with the anticipation that several more sets will need to be purchased, as a result of a new volunteer recruitment effort. The bunker gear has a ten (10) year life expectancy, so it is imperative that gear is replaced prior to expiration.

Vehicle Replacement(s)

Project/Item Description: Replacement of Fire Vehicles

Justification: Projected high mileage and maintenance costs indicate a need to replace the vehicle. In addition, the vehicles usually have substantial rust due to the harsh environment by the eight (8) year policy replacement threshold.

Estimated Cost:	FY 2024-2025	\$52,000
	FY 2026-2027	\$50,000
	FY 2027-2028	\$50,000
	FY 2028-2029	\$50,000

Funding: Operating Revenue

Ocean Rescue

Vehicle Replacement(s)

Description of the Project or Item(s): 4x4 Truck Replacement

Justification: Projected high mileage and maintenance costs indicate a need to replace the vehicle. In addition, vehicles usually have substantial rust due the environment by the 8-year policy replacement threshold.

Estimated Cost:	FY 2027-2028	\$60,000
	FY 2028-2029	\$60,000

Funding: Operating Revenue

Jet Ski Replacement

Description of the Project or Item(s): Jet Ski

Justification: Projected high use and maintenance costs indicate a need to replace the Jet Ski. In addition, Jet Ski usually has substantial wear due to the environment by the 8-year policy replacement threshold.

Estimated Cost:	FY 2027-2028	\$20,000
	FY 2028-2029	\$20,000

Funding: Operating Revenue

Adopted by the Kitty Hawk Town Council on this 6th day of June 2024.

D. Craig Garriss, Mayor

Lauren Garrett
Town Clerk & Public Information Officer



Agenda Item 10 B

Date: May 6, 2024

Submitted By: Melody Clopton

Subject: Roosters in Kitty Hawk

Background:

Within the past several years, there have been complaints about roosters crowing in a neighborhood near Town Hall. The primary complainant has involved the police, and the rooster owner faced a civil lawsuit based on the Town's noise ordinance.

While the Town's Noise Ordinance was upheld, the rooster's noise disruption continues during the day, which is not covered under the Town's noise ordinance.

While some other towns allow chickens, several stipulate that roosters are not allowed.

Dare County and the Town of Duck, use the noise ordinance like the Town of Kitty Hawk.

The staff would like to know your thoughts on roosters in Kitty Hawk. Our options would be to

- continue to allow roosters throughout the Town
- update the noise ordinance
- specify no roosters in certain zoning areas
- ban roosters throughout the Town

Recommended Motion:

This is for informational and discussion purposes. No motion is needed at this time.

- (a) *Intent.* It is hereby declared to be the policy of the town council to prevent unreasonably loud, disturbing or unusually excessive noise. It is the intention of the town council to maintain a low noise level within the town so as to preserve, protect and promote the public health, safety and welfare and to foster convenience, peace and quiet within the town for its inhabitants and transients alike. The town council finds that every person is entitled to have noise levels maintained which are not detrimental for life, health, and enjoyment of property and that unusually excessive and unreasonable noise within the town affects and is a nuisance to the public health, safety and welfare and the comfort of the people of the town.
- (b) *Definitions.* The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

"A" weighting scale means the sound pressure level, in decibels, as measured with the sound level meter using the "A" weighted network (scale). The standard unit of notation is dB(A).

Common carrier means any motor vehicle for hire by the public or any motor vehicle part of a public transportation system.

Construction means any site preparation, assembly, erection, substantial repair, alteration, or similar action, but excluding demolition.

Daytime hours. 7:00 a.m. to 10:00 p.m., local time.

Decibel (dB(A)). The decibel is a unit of measure of sound (noise) level relative to a standard reference sound on a logarithmic scale.

Demolition means any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces, or similar property.

Electronic sound amplification system means any radio, tape player, compact disc player, loud speaker or other electronic device used for the amplification of sound.

Impulsive sound means sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions, drop forge impacts, and discharge of firearms.

Modified exhaust system means an exhaust system in which the original noise abatement devices have been physically altered causing them to be less effective in reducing noise abatement devices which are not as effective in reducing noise as their original devices, or devices have been added to the original noise abatement devices such that noise levels are increased.

disturbance.

Weekday means any day Monday through Friday which is not a legal holiday.

(c) *Noise measurement techniques.*

(1) *Sound level meters.*

- a. For the purpose of determining decibels, (dB(A)s) as referred to in this chapter, noise shall be measured using the A-weighting scale on a sound level meter of standard design and quality having characteristics established by the American National Standards Institute.
- b. The sound level meter should be certified to meet or exceed the American National Standards Institute or its successor bodies and shall be serviced, calibrated and operated as recommended by the manufacturer. Persons utilizing the sound level meter for purposes of this chapter shall be familiar with sound level measurement and the operation of sound level measurement equipment, and shall operate the sound level meter in accordance with the manufacturer's instructions.

(2) *Alternative measurement techniques.*

- a. In the event that the noise cannot be measured on a sound level meter operated on the "A" weighting network (scale) or it is otherwise impractical to utilize this measurement technique under the circumstances: (i) the complaints of two or more persons, at least one of whom resides in a different location from the other complaining person, when combined with the complaint of an authorized investigating officer, shall be prima facie evidence that the sound is unreasonably loud, disturbing or excessive noise; and/or (ii) if the noise is of such a nature that a reasonable person with normal sensitivities should have known that the noise was creating an unreasonably loud, disturbing or excessive noise the same shall be prima facie evidence of a violation of this chapter. Sound emission decibel measurements shall not be required for establishment of a violation under the circumstances set out above and the same shall be deemed to be a noise disturbance.
- b. In determining whether a noise, under this section, is of such character as to be noise disturbance the investigating officer shall consider the following non-exclusive list of factors:
 1. Does the noise cross property lines?
 2. Complaints of neighbors regarding the noise;
 3. Effect on neighbors complaining about the noise;
 4. Time of day at which the noise takes place;
 5. The intensity and duration of the noise;
 6. The type of noise produced;
 7. The reason or reasons for the noise; and

purposes of this section, measurements shall be made at the real property line boundary of the noise sensitive zone facility nearest the real property boundary of the property from which the noise originates.

(e) *Powers and duties of the enforcing body.*

- (1) *Powers of the police department.* In order to implement and enforce this chapter effectively, the chief of the police department or his officers shall have, in addition to any other authority vested in them, the power to conduct inspections:
 - a. Upon presentation of credentials, enter and inspect any private property or place, and inspect any report or records at any reasonable time when granted permission by the owner or by some other person with apparent authority to act for the owner. When permission is refused or cannot be obtained, a search warrant or other court order may be sought by the officer from a court or competent jurisdiction upon a showing of probable cause to believe that a violation of this chapter may exist.
 - b. Stop any motor vehicle, motorcycle, or motorboat operated on a public right-of-way, public space, or public waterway reasonably suspected of violating any provision of this chapter and reasonably test and inspect the same at the site to determine whether a violation of this chapter has occurred.
- (2) *Duties of the chief of police.* In order to implement and enforce this chapter effectively, the chief of police or his officers shall investigate and pursue possible violations of this chapter.

(f) *Prohibited acts.*

- (1) *Noise disturbances prohibited.* No person shall make, continue, or cause to be made or continued any noise disturbance. Noncommercial public assembly activities conducted on any public space or public right-of-way shall be exempt from the operation of this section.
- (2) *Specific prohibitions.* The following acts, among others, are declared to be unreasonably loud, disturbing and unusually excessive noises in violation of this chapter, but such enumeration shall not be exclusive:
 - a. *Radios, television sets, musical instruments and similar devices.* Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device which produces, reproduces, or amplifies sound.
 1. In such a manner as to create a noise disturbance across a real property boundary or within a noise sensitive zone;
 2. In such a manner as to create a noise disturbance at 50 feet from such device, when operated in or on a motor vehicle on a public right-of-way or public space, or in a motorboat or other vessel which operates on public waters; or
 3. In such a manner as to create a noise disturbance to any person other than the

1. Sounding or permitting the sounding of any signal from any stationary bell, chime, siren, whistle, or similar device, intended primarily for nonemergency purposes, from any place, for more than one minute in any hourly period.
2. Devices used in conjunction with places of education and religious worship shall be exempt from the operation of this provision.

j. *Emergency signaling devices.*

1. The intentional sounding or permitting the sounding outdoors of any fire, burglar, or civil defense alarm, siren, whistle or similar stationary emergency signaling device, except for emergency purposes or for testing, as provided in subsection (f)(2)j.2 of this section.
2. Testing of a stationary emergency signaling device shall occur at the same time of day each time such a test is performed, but not before 8:00 a.m. or after 9:00 p.m.

k. *Domestic power tools.* Operating or permitting the operation of any mechanically powered saw, sander, drill, grinder, lawn or garden tools, or similar device used outdoors, in residential areas between the hours of 10:00 p.m. and 7:00 a.m. the following day so as to cause a noise disturbance across a residential real property boundary.

l. *Motor vehicles, motorcycles and motorboats.*

1. *Generally.* No person shall operate a motor vehicle, motorcycle or motorboat which causes noise disturbance across a real property boundary, within a noise sensitive zone or on a public right-of-way, public space or public waterway as a result of:
 - (i) A defective or modified exhaust system;
 - (ii) Any unreasonably rapid acceleration, deceleration, engine revving or tire squealing; or
 - (iii) Overloading or ill repair which causes unusually excessive grating, grinding, rattling or other noise.
2. *Repairs and testing.* Repairing, rebuilding, modifying or testing any motor vehicle, motorcycle, or motorboat in such a manner as to cause a noise disturbance across a residential real property boundary or within a noise sensitive zone.
3. *Horns and signaling devices of motor vehicles and motorcycles.* The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place of the town, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; the sounding of any such device for an unreasonable period of time; the use of any horn, whistle, or other

It shall be unlawful to keep or maintain any cow, horse, pony, mule, sheep, pig or other livestock on any lot or other enclosure or building within the corporate limits.

Chickens will be allowed upon issuance of a valid permit within the municipal limits of the Town of Manteo provided that:

- (1) No more than six chickens shall be kept or maintained on any individual lot.
- (2) No male chickens/roosters shall be allowed.
- (3) The chickens must be confined in a chicken coop not less than four square feet of floor area for each chicken. Chicken coops must not exceed eight feet in height at the peak of the roof.
- (4) Chickens may be allowed outside their coops during daytime hours if fencing is constructed to restrict the chickens from leaving the owner or possessor's property.
- (5) The chicken coop and/or property shall be kept clean, sanitary and free from accumulation of animal excrement and objectionable odors.
- (6) The chicken coop shall be a minimum of 30 feet from the nearest residence other than that of the owner and a minimum of five feet from the lot line. Not all lots in town will be able to accommodate chicken coops.
- (7) If chickens are removed from the premises for a violation of this section or other applicable law, the owner or possessor is not allowed to obtain a chicken permit for a minimum of one year from the date of removal.
- (8) No residential sale of slaughtered chickens is allowed within the Town of Manteo.
- (9) It is recommended that the owner take an educational course on chicken care provided by the Dare County Cooperative Extension Office.

(Ord. No. 11, § 1, 6-9-82; Ord. No. 77, § 3-21, 11-8-89; Ord. No. 2011-02Cod., 4-6-2011)

Sec. 4-24. - Livestock, fowl prohibited.

The keeping and having of livestock and fowl within town is prohibited. However, canaries, parrots and similar birds kept as household pets are permitted.

(Code 1988, § 6-89; Ord. of 8-7-1984, § I)

CHICKEN HENS

Kill Devil Hills

§ 94.25 KEEPING HENS.

The raising of chicken hens shall be primarily for the purpose of collecting the eggs produced therefrom; this section shall not be construed to allow for the commercial slaughter or sale of any chicken hens for any purpose. No person shall keep chicken hens within the town in such a manner that a nuisance or public nuisance animal is created. At no time shall "chicken hen or hens" be construed to include "chicken rooster or roosters." A maximum number of six and no fewer than three chicken hens may be kept on a single lot or tract within the corporate limits of the town, provided that:

(A) Chicken hens, chicken hen houses (coops) and outdoor enclosures (runs) are permitted as an accessory to a residential or school use, not as a home occupation or other commercial purpose. Coops and runs are to be located in rear yards of properties only within the Residential Low, Light Industrial 1, Light Industrial 2, and Government and Institution (Public and Private) Zoning Districts that are situated west of the US 158/Croatian Highway, and placement must, therefore, conform with the setback requirements of § 153.082(B), Exceptions (2) Accessory structures may be built subject to the following requirements., of the Town Code.

(B) The owner of the chicken hens must reside on the property where the hens are kept. The owner of the chicken hens must either own the property or have written owner authorization from the property owner in order to keep chicken hens. These requirements shall not apply to the Dare County Schools.

(C) Chicken hens are not allowed to run at large and must be provided with both a coop and run subject to the following provisions:

(1) The chicken coop must provide the chicken hens with adequate protection from predators, and from the elements and inclement weather, be covered, well-ventilated, and provide a minimum of two square feet per chicken hen. Together, the coop and chicken run must provide a minimum total of four square feet per chicken hen.

(2) Chicken coops and runs must be regularly maintained in a manner to control dust, odor and waste and to prevent such areas from constituting a public nuisance or health hazard. The accumulation of organic material furnishing food for flies is prohibited. All manure and waste products shall be adequately composted or regularly collected and kept in tightly covered predator-, rodent-, and insect-resistant receptacles and disposed of at least once a week in a manner approved by the Animal Control Division. A written waste management plan is required to be submitted for approval by the Animal Control Division.

(3) The coop must be kept clean, dry and sanitary at all times; the chicken run must be kept clean and sanitary at all times.

(4) The coop and run must be located upon a permeable surface that prevents waste run-off.

(5) The chicken run must adequately contain the chicken hens at all times.

(6) Chicken hen food storage container(s) shall be weather-, insect-, and animal-proof and keep food dry and clean.

(7) Chicken hens shall be placed in their coop by 10:00 p.m. and not let out into the chicken run prior to 6:00 a.m.

(8) Chicken hens as defined and regulated in this chapter shall be limited to location in the Residential Low, Light Industrial 1, Light Industrial 2, and Government and Institution (Public and Private) Zoning Districts in the town.

(Ord. 13-11, passed 7-8-13; Am. Ord. 14-32, passed 5-13-15)