



**TOWN OF NAGS HEAD
BOC ACTIONS
WEDNESDAY, APRIL 7, 2021**

- 1.** Call to order - Mayor Cahoon called the meeting to order at 9 am.

Comr. Brinkley remembered former Kill Devil Hills Police Officer Lt Bill Walker who recently passed away; A few moments of silence were followed by the Pledge of Allegiance. Board members also remembered Russell Twiford who passed away and who was a key person in the development of Nags Head.

- 2.** Agenda - The Board approved the April 7th agenda as presented.

- 3.** Recognition

Introduction - Fire Chief Randy Wells introduced Firefighter/EMT William Reynolds who was welcomed by the Board to Town employment.

Introduction - Public Works Facilities Superintendent Mike Norris introduced Sanitation Equipment Operator I Heath Taylor who was welcomed by the Board to Town employment.

Ten Years - Police Chief Phil Webster introduced Police Officer/K-9 Matthew Huntingford who was congratulated by the Board for ten years of service.

Proclamation - A Proclamation declaring April 2021 as Child Abuse Prevention Month was adopted.

Resolution - A Resolution declaring May 9 - 15, 2021 as "Thanks Outer Banks - A Week Of Gratitude" was adopted.

- 4.** Public Comment - Richard Hanson, resident of Linda Lane in Old Nags Head Place Subdivision; he spoke concerning the flooding in his neighborhood; since February 2021 he has been working with staff and a plan has been developed; he is asking the Board to fund the work that is proposed; there are 32 houses that do not have culverts under their driveways; photographs were displayed showing flooding in the Old Nags Head Place Subdivision. He asked that the Board consider funding the work this fiscal year.

- 5.** Public Comment - Mayor Cahoon noted that there was one comment received from Adnan Jalil concerning the Soundside Road/Jockey's Ridge access issue; he read the email which encouraged the Board to approve and act on the recommendations made by the Working Group.

Comr. Fuller pointed out that additional letters with the same sentiment were forwarded to the Board. Mayor Cahoon said that he was only aware of the one sent to the "Public Comment" mailbox; he stated, however, that he would read others later in today's meeting if received.

- 6.** Presentation - Update of Dowdy Park Farmers Market - Recap of 2020; Plans for 2021 - Dep Planning Director Kelly Wyatt introduced this item; Town Arts and Culture Committee Chair Peggy Saporito spoke re: the accomplishments of the committee and plans for future Farmers Markets and other events to

be held at the Park; she thanked Paige Griffin for her valuable assistance and the Board for its continued support for the Town's artistic vision in support of the Arts and Culture Committee.

Dowdy Park Coordinator Paige Griffin presented a brief powerpoint presentation updating the Board on the successes of the past year, the safety measures conducted during COVID, and future events.

Mayor Cahoon asked about the donation of the Don Bryan self portrait – Comr. Fuller explained that it was offered to the Town Arts and Culture Committee by Village Realty who then gave it to the Town.

7. Consent Agenda - The Consent Agenda was approved as presented and consisted of the following:

Consideration of Budget Adjustment #13 to FY 20/21 Budget

Consideration of Tax Adjustment Report

Approval of minutes

Consideration of FY 2020/2021 equipment and vehicle financing resolutions

Consideration of modification to Consolidated Fee Schedule re: Dowdy Park Farmers Market Vendor Fee

Request for public hearing - UDO amendments pertaining to electric vehicle battery charging

Request for public hearing - UDO amendments to update references for regulatory reference manuals

8. Comments on Soundside Road/Jockey's Ridge Working Group report - Mayor Cahoon reported that the public should be aware that additional comments have been received and will be read/entered into the record later in today's meeting.

9. Public Hearing - to consider text amendments to the UDO pertaining to the various Commercial Mixed-Use use types and the various uses allowed therewith - Mayor Pro Tem Siers was recused from this agenda item; The Board adopted the ordinance as presented.

10. Public Hearing - to consider text amendments to the UDO pertaining to nonconforming hotels and accessory uses in association with preexisting fishing piers; and text amendments pertaining to the permitted zoning district location and supplemental regulations for hotels. A motion was passed to adopt the ordinance re: permitted zoning district location and supplemental regulations for hotels with the removal of the maximum unit size for rooms, efficiencies, and suites. In addition, a motion was passed to deny the original text amendment re: nonconforming hotels and accessory uses in association with preexisting fishing piers.

11. Public Hearing - to consider text amendments to the Unified Development Ordinance pertaining to outdoor lighting and lighting for signage - The Board passed a motion to continue this agenda item to the first meeting in May and that staff be directed to provide additional language re: uplighting in neighborhoods.

12. Planning Director update - The Board passed a motion to approve the scope for the Estuarine Shoreline Management Plan as presented.

13. Fourth Street (W Coastal Way) - Request to improve the existing paper street - Mayor Cahoon was recused from this agenda item - The Board passed a motion to approve the request to improve the existing paper street known as Fourth Street (W Coastal Way) as presented with Planning Staff recommendations and with the stipulation that when the multi-use path is built that the appropriate lighting is installed for safety.

14. Recess/Reconvene - The Board recessed for lunch at 12:05 p.m. and reconvened at 1:25 p.m.

- 15.** Preliminary Plat - Consideration of a Preliminary Plat for a Major Subdivision, titled Louisa Farr, Lot 4, Ralph Buxton Division, for an approximately 4.06 acre property, zoned SED-80 and SPD-20, located at 468 W. Villa Dunes Drive (Parcel# 008536000; PIN# 989214321617); the Preliminary Plat proposes to divide the existing lot into 2 lots, requiring the modification of a condition imposed upon the original Preliminary and Final Plat titled Division for Ralph Buxton, et al. Mayor Pro Tem Siers was recused from this agenda item. The Board passed a motion to deny the request to divide the existing lot into 2 lots based on decision made by the Board in the 1980's that no further subdivision will be allowed.
- 16.** Town Seasonal Workforce Housing Needs - The Board passed a motion to approve the draft RFI re: Town Seasonal Workforce Housing Needs as presented and directed staff to proceed.
- 17.** UDO text amendments - Discussion of various text amendments to update the Unified Development Ordinance as required by N.C.G.S. 160D - The Board passed a motion to schedule a Public Hearing to consider updates to the UDO as required by GS 160D for the May 5th Board meeting.
- 18.** Jockey's Ridge State Park/Soundside Access Working Group - Mayor Cahoon read comments received via email concerning the Jockey's Ridge State Park/Soundside Access which included the one read during today's Public Comment. The comments received echoed support for the recommendations of the Working Group.

The Board passed a motion to endorse the recommendations from the Jockey's Ridge/Soundside Road Working Group as presented. Staff is to bring back the appropriate amendments to the Traffic Control Map establishing the 3-way stop sign and the No Parking/Tow Away Zone designations - for consideration at the May 5th Board meeting.
- 19.** Interim Town Manager Sparks - He provided a Beach Nourishment Project update - he pointed out that the Public Hearing on the MSD's is scheduled for May 5th at 9 am and that 126 oceanfront easements are still needed; Staff is to post some easier-to-understand language on the web site describing the MSD process.
- 20.** Interim Town Manager Sparks - The Board passed a motion to approve the request to remove the street lights at US 158/Oak Knoll Drive.
- 21.** Comr. Brinkley - Comr. Brinkley asked about opening up Town Hall for access by residents and those needing to do business with the Town. Interim Manager Sparks stated that the plan is to have Town Hall fully opened up by the May 5th Board of Commissioners meeting; he is to look into the Town Hall front entrance signage and modify as appropriate.
- 22.** Comr. Fuller - It was Board consensus that staff review the Vehicle for Use Board and Admin policies and to bring any that need tweaking back to the Board for consideration.
- 23.** Comr. Fuller - It was Board consensus to direct staff to obtain additional information re: surveying of the beach, keeping track of conflicts between beachgoers and beach drivers, and to prepare any recommended changes, if necessary, for Board consideration prior to the 2021 Fall Beach Driving season.
- 24.** Comr. Renée Cahoon - She asked staff to prepare a spreadsheet to provide the Board that would keep track of approved contracts and their associated timelines. Contracts for studies, consultants, projects, have been approved by the Board and she would like to see a status of each with a spreadsheet.
- 25.** Mayor Cahoon - He reported to the Board that he has been asked to submit his name as a candidate for the NCLM Board representing the NC Towns and Convention Cities.

- 26.** Closed Session - The Board entered Closed Session to discuss and preserve items of attorney/client privilege, to consider the acquisition of real property located at 103 W Seachase Drive, and to discuss a confidential personnel issue in accordance with GS 143-318.11(a)(3), (5), and (6) respectively. The time was 3:20 p.m.
- 27.** Open Session - The Board re-entered Open Session at 5:05 p.m.
- 28.** Adjournment - The Board recessed to Friday, April 16, 2021 at 2:30 p.m. in the Board Room. The time was 5:06 p.m.