



BOC ACTIONS WEDNESDAY, MARCH 2, 2022

- 1.** Call to order - Mayor Cahoon called the meeting to order at 9 am; He asked for a moment of silence to include thoughts about the tragedy taking place in Ukraine.
- 2.** Agenda - The Board approved the March 2nd agenda as presented.
- 3.** Recognition

Appreciation - On behalf of the Board, Mayor Cahoon announced the 2021/2022 Town of Nags Head Lightkeepers as John Ratzenberger and Annette Ratzenberger for all they have done for the Town and the community over the years.

Police Chief Phil Webster introduced Police Detective Christian Aguirre who was recognized by the Board for five years of service.

Presentation - Update from Committee for Arts & Culture - Events Coordinator Paige Griffin summarized the past year's success with the Dowdy Park Farmers Markets; Board members thanked her, Planning Director Kelly Wyatt and all the volunteers involved in the markets; they spoke positively about the requests brought forward for future markets.

Presentation - *Waves to Water* - George Bonner, Director of the NC Renewable Ocean Energy Program thanked the Town for its support of the program and the Waves to Water contest which is to "accelerate the development of small, modular, wave-powered desalination systems capable of providing potable drinking water in disaster relief scenarios and remote coastal locations". The testing phase of the contest is scheduled for April 2022 at Jennette's Pier.

4. Public Comment

Rosemary Rawlins, League of Women Voters representative - She presented the 2022 Citizens Guide to the Board.

Don Williams, lives in Plymouth, MA - He has owned property in Nags Head for 25 years; he is interested in the Decentralized Wastewater Program on today's agenda; he also thanked the Town Board for their efforts as he feels Nags Head is very well run.

Bob Muller, Nags Head resident and former Mayor of Nags Head - He thanked Board members for their service; he spoke in favor of the Town's work on the waterline replacement in the Old Nags Head Cove Subdivision; his house is in the section being done first and he is very pleased with the continual communication with homeowners and feels workers are doing an outstanding job and doing the best they can to mitigate the impacts to residents.

Viktorija Falaleeva - she spoke on behalf of the Ukraine community; the citizens of the Outer Banks are very kind and she feels blessed to live here; she was born and raised in Ukraine; today is the seventh day

of war in Ukraine; her family is unable to escape right now; she asked for help for our global neighbors, many of whom have families in this area. Mayor Cahoon asked Ms. Falaleeva to provide contact info to the Town Clerk for dissemination.

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

Consideration of Budget Amendment #9 to FY 21/22 Budget
Consideration of Tax Adjustment Report
Consideration of Tax Delinquent List to be advertised
Approval of minutes
Update to Consolidated Fee Schedule
Consideration of three financing resolutions for FY 21/22 vehicles and equipment
Dark Fiber Lease Renewal for Town of Nags Head (MCNC)

Request for Public Hearing - to consider rezoning the property located at 2110 S Pond Avenue (Nags Head Water Plant) from SED-80, Special Environmental District, to C-3, Commercial Services in advance of the design process for the Public Services Master Plan

6. Public Hearing - to consider a text amendment to the Flood Damage Prevention Ordinance to address an inconsistency in the application of the Regulatory Flood Protection Elevation (RFPE) based upon a property's location east or west of NC 12 in the vicinity south of the Nags Head Village Beach Club where NC 12 shifts westward - the Board passed a motion to adopt the text amendment and the consistency statement as presented.

7. Planning Director - Planning Director Kelly Wyatt presented an update of the Planning and Development Department activities for the past month. The location of the turtle sensitive lights are to be broadcast so that citizens can view the installed lighting.

8. Resolution and Site Plan for Epstein Beach Access - The Board passed a motion to approve the Epstein Street Public Access Bath House site plan as presented - and passed a second motion to adopt the resolution authorizing the Town Manager to enter into a contract with the NC Dept of Environmental Quality Division of Coastal Management for a public access grant for Epstein Beach Access as presented.

9. Presentation of Decentralized Wastewater Management Plan - Environmental Planner Kylie Shephard introduced Holly Miller of Tetra Tech who presented an update of the Decentralized Wastewater Management Plan - Bob Muller was also present and spoke as a member of the advisory committee; Tetra Tech has reviewed every aspect of the program and provided valuable recommendations to include requests to help grow and expand the inspection and pumping program. Board members were pleased to learn of interest by other governments and that the Town's program can be a model for other towns.

10. Discussion of possible expansion of Vegetative Sprigging Grant Program to address wind-blown sand - Board members spoke in favor of the program as presented by Senior Environmental Planner Kate Jones; they would like to see bales of hay incorporated as well; Mayor Cahoon would like to see the hay bales stacked so that there is better accretion of sand around/behind them - to increase their effect. Comr. Renée Cahoon suggested contacting the Town of Emerald Isle as they utilize bay hales also.

11. Committee reports from Board members

Comr. Sanders - the Estuarine Shoreline Management Plan Committee meets Monday, March 7th.

Comr. Brinkley - the Jennette's Pier Advisory Committee has met; October 2021 was the best October visitation they have had; Wind turbines will be installed in March 2022; The graphic panels on the pier

have begun fading so staff has been updating them; Comr. Brinkley is to look into Comr. Renée Cahoon's question re: the wind turbines and if they are to be installed as originally approved in the site plan.

Mayor Cahoon – Mayor Cahoon was appointed as a member of the North Carolina Towers Task Force for Wind Energy and Resource Strategy – The Task Force met once and is scheduled to meet again on May 5th.

12. Resolution of intent - The Board adopted the Resolution of Intent to permanently close a portion of Eighth Street as presented. It was noted that the Town of Kill Devil Hills will be considering a similar resolution at their March 7th meeting.

13. Town Attorney - Attorney Leidy reported that on January 1, 2022 legislative action became effective that imposes new conflict of interest regulations - it prohibits elected officials from being in a contract with an entity involving a non-profit that they serve as a board member for.

14. Town Manager - Beach Nourishment Project - Town Engineer David Ryan reported on the status of the Town's 2022 Beach Nourishment Project - there is one remaining permit needed which is from the Army Corps of Engineers – that permit is forthcoming and he will then be able to move forward with issuing a Notice of Award and executing the contract; he expects a 60-day window for actual construction from mid-July to mid-September. Staff indicated they would verify rental companies are kept updated.

15. Town Manager - Traffic enforcement - Police Chief Phil Webster summarized his presentation entitled "Traffic Enforcement and Education" - In response to Comr. Renée Cahoon, Chief Webster is to find out which intersections have had the most accidents. Comr. Brinkley questioned several of the statistics presented and Chief Webster is to verify that information. Mayor Cahoon asked about software to track offenses; if current systems are not adequate, consider other record-keeping systems.

16. Town Manager - Jockey's Ridge State Park Soundside Access - In response to Manager Garman's presentation, the Board was interested in continuing to maintain communication with State Parks and Park Superintendent Joy Greenwood; Continuing to help Soundside Road residents; Removing the south side structure that the Town installed as it is unsafe; Preparing a document with a new framework that reflects current responsibilities of the Town and Park; Working with the Fire Dept to determine what a safe drive aisle should look like; Working with the Park re: the turnaround inside the access.

17. Comr. Renée Cahoon - The Board approved the Government Education Access Channel Committee Annual Budget as presented.

18. Comr. Renée Cahoon - Highway pavement markings - She asked that the lack of clear pavement markings be brought up for discussion at the meeting with NCDOT on March 16th - there are no lines on some of the highway pavement which make it especially dangerous at night and in rainy situations.

19. Mayor Cahoon - He encouraged everyone to get involved in their community by serving on Town Boards/Committees - as emphasized by Lightkeeper John Ratzenberger earlier in today's meeting.

20. Closed Session - The Board entered Closed Session to discuss a personnel matter and to consider Jan - Dec 2021 Closed Session minutes/associated summary disposition sheet. The time was 12:20 p.m.

21. Open Session - The Board re-entered Open Session at 12:38 p.m.

22. Recess - The Board recessed to a Budget Workshop to begin at 1:30 p.m. The time was 12:38 p.m.