



BOC ACTIONS
Wednesday, September 7, 2022

1. Call to order - Mayor Cahoon called the meeting to order at 9 am. He recognized Sen. Richard Burr in the audience.
2. Agenda – The Board adopted the Sep 7th agenda as presented.
3. Recognition

Public Services Director Nancy Carawan introduced the following new employees and the Board welcomed them to Town employment: Sanitation Crew Leader David Davenport, Facilities Maintenance Tech Josh Wainwright, Facilities Maintenance Tech Richard Miles, Sanitation Equipment Operator Greg Bush, and Water Distribution Technician Jason Smith.

Fire Chief Randy Wells introduced Fire Captain Tanner Mann who was congratulated by the Board for ten years of service.

Planning Director Kelly Wyatt introduced Code Enforcement Officer Chris Trembly who was congratulated by the Board for 15 years of service.

Presentation of Lifesaving Awards - Fire Chief Randy Wells summarized the incident which took place on July 30, 2022 at 10:08 a.m. at 2436 S Virginia Dare Trail. A family's two-year old daughter was submerged in the rental house swimming pool and pulled out without a pulse. She was brought back and is doing fine today due to the efforts of the following employees who are being recognized by the Board for their diligent efforts.

Lifesaving Certificates were presented to Police Sergeant Chase Tadlock, Police Officer First Class Terrance Flaughter, Lifeguard Riley Young, Lifeguard Supervisor Coleman Flynn, Fire Captain Matthew Swain, Fire Lieutenant Evan Zadd and Firefighter/EMT Tyree Hughes.

4. Proclamation – The Board passed a motion to approve the proclamation declaring Diaper Need Awareness Week as Sep 24 – Oct 2, 2022 as presented.
5. Public Comment

David Bragg, resident in Village at Nags Head; spoke in opposition to the Town's resolution re: digging holes in the beach; he opposes more laws being made; he also spoke against the Inn at Whalebone.

Ed Tankard, property owner at 4035 Virginia Dare Trail; asked the Board to enforce its laws concerning the Nags Head Pizza business across the street from his house in the historic district; feels it is a public safety issue and is an accident waiting to happen.

US Sen. Richard Burr, property owner on Virginia Dare Trail; he is hoping the Nags Head Pizza business succeeds but listed five areas of concern: public safety, no marked fire lane, setback requirements, no vegetation barrier, and parking requirements.

Elaine Wood, property owner at 4039 Virginia Dare Trail; met Nags Head Pizza owners and was told they would be doing takeout and delivery; she is surprised as to the amount of traffic which is sometimes frightening, there is parking all over and using yards for personal reasons; would like the Town Code to be enforced.

Charles Grice McMullan, property owner at 4030 Virginia Dare Trail; history is strong for him; he is concerned about people entering his nearby house area to include his pool.

Roland Vaughan, property owner at 4201 Virginia Dare Trail; he was present to support his neighbors and the concerns re: Nags Head Pizza operations and how it is affecting their lives; second reason he spoke was to express his interest in a future project re: affordable housing which is developing in the same neighborhood – on the vacant property across from Jockey's Ridge State Park.

Reed Fisher, property owner at 4023 Virginia Dare Trail; historic district is the most restrictive district; he would recommend the same zoning across from him as is in the historic district or even to consider an overlay district – a zoning overlay.

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

- Budget Amendment #3 to FY 22/23 Budget
- New Year Tax Adjustment Report – FY 22/23
Tax Adjustment Report
- Approval of minutes
- Consideration of resolutions authorizing policies pertaining to the expenditure of American Rescue Plan/Coronavirus State and Local Fiscal Recovery Funds
- Consideration of deletion of obsolete Board of Commissioners policies
- Consideration of updates to the Consolidated Fee Schedule

7. Update from Planning Director – Planning Director Kelly Wyatt summarized her monthly planning report.

8. From Aug 3rd Board meeting – Discussion of Traffic Control Map

- *Pond Island Subdivision – No Parking overnight designation at bulkhead*

The Board passed a motion to adopt the ordinance amending the Traffic Control Map designating No Parking overnight at the bulkhead at N Shore Road as presented.

- *S Nags Head - 8928 S Old Oregon Inlet Road – No Parking – Tow Away Zone*

The Board passed a motion to adopt the ordinance amending the Traffic Control Map extending the No Parking – Tow Away Zone on S Old Oregon Inlet Road near Islington St as presented.

9. From Aug 3rd Board meeting – Stormwater Drainage Projects

- Update of S Nags Head Projects #12 and #13
- Consideration of resolution authorizing Town Manager to execute and file application with State for Water Infrastructure Grant

The Board adopted the resolution authorizing the Town Manager to execute and file an application with the State for a Water Infrastructure Grant (for stormwater projects #12 and #13) as presented.

10. Committee Reports

Comr. Sanders – Estuarine Shoreline Committee; three areas will soon be identified for grant applications; he noted that Ms. Wyatt covered this issue well during her Planning Report.

Comr. Brinkley – the Voluntary Septic Subscription Service Committee summary was covered well by Ms. Wyatt during her Planning Report.

Comr. Brinkley - Comr. Renée Cahoon asked Comr. Brinkley to inquire to the Jennette's Pier staff re: the alarms at the pier that go off frequently re: the septic system; the pier's system has been pumped but the alarms still go off. Comr. Brinkley indicated he would look into it.

11. Consideration of appointment to the Arts & Culture Committee – The Board appointed Molly Vaughan, Jeremy Russell, and Shelli Gates to the Arts and Culture Committee. The Board also modified the total number of members on the committee to not less than 7 nor more than 9 members.

12. Consideration of resolution to accept Fourth Street improvements – The Board adopted the Fourth Street improvements resolution with one modification: to change Albemarle & Associates as developer to CABeach LLC as developer in the first WHEREAS statement.

13. Town Manager - Update on Reflective Signage for addresses – It was Board consensus to agree to the pilot program initiative for reflective signage for addresses as presented – and to enthusiastically endorse Mr. Trembly's proposed project using the old green street signage to convert into reflective addresses for the oceanfront and the Beach Road/SOIR.

14. Town Manager - Discussion of grants - It was Board consensus to agree with staff's request and to move forward with the grant applications as presented.

15. Comr. Renée Cahoon – Consideration of Government Access Channel Attendance Policy – The Board adopted the Government Access Channel Attendance Policy as presented.

16. Comr. Renée Cahoon - Parking near Nags Head Pizza - Comr Renée Cahoon asked Interim Police Chief Perry Hale to bring back for the October Board meeting a recommendation concerning parking signs in the area of Nags Head Pizza.

17. Comr. Renée Cahoon – White paper on proposed affordable housing – She requested a white paper on affordable housing for the Board and the public to include how does the proposed project meet affordable housing requirements, what are the housing needs/pay scale, does it apply to teachers, police, etc. Board members agreed and would like to see as much information on the proposed housing project as possible.

18. Comr. Renée Cahoon – Parking requirements at rental homes - Comr. Renée Cahoon apologized to the citizens of Nags Head because she feels that the Town has not done a good job re: requirements for parking for houses. There needs to be some type of regulations for parking.

19. Comr. Renée Cahoon – S Nags Head ditch complaints – Complaints concerning the S Nags Head ditch are back.

20. Mayor Cahoon – Affordable/Multi-family Housing – Mayor Cahoon presented a summary of his involvement with the affordable/multi-family housing company, Woda Cooper, that only does affordable housing design. Mayor Cahoon said he put the company in touch with the Outer Banks Hospital who was looking for affordable housing for employees of hospitals and nursing homes. He emphasized that his role with them has been to coach them but he is not working with the company in any professional capacity. The Board may eventually see a site plan for a 52-unit multi-family development. Woda Cooper is expected to give a presentation/update at the Board’s November 2nd meeting.
21. Comr. Renée Cahoon – She thanked those who spoke this morning during Public Comment re: Nags Head Pizza. She encouraged them to meet with the Town Manager and the Planning Director to discuss their interest in increasing historic district zoning or any other actions they may be interested in.
22. Closed Session - The Board entered Closed Session to confer with the Town Attorney re: matters protected by attorney/client privilege including to provide an update on the Town vs Budlong easement condemnation litigation and the Ward vs Kelleher Board of Adjustment variance matter as well as to discuss the potential acquisition of properties located at 8504 - 8510 S Old Oregon Inlet Road.
23. Open Session – The Board re-entered Open Session at 12:12 p.m.
24. Mayor Cahoon – Board member schedules:
 - Mayor Pro Tem Siers was excused from today’s meeting as he was on a scheduled trip.
 - Mayor Cahoon said that he would be present at the Oct 2022 Board meeting.
 - Comr. Renée Cahoon stated that she would not be in attendance at the Nov 2022 Board meeting.
25. Adjournment - The Board adjourned at 12:13 p.m.