



BOC ACTIONS
WEDNESDAY, FEBRUARY 1, 2023

1. Call to order - Mayor Cahoon called the meeting to order at 9 am. He noted that Comr. Renée Cahoon is on planned leave and is excused from today's meeting.
2. Agenda – The Board approved the February 1st agenda as presented.
3. Recognition – The Wall That Heals - Dare Co Vice-Chairman Wally Overman and Veterans Services Officer Patty O’Sullivan were on hand to present a video and powerpoint presentation concerning The Wall That Heals event scheduled for November 2023 at the Soundside Event site.

New Employee - Public Services Director Nancy Carawan introduced Facilities Maintenance Technician Joseph Garner who was welcomed by the Board to Town employment.

Twenty Years - Fire Chief Randy Wells introduced Fire Dept Office Manager Jackie Hart who was congratulated by the Board for 20 years of service.

4. Public Comment - Basil Belsches, Nags Head resident; he spoke of the 2017 Comprehensive Plan where the neighborhood Historic Character Area is an area to be protected; he supports Option 2 as proposed and asked the Board to endorse this option.

Public Comment - Bobby Harrell, Nags Head property owner; he read a letter from the owner of the Hollowell St property that was being considered for affordable housing: Property owner Mr. Catherman strongly objects to the proposed rezoning of the property by the Town – the property owners in Old Nags Head Place knew that area was commercial when they purchased nearby.

Public Comment – Michael Mischou, Nags Head resident; commended the Planning Board and the Planning and Development Dept for their work the past several months re: the rezoning proposal for the Hollowell St area; he urged the Board to continue to follow the spirit of the Town’s Comprehensive Plan.

5. Consent Agenda – the Consent Agenda was approved as presented and consisted of the following: Budget Amendment, Tax Adjustment Report, Request to advertise delinquent taxes, and Minutes.
6. Planning Director – Planning Director Kelly Wyatt presented a monthly update on Planning and Development Department activities/projects which was well received.
7. Update/Request for Public Hearing – the Board passed a motion to schedule a Public Hearing to consider UDO and Zoning Map amendment requests pertaining to the Historic Character Area and the moratorium adopted on October 19, 2022 - for the March 1st Board of Commissioners meeting.
8. National Renewable Energy Laboratory (NREL) presentation re: Energy Transitions Initiative Partnership Project (ETIPP) – Jordan Burns from NREL presented via Zoom – Town staff have been collaborating with the Department of Energy on a technical assistance grant to support resilience efforts in planning for 46-72 hours of backup for the Town’s critical facilities. The presentation was well received.

- 9.** NCDOT presentation re: Town paving and drainage projects; NCDOT presented the following updates:
- US 158 Surface Overlay Project – from Eighth St to Gray Eagle Street begins week of February 6th
 - Whalebone Junction (S. Virginia Dare Trail) E. Gray Eagle St. modification/realignment – includes a discussion with staff re: moving the crosswalk south so pedestrians are not walking in the middle of the turn lane to cross NC 12.
 - Ocean outfall repair work – NCDOT is in the process of trying to secure funds for the Red Drum ocean outfall repair.
- 10.** Presentation from Pedestrian Project Advisory Committee – Report from Committee member Lynda Frattone and Town Engineer David Ryan was well received. The committee was to expand on the projects identified in the 2014 Town Pedestrian Plan to encourage safe travel by pedestrians and bicyclists and to identify improvements throughout the Town. A final report was provided.
- 11.** Consideration of final Estuarine Shoreline Management Plan – The Board passed a motion to adopt the final Estuarine Shoreline Management Plan as presented.
- 12.** From Jan 4th Board meeting – FY 23 Projects (Public Services Complex / Smart Meter Infrastructure)
- Deed of Trust as collateral for financing
 - The Board passed a motion to adopt the resolution approving the FY 23 Projects as presented.
- 13.** Septic Health Advisory Committee – The Board passed a motion to nominate all four of the applicants requesting to serve on the Committee: Wayne Varilek, Tim Julian, Robert Edwards, and Dave Hermann.
- 14.** Old Nags Head Place Drainage – It was Board consensus that staff continue to look for additional funding for the Old Nags Head Place drainage project and report back, hopefully before the end of the budget process. Staff is looking for an estimated \$200,000 to make up the shortfall.
- 15.** Attorney Leidy – Lauren Arizaga-Womble has joined their firm of Hornthal, Riley, Ellis, and Maland.
- 16.** Attorney Leidy – The NC Court of Appeals has decided the Blackburn case - the challenge was to the closure of the bridge during COVID-19 - the Court's judgement was in favor of Dare County that no taking had occurred.
- 17.** Attorney Leidy – Request for additional Closed Session re: attorney/client privilege matter re: the Budlong Beach Nourishment Project easement condemnation.
- 18.** Attorney Leidy – He reported that Dare County had been working on the redistribution of the funds collected for the occupancy tax charged at campgrounds – after that, the county will be seeking reimbursement from the towns.
- 19.** Town Manager Garman - Resolution re: legislation prohibiting beach holes was presented – It was Board consensus to take the resolution back to those who provided input for cleaner/more detailed dimensions for consideration at the March 1st meeting.
- 20.** Town Manager Garman – Beach concierge service companies met with Town staff and some modifications were made to the regulations - for discussion at the March 1st Board meeting.
- 21.** Town Manager Garman - It was Board consensus to move the Budget Workshop date from February 15th to March 1st – to follow the Board's regular meeting.
- 22.** Closed Session - The Board entered Closed Session at 12:21 p.m. and Open Session at 12:58 p.m.
- 23.** Adjournment - The Board passed a motion to adjourn at 12:58 p.m.