



**TOWN OF NAGS HEAD
BOC ACTIONS
JANUARY 3, 2024**

1. Call to order - Mayor Cahoon called the meeting to order at 9 a.m. He recognized the following in attendance: former Mayor Bob Muller, former commissioners Anna Sadler and John Ratzenberger, former Town Manager/commissioner Webb Fuller, and former Dep Town Clerk Michelle Gray.
2. Agenda – the Board adopted the January 3rd agenda as presented.
3. Recognition - New Employee –New Water Billing Specialist Shannon Beatty was welcomed by the Board.

Recognition of former Comr. Renée Cahoon

Mayor Cahoon introduced former Comr. Renée Cahoon who was present with her family and friends as she received Board recognition of her many years of public service.

A video honoring Ms. Cahoon with various officials that worked with her over the years highlighting their experiences serving with her was presented. Mayor Cahoon read the remarks from Braxton Davis, Director of Marine Fisheries, who was unable to attend today's meeting. Others spoke concerning Ms. Cahoon providing their positive and sometimes humorous experiences with the former commissioner; Individual Board members spoke of their time working with Ms. Cahoon and pointing out all she has done for the Town; on behalf of the staff, Town Manager Garman thanked her for bringing those less visible in the community for recognition.

Ms. Cahoon thanked everyone for their support over the years, especially her family who has been very supportive and tolerant; she has loved the Town for many decades and is looking forward to the future.

On behalf of the Board, Mayor Cahoon presented to Ms. Cahoon a painting by Marcia Cline and the Governor's Long Leaf Pine Award which was followed by a brief video presentation by Governor Roy Cooper.

4. Recess/Reconvene – the Board took a brief recess at 9:40 a.m. and reconvened at 9:50 a.m.
5. Public Comment - Duke Geraghty, representing the Outer Banks Homebuilders Association; he spoke concerning the Public Hearing, scheduled for the February meeting, re: multi-family ordinance; he asked Board members to look closely at the ordinance - he would like to simplify the ordinance in order to allow housing for employees; he also thanked the Board for what has been done for former Comr. Renée Cahoon today.
6. Consent Agenda – the Consent Agenda was approved as presented and consisted of the following:
 - Budget Amendment #7 to FY 23/24 Budget / Tax Adjustment Report / Approval of minutes
 - Resolution to accept the American Rescue Plan Act grant offer for Stormwater Master Plan Update
 - Consideration of modification to Pay Plan / Consideration of annual audit contract
 - Request for Public Hearing – re: construction of a Trade Center for lot behind TW's Bait and Tackle
 - Request for Public Hearing – to consider UDO text amendments re: multi-family development
7. Planning Director – The Planning Director presented her monthly report.
8. Public Hearing – to consider text amendments to the Unified Development Ordinance as it pertains to

the use of "Restaurant, Drive Through" as a permissible use within Commercial Mixed-Use Developments, as well as amending the supplemental regulations associated with this use – several people spoke in opposition to the proposed text amendments. The Board passed a motion to deny the proposed text amendments. The motion passed 4 – 1 with Mayor Cahoon casting the NO vote.

9. Town Auditor - Emily Mills, partner with Potter & Co, presented the annual audit report for the Town for the year ending June 30, 2023. She issued an unmodified opinion – the highest level of compliance that can be issued. She pointed out that the Town's Finance Dept is preparing the responses concerning the two Financial Performance Indicators of Concern that are required to be submitted to the Local Government Commission within 60 days.

10. Emergency Operations Plan – Shanti Smith-Copeland of IParametrics presented the updated Town Emergency Operations Plan. She stated that she appreciated the amount of time staff put into preparation of their input for the Plan. Any questions or concerns can be submitted to Ms. Smith-Copeland until the end of January 2024 before Board consideration of the new Emergency Operations Plan in February.

11. Committee Reports

- Comr. Sanders - Estuarine Shoreline Master Plan – the grant was not received for the Plan and Comr. Sanders indicated that he has spoken to Manager Garman about options.

- Comr. Brinkley - Jennette's Pier Advisory Committee – He was unable to attend the December 11th meeting due to COVID but will forward minutes once received.

12. Appointments/Reappointments – the Board made the following unanimous appointments:

Government Education Access Channel Committee - The Board appointed Comr. Lambert.

Septic Health Advisory Committee – The Board appointed Planning Board member Gary Ferguson.

Firemen's Relief – The Board reappointed Anne Farmer to another term.

Board of Adjustment - The Board reappointed Bobby Gentry to another three-year term; Dru Ferrence as an alternate member; and Margaret Suppler and Bobby Gentry as Chair and Vice-Chair respectively.

13. Town Attorney - Attorney Leidy reported on the litigation filed by all municipalities against the Dare County Local Act (HB 592) – the State has received additional time to respond. He also confirmed that the Board was aware of the resolution adopted by the Dare County BOC yesterday where they stated they would not use House Bill 259 to exempt any workforce housing solution from local government zoning authority.

14. Town Manager – Engineer David Ryan provided an update on the Public Services Facility construction via a photo presentation; he is planning a tour of the site for the Board at the February meeting, as requested.

15. Mayor Pro Tem Siers – He thanked staff for putting together today's presentations on Renée Cahoon.

16. Mayor Pro Tem Siers – He thanked Dare County for adopting the resolution yesterday re: HB 259.

17. Mayor Pro Tem Siers – He brought up UDO amendments that would reflect the Land Use Plan.

18. Comr. Sanders - He thanked staff for the display of lights at Dowdy Park during the Christmas season.

19. Mayor Pro Tem Siers – It was Board consensus to ask the Planning Board to begin the process to amend the Unified Development Ordinance to reflect the Land Use Plan to prohibit drive-through restaurants and to also review other items of concern. Town Manager Garman stated that Planning Director Kelly Wyatt and her staff have been working on a list to this effect.

20. Adjournment - The Board adjourned at 11:10 a.m.