



**BOC ACTIONS
WEDNESDAY, FEBRUARY 5, 2025**

1. Call to order - Mayor Cahoon recognized former elected officials: former commissioner Anna Sadler, former mayor Renée Cahoon, former mayor Bob Muller, and former manager and commissioner Webb Fuller before calling the meeting to order at 9:03 a.m. A moment of silence was followed by the Pledge of Allegiance.
2. Agenda – The Board approved the Feb 5th agenda with an amendment to the order moving the Annual Safety Week Proclamation and Lifesaving Awards before the retirement presentations.
3. Recognition – New Employees – Tax Collector Jackie Szymanski was welcomed by the Board to Town employment.

Five Years - Police Officer First Class Terrance Flaughner and Deputy Finance Officer Brooke Norris were recognized by the Board for five years of service.

Proclamation – Annual Safety Week – Deputy Fire Chief Shane Hite reviewed next month’s Annual Safety Week activities – The Board adopted the Proclamation declaring March 3 - 7, 2025 Safety Week as presented.

Presentation of Lifesaving Awards – Police Chief Perry Hale and Fire Chief Randy Wells described the response by the Town’s team on December 23, 2024, to US 158 near W Seachase Dr where Mr. Umphlett suffered cardiac arrest and was unconscious; the team’s combined efforts saved Mr. Umphlett’s life. Mr. Umphlett’s and his fiancé, Ms. Jernigan, were present, and Mr. Umphlett spoke to these heroes that turned into his angels. He said there was no gratitude in the world that could say how much he appreciates what was done. Police Chief Hale presented lifesaving awards to Officer Kana Hashigami and Officer Terrance Flaughner. Fire Chief Randy Wells presented lifesaving awards to Captain James Moseman, Lieutenant Hayden Poulin, Firefighter Will Roepcke, and Firefighter Jose Ramirez.

Fire Chief Randy Wells described a second response just 29 days after the previous event (on December 23rd). The crew of Captain James Moseman, Lieutenant Hayden Poulin, and Firefighter Jose Ramirez responded on January 20, 2025, to a resident in cardiac arrest at a skilled nursing facility. Their efforts stabilized and ultimately saved the resident’s life. A second lifesaving award was presented by Chief Wells to Captain James Moseman, Lieutenant Hayden Poulin, and Firefighter Jose Ramirez.

Retirement – Tax Collector Linda Bittner was recognized by the Board on her retirement. Linda mentioned that she really enjoyed working here with the staff and thank you for all her accolades. She was presented with a retirement plaque and retirement gift card.

Retirement – Town Clerk Carolyn Morris was recognized by the Board on her retirement. Carolyn thanked those who hired her Webb Fuller, Connie Hardee, Bob Muller, Renée Cahoon, and Anna Sadler. She enjoyed her time here and the staff that she worked with. Former Mayor Muller, Former Mayor Renée Cahoon, Former Manager and Commissioner Webb Fuller all congratulated Carolyn and Linda on their retirements. Each Board member and Attorney Leidy all complemented and congratulated Carolyn on her retirement.

Carolyn was presented with a retirement plaque and retirement gift card. In addition, Carolyn was presented with a Retirement Resolution from the NC Association of Municipal Clerks and the Order of the Long Leaf Pine from the NC Governor’s Office.

Presentation – Dare Community Housing Task Force Chairman, Donna Creef and Co-Chair Malcolm Fearing presented their 2024 report *Housing for Now and Future Generations*.

4. Town Manager Garman – Time Specific 10:30 a.m. Dare County Manager Bobby Outten along with Dare County Public Utilities Director William Nash presented an update to the Board on Dare County’s Water Main Repair from Pirate's Cove to Pond Island. The contractor and the county staff are confident that the repair will be complete by April 30th and there should be no reason for concern. They do have other contingency plans if the project is not completed.
5. Beach Nourishment Project Consultant Presentation – Time Specific 11:00 a.m. Town Engineer David Ryan explained that, annually, the Town subcontracts surveying and engineering services to perform an annual beach condition survey and engineering data analysis in accordance with the Town’s Beach Monitoring & Maintenance Plan.

Beth Sciaudone, Ph.D., PE from the consulting firm of Moffatt & Nichol presented the findings of the Fall condition survey. Copies of the 2024 Annual Beach Monitoring Survey Evaluation document were distributed to all Board members.

6. Public Comment - Mary Kelly spoke about concerns of the Town’s and community’s preparedness for when Immigration and Customs Enforcement (ICE) comes to our schools, restaurants, and churches to enforce the Executive Order signed on January 20, 2025. Are we prepared to be respectful, supportive, kind, and protective to our community of immigrants?
7. Consent Agenda – The Consent Agenda was approved as presented and consisted of the following:
 - Consideration of Budget Amendment #10 to FY 24/25 Budget
 - Consideration of Tax Adjustment Report
 - Request to Advertise Delinquent Taxes
 - Approval of Minutes
 - Consideration of Multi-Year July 4th fireworks Contract with Zambelli
 - Request for Public Hearing to Consider Proposed Financing for FY 25 projects (Ocean Rescue Housing and Purchase of 4222 S. Croatan Highway Nags Head, NC)
8. Update from Planning Director – Planning Director Kelly Wyatt summarized her monthly report and received feedback from the Board regarding ADU information included in the report. The Board of Commissioners agreed that a joint workshop with the Planning Board may be useful as final proposals are developed.
9. Presentation of Background Information Related to Residential Yard Signage – Planning Director Kelly Wyatt summarized her presentation slides regarding what is currently allowed for temporary and permanent signage. The Board requested that Attorney Leidy report back on whether signs ordinances may make distinctions between commercial and non-commercial signage.
10. Committee Reports
 - Comr. Sanders – Reported that the town staff has updated the website regarding the Estuarine Shoreline Management Committee and that it is a good source of information.
 - Comr. Siers – No updates for Dare County Tourism Board and Donna Creef has already presented on behalf of the Dare Community Housing Task Force.
 - Comr. Lambert – The Septic Health Advisory Committee met last week, and Planning Director Wyatt gave an update on that in her report. Hazard Mitigation Committee meeting conflicted with the Government Access Channel Committee which met at the same time, but Planning Director Wyatt also gave an update on that in her report. At the GACC meeting, they discussed possibly partnering with another film festival, voted on a slight budget increase, welcomed two new members (Kevin Lingard

from the Town of Duck, Michael Burrus from Dare County), and approved three LPDI grants (COA, Kitty Hawk, and Kill Devil Hills)

- Mayor Cahoon – Jennette’s Pier Advisory Committee has not met. He had been appointed by Governor Cooper to the Offshore Wind Energy Taskforce but with the change of administration, Governor Stein does not intend to continue with the Taskforce, so they have been dismissed. Governor Stein’s office has contacted him for a potential meeting with the Governor to gird ourselves for another offshore oil pushback.

- 11.** Consideration of Pay Plan Update to Increase Ocean Rescue Lifeguard Starting Rate and associated Budget Amendment 10.A – Ocean Rescue Captain Chad Motz let the Board know that our two neighboring towns were raising their rates to \$19.50/hour. The Board passed a motion to increase the starting rate for lifeguard pay this upcoming (2025) summer season to \$20.00/hour. The associated Pay Plan and Budget Amendment will be brought back to the Board at the March 5, 2025, meeting on the Consent Agenda.
- 12.** Town Attorney Leidy updated the Board on the status of the legislature’s efforts to reverse SB382.
- 13.** Town Manager Garman – The Board passed a motion to adopt the ordinance amendment to Town Code Sec 44-35 re: Payment of Bills which will extend the time to seven days after the non-payment fee is applied to a water account before we cut off water. Once water is disconnected, the entire amount of the bill must be paid, including late fee, non-payment fee, and if applicable, meter deposit deficiency, in order for the water service to be turned back on. These fees will also apply during the grace period.
- 14.** Town Manager Garman – Town Engineer David Ryan presented the latest update on the new Public Services Facility. There is only a very small area left to be completed from the site work side including the wash bay and the concrete in front of it. The washout building is nearing the stage of completion. The weather has caused some delay, but contractors have been on site daily to try to get the project complete.
- 15.** Town Manager Garman – He presented the Town Legislative Priorities that were developed and prioritized by staff. It was Board consensus to proceed with the Priorities to the Legislature as presented.
- 16.** Recess/Reconvene – The Board recessed for lunch at 12:41 p.m. and reconvened at 12:41 p.m.
- 17.** Closed Session – The Board entered Closed Session with a working lunch at 12:41 p.m. to consider a personnel matter pursuant to GS 143-318.11(a)(6) and to consider Dec 2023 – Dec 2024 Closed Session minutes and their disposition pursuant to GS 143-318.11(a)(1).
- 18.** Open Session - The Board re-entered Open Session at 1:22 p.m.
- 19.** Attorney Leidy reported that the Board did take action to approve Closed Session minutes and approved the disposition schedule. Nothing further needs to be reported at this time.
- 20.** Town Manager Garman – He presented an update on the Town Fitness Center/potential housing project which is part of our Town Hall Master Plan. A site plan will be presented in the coming months.
- 21.** Mayor Pro Tem Siers – Has requested that we look into the bicycle safety in our Town and pursue the education, infrastructure, and/or signage in town or by participating with other groups such as the Tourism Bureau or the Bicycle Safety Taskforce. As an avid cyclist, Mayor Cahoon is willing to serve.
- 22.** Mayor Cahoon – Update on Appointment Process to Fill the Vacant Board of Commissioners Seat – After several votes that ended in ties, the Board voted to regroup on this item at a later date.
- 23.** Adjournment - The Board recessed to the FY 25/26 Budget (Water Rates) Workshop. The time was 1:44 p.m.