



BOC ACTIONS
WEDNESDAY, DECEMBER 3, 2025

1. Call to order - Mayor Cahoon called the meeting to order at 09:00 a.m. and then recognized former commissioners Anna Sadler and Susie Walters. He asked everyone to keep Carole and Bob Muller in their thoughts and prayers as Carole is recovering from a recent accident. He also shared Bob Muller's thanks to the first responders for their care during and following the incident. A moment of silence was followed by the Pledge of Allegiance. Mayor Cahoon then noted that Mayor Pro Tem Siers had asked to be excused from the meeting.
2. Agenda – The Board approved the December 3rd agenda as presented.
3. Moment of Privilege – Mayor Cahoon and Attorney Leidy remembered previous Town Attorney, Tom White Jr., who passed away November 24, 2025.
4. Recognition – TWENTY YEARS – Fire Chief Randy Wells introduced Fire Engineer Richard Gibbons who was recognized for twenty years of service.
5. Recognition – Mayor Cahoon recognized outgoing Board member, Mayor Pro Tem Siers. He noted that the customary gifts will be given at a later time.
6. Reorganization of the Board – Town Clerk Brittany Phillips read the results of the November 4th election. Ben Cahoon was sworn in as Mayor; Bob Sanders was sworn in as Commissioner; Megan Vaughan was sworn in as Commissioner; Molly Harrison was sworn in as Commissioner.

The Board took a short break to allow for seating changes at 9:16 a.m. and returned to session at 9:24 a.m.

The Board elected Megan Lambert as Mayor Pro Tem; she was then sworn in as Mayor Pro Tem.

The Board adopted the Code of Ethics resolution.

7. Public Comment – There was no one present who wished to speak during Public Comment.
8. Consent Agenda – The Consent Agenda was approved as presented and consisted of the following:
 - Consideration of Budget Amendment #4 to FY 25/26 Budget
 - Consideration of Tax Adjustment Report
 - Approval of Minutes
 - Consideration of Annual Appointment of a Director to the Board of the Nags Head Leasing Corporation
 - Consideration of IT Support Policy for Board of Commissioners
9. Public Hearing – to consider a text amendment to the Flood Damage Prevention section within the Unified Development Ordinance to revise the Town's Elevation Standards related to required freeboard.

The Board unanimously approved the ordinance as presented.

- 10.** Public Hearing – to consider a Vested Right/Special Use Permit/Site Plan Amendment submitted by Albemarle & Associates, Ltd. on behalf of Nags Head Church for expansion of the parking lot. The Board sat as a quasi-judicial body in this case. The Board passed a motion to approve the Vested Right/Special Use Permit/Site Plan Amendment, with the findings of fact, for the expansion of the parking lot at Nags Head Church as presented.
- 11.** Planning Director – Planning Director Kelly Wyatt summarized her monthly report and was thanked by the Board for her efforts. She added a special thank you to all those who helped to make the Dowdy Park Tree Lighting a great event. Mayor Cahoon requested that staff present a report showing Sand Relocation permits by Reach.
- 12.** Crowd Gathering Permit Process – Town Manager Garman presented proposed changes to Town Code Chapter 4, Crowd Gathering and Group Demonstrations, Chapter 26, Section 13, Park Use Regulations, Park Use Policies, and the Consolidated Fee Schedule that reflect suggestions received after the November 5th meeting. The Board approved the ordinance replacing Town Code Ch. 4 in its entirety and updating Town Code Sec. 26-13, the updates to Use of Town Parks and Use of Dowdy Park Policies, and the updated Consolidated Fee Schedule with the following changes:
 - Waiver of insurance requirement for Group Demonstrations as defined in Article II of Town Code Chapter 4.
 - A Crowd Gathering Activity Application Fee of \$25 for Group Demonstrations with attendance over 100 people.
 - Use of Dowdy Park Policy to reflect that only three (3) non-town related events or activities per month will be permitted between October 1st – May 31st.
- 13.** Committee Reports
 - Comr. Sanders – had nothing to add to Planning Director Wyatt’s update on Estuarine Shoreline Management.
 - Mayor Cahoon – confirmed that the Board was comfortable making his temporary appointment to the Jennette’s Pier Advisory Board, received after Comr. Brinkley’s resignation, into a permanent position. By consensus, the Board agreed that he will continue to serve as the Town’s representative on that committee.
 - Mayor Pro Tem Lambert – noted that the Government Education Access Channel hasn’t met yet. She acknowledged Planning Director Wyatt’s update on the Septic Health Advisory committee and congratulated Conner Twiddy, Kelly Wyatt, intern Isabelle Pala, and other staff who have helped to increase the popularity of septic health.
- 14.** Traffic Signals – Manager Garman discussed Lakeside St and Soundside Event Site traffic signals. The Board authorized Manager Garman to proceed with the reimbursement plan presented, and the pursuit of the work and financing presented, subject to the Outer Banks Visitor’s Bureau agreeing to the cost share.

- 15.** Appointment to Town Board/Committee - The Board appointed Beverly Head and Valerie Netsch to the Planning Board for three-year terms.
- 16.** Recommendation of Appointments to Dare County Boards – The Board recommended Comr. Vaughan for appointment to the Dare County Tourism Board. The Board recommended Mayor Cahoon for appointment to the Dare County Land Transfer Tax Appeal Board.
- 17.** RECESS/RECONVENE – The Board took a brief recess at 10:26 a.m. and reconvened at 10:36 a.m.
- 18.** Town Manager – Deputy Town Manager/Finance Officer Amy Miller presented a financial update to the Board.
- 19.** Town Manager – Manager Garman and Town Engineer David Ryan presented a CIP project update to the Board. The Board asked staff to consider activities at an appropriate scale and holiday décor for Whalebone Park.
- 20.** Town Manager – Town Engineer David Ryan presented a beach nourishment planning update to the Board that included what has occurred to date for the project and the bid results.
- 21.** Town Manager – Police Chief Hale and Manager Garman discussed potential safety improvements in Nags Head Elementary School Zone with the Board. It was Board consensus to research and pursue these improvements.
- 22.** Town Manager – Manager Garman presented a Dare Housing Foundation update to the Board noting that he has been elected as Secretary of the non-profit.
- 23.** Mayor Cahoon – The Board approved the 2026 BOC Meeting Calendar and the FY 26/27 Budget Calendar as presented.
- 24.** Mayor Cahoon – He invited everyone to present their nominations for those living (Lightkeeper Award) and for those deceased (Nags Header Award) who have made significant contributions to the Town. He asked those interested to fill out the application on the Town’s website and for staff to spread the word on social media.
- 25.** Mayor Cahoon – Mayor Cahoon discussed planning the FY25-26 retreat including reviewing the retreat purpose, examples of past topics, and potential sessions for the future. The Board requested that they receive facilitator information to review and then a retreat date, likely in late January or February, could be selected based on facilitator availability.
- 26.** Mayor Cahoon – The Board approved a Christmas bonus of \$200 for full-time and \$100 for part-time employees.
- 27.** Mayor Cahoon – He asked Board members to stay for an official new photo after today’s meeting.
- 28.** Closed Session – The Board entered Closed Session to consider a personnel issue pursuant to 143-318.11(a)(6) and to confer re: a matter of attorney/client privilege and to preserve that privilege to

include the Cherry Inc. litigation, and other matters protected by attorney/client privilege pursuant to GS 143-318.11(a)(3). The time was 11:48 a.m.

- 29.** Open Session - The Board re-entered Open Session at 12:29 p.m. Attorney Leidy reported that the Board discussed confidential personnel matters, litigation matters, and other matters within the attorney/client privilege he noted that some actions were taken but that nothing else needed to be reported at the time.
- 30.** Adjournment - The Board recessed to the Dec 17th mid-month meeting. The time was 12:30 p.m.