



**Town of Nags Head
Board Actions
Monday, September 16, 2019**

1. Call to order – Mayor Cahoon called the meeting to order at 9:00 a.m. A moment of silence for those impacted by Hurricane Dorian was followed by the Pledge of Allegiance.
2. Agenda – the Board approved the September 16th agenda as presented.
3. Recognition - Firefighter/EMT Brandon Stallings, Sanitation Equipment Operator John McDowell, and Facilities Maint. Tech Ryan Farley were introduced and welcomed by the Board to Town employment.

Facilities Maintenance Superintendent Mike Norris, Dep Town Manager Andy Garman, and Tax Collector Linda Bittner were recognized by the Board for five years of service.

Recognition of Town Depts – The following Town depts were recognized for consecutive five-year Safety Awards: Public Works Maintenance Garage, Public Works Administration, Septic Health, Public Works Water Operations, Planning Dept and Public Works Water Administration.

4. Consent agenda – the Consent Agenda was approved as presented and consisted of the following:
 - Tax Adjustment Reports (New Year and Monthly Tax Adjustment Reports)
 - Board meeting minutes
 - Completion of Hazard Mitigation Plan Actions for Community Rating System (CRS)
 - Consideration of requests to conduct 2019 bonafide fishing tournaments:
Nags Head Surf Fishing Club, Fraternal Order of Eagles, and Outer Banks Association of Realtors
 - Request for Public Hearing – to consider conditional use/site plan amendment for site improvements to Kitty Hawk Sports
 - Request for Public Hearing – to consider text amendment to the Zoning Ordinance/UDO to eliminate minimum lot size required for the development of “large residential dwelling”
5. Public Hearing – to consider text amendments related to Accessory Dwelling Units (ADU) - The motion to adopt the text amendments related to Accessory Dwelling Units (ADU) failed with Comr. Renée Cahoon, Comr. Fuller, and Comr. Siers casting the NO votes.
6. Public Hearing – to consider text amendments related to multi-level deck platforms – The motion to adopt Option B ordinance (prohibiting multi-level deck platforms in all districts) passed unanimously.
7. Public Comment Period – A Public Comment Period was held and the Board then unanimously passed a motion to approve the DEQ-DCM Public Beach and Coastal Waterfront Access Grant application for Islington Street application for construction of improved beach access to include a parking area, platform and walk extension, as presented.
8. Committee Reports
Dare County Tourism Board – Comr. Fuller reported that direction was given to DCTB staff to look into the acquisition of additional property. In addition, the Town was mailed a letter from the DCTB Executive Director asking for a representative from the Town to serve on a working committee. It was Board consensus to relay to the DCTB Executive Director that the Town already has a representative (Comr. Fuller) and no additional appointment is necessary.

- 9.** Town Attorney Leidy - Attorney Leidy requested a Closed Session to confer with the Board and to preserve attorney/client privilege - at the appropriate time.
- 10.** Town Manager Ogburn – The Board unanimously passed a motion to approve the revised surplus policy for amounts up to \$30,000 as presented.
- 11.** Town Manager Ogburn – The Board unanimously adopted the resolution to waive building permit fees associated with Hurricane Dorian as presented – effective from Sep 6th through Dec 31st 2019.
- 12.** Comr. Renée Cahoon – The Board unanimously adopted the resolution opposing the designation of special Secondary Nursery Areas, as presented.
- 13.** Comr. Renée Cahoon – The Board unanimously passed a motion to approve moving forward the Gov/Ed Channel Local Programming Development Initiative (LPDI) grant application for processing.
- 14.** Comr. Fuller - Comr. Fuller complimented staff and Town management for working closely with OSHA and being the recipient of the State Dept. of Labor Safety Awards.
- 15.** Comr. Fuller – It was Board consensus that Town Attorney Leidy research the County Control Group MOA signed in 2015 by former Mayor Bob Edwards to determine how the Town can get out of it.
- 16.** Comr. Fuller – Staff is to look into the issues heard today during the ADU Public Hearing (re: ADU/STR/illegal duplexes) and report back on enforcement actions taken.
- 17.** Mayor Pro Tem Walters - At the January 2019 Board Retreat it was agreed by all Board members that the Mayor would be spokesperson for the Board. At last week's Board Retreat Comr. Fuller took exception to that and opted out of this agreement stating that he will respond as an individual. This is concerning to her as a Board member because of the importance that everyone be on the same page. She has concerns on how to move forward as a Board if the Mayor is only speaking for four of five members. Attorney Leidy responded that this is a policy issue that could result in public confusion – the Code of Ethics governs and he felt it would be a good idea for Board members to review it.
- 18.** Mayor Cahoon - Mayor Cahoon reported that he would be on vacation and not able to attend the Board's October 2nd meeting.
- 19.** Mayor Cahoon - Mayor Cahoon commended Great Lakes Dredge & Dock for their work on the Town's Beach Nourishment Project: he said that they came prepared, knew what they were doing, the lines of communication were good, their professionalism was appreciated and the Town was well served.
- 20.** Mayor Cahoon – North Carolina DOT did their traffic counts and research, and determined that there was nothing they would or could do at Little Bridge for safety. Mayor Cahoon will bring back for Board consideration a letter to be forwarded to NCDOT detailing what the Town feels would be the most appropriate action to take such as removing the infrastructure and/or blocking the catwalk.
- 21.** Lunch – The Board recessed for lunch at 12:15 p.m. and reconvened at 1:20 p.m.
- 22.** Closed Session – The Board entered Closed Session at 1:22 p.m. to confer with the Town Attorney to preserve the attorney/client privilege.
- 23.** Open Session – The Board re-entered Open Session at 2:54 p.m.
- 24.** Adjournment – The Board adjourned at 2:55 p.m.