



# TOWN OF NAGS HEAD

## AGENDA

WEDNESDAY, JANUARY 20, 2021; 11:00 A.M.  
RECESSED SESSION

In order to view and listen to the Board meeting remotely, please register here:  
[https://nagsheadnc.zoom.us/webinar/register/WN\\_bS1OUaKPQ0aV4SEVsSkjXg](https://nagsheadnc.zoom.us/webinar/register/WN_bS1OUaKPQ0aV4SEVsSkjXg)

Please email your comments for the Public Comment portion here:  
[publiccomment012021@nagsheadnc.gov](mailto:publiccomment012021@nagsheadnc.gov)  
(Emailed comments will also be accepted during the Board mtg until the end of the Public  
Comment portion of the mtg)

Comments should include your name and address and should be limited to  
five minutes when read aloud.

In light of the increasing COVID-19 numbers and in order to maintain the safety of Town residents,  
the Board of Commissioners, and Town staff, the Board meeting scheduled for 11 am on  
Wednesday, Jan 20, 2021 will be conducted electronically and can be accessed by the public via  
the Zoom platform.

### A. CALL TO ORDER / MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE

### B. ADOPTION OF AGENDA

### C. PUBLIC COMMENT

### D. CONSENT AGENDA

1. Budget Adjustment #9 To FY 20/21 Budget

Documents:

[1 MM D1 BUDGET ADJ TO FY 20-21 SUMMARY.PDF](#)  
[1 MM D1 BUDGET ADJ WORKSHEET.PDF](#)

2. Consideration Of Waiver Of Credit Card Fees/Charges During Town Hall Closures

Documents:

[1 MM D2 REQ WAIVER OF CC FEES SUMMARY.PDF](#)

3. Consideration Of Waiver Of Late Fees For Cycle 4 Water Bills; Consideration Of  
Extension Of Cycle 4 Cutoff To Coincide With Cycle 6 Cutoff

Documents:

[1 MM D3 REQ WAIVER OF WATER LATE FEES SUMMARY.PDF](#)

4. Request For Public Hearing To Consider A Conditional Use Permit And Major Site Plan  
Review

Submitted by Ralph Buxton of RDB Holdings, LLC for the construction of

approximately 196 feet of new dock for Kitty Hawk Water Sports, located at 6920 S. Croatan Highway, Nags Head, NC. The property is zoned C-2, General Commercial and is located within the Commercial-Outdoor Recreational Uses Overlay District and the Ocean and Sound Waters District

Documents:

[1 MM D4 RPH KH WATER SPORTS SUMMARY.PDF](#)

**E. OLD BUSINESS TABLED FROM PREVIOUS MEETINGS**

1. From Jan 6th Board Meeting - Consideration Of Board Of Adjustment Appointments

Documents:

[1 MM E2 BOA APPOINTMENTS SUMMARY.PDF](#)

[1 MM E2 BOA APPOINT CURRENT CHART.PDF](#)

**F. NEW BUSINESS**

1. Town Manager Recruit Discussion With Developmental Assoc. - Time Specific 11:30 Am

Documents:

[1 MM F1 RECRUIT TM WITH DEV ASSOC SUMMARY.PDF](#)

**G. ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN ATTORNEY**

**H. ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN MANAGER**

**I. BOARD OF COMMISSIONERS AGENDA**

**J. MAYOR'S AGENDA**

**K. OTHER BUSINESS**

**L. ADJOURNMENT**

Recess to Wed, Jan 27th at 9 am for Beach Nourishment Funding Workshop

**M. FULL AGENDA In .PDF Format With Bookmarks**

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**5401 S. Croatan Hwy, Nags Head, NC 27959  
252-441-5508**



## Agenda Item Summary Sheet

Item No: **D-1**  
Meeting Date: **January 20, 2021**

**Item Title:** Consideration of Budget Adjustment #9 to FY 20/21 Budget

**Item Summary:**

Attached please find Budget Adjustment #9 to the FY 20/21 Budget which is provided for Board review and approval at the January 20<sup>th</sup> Board of Commissioners meeting – and is in accordance with the FY 20/21 Budget Ordinance, adopted at the June 17, 2020 meeting. The associated worksheet is attached.

Number of Attachments: 1

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**Specific Action Requested:**

Request Board approval of attached Budget Amendment #9.

Submitted By: Administrative Services

Date: January 13, 2021

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**Finance Officer Comment:**

Request Board approval of attached Budget Amendment #9.

Signature: Amy Miller

Date: January 13, 2021

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**Town Attorney Comment:**

N/A

Signature: John Leidy

Date: January 13, 2021

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**Town Manager Comment and/or Recommendation:**

I concur with staff's request.

Signature: Greg Sparks

Date: January 13, 2021

**BUDGET AMENDMENT REQUEST  
FY 2020-2021**

**BUDGET AMENDMENT NO. 9  
AMENDMENT 9.1  
USE OF FUNDS**

SOURCE OF FUNDS

CODE	ACCOUNT	AMOUNT		CODE	ACCOUNT	AMOUNT
900-599900	<b>General Fund Expenditure Contingency</b> Contingency	37,300.00		440-544500	<b>General Fund Administrative Services</b> Contracted Services	37,300.00
<b>TOTAL CHARGES</b>		\$ 37,300.00		<b>TOTAL CREDITS</b>		\$ 37,300.00

**JUSTIFICATION**

"Not to exceed" amount of compensation study.  
Six RFP's were received, \$37,300 was the highest quote.  
However, once an overview of submissions has been made,  
the budget amendment will be for the amount the selected firm proposed.

ADMINISTRATIVE SERVICES 1/14/2021  
RECOMMENDED BY \_\_\_\_\_ DATE

APPROVED BY BOC: \_\_\_\_\_ DATE

POSTED TO GENERAL LEDGER:

INITIALS \_\_\_\_\_



## Agenda Item Summary Sheet

Item No: **D-2**  
Meeting Date: **January 20, 2021**

**Item Title:** Consideration of waiver of credit card fees/charges during Town Hall closures

**Item Summary:**

At the January 20<sup>th</sup> Board of Commissioners meeting, staff is requesting that the Board authorize waiving credit card fees/charges during times of unforeseen and unscheduled Town Hall closures to the public. Currently, Town Hall is temporarily closed due to confirmed employee COVID cases.

If approved, this would allow those who would normally pay their taxes/water/permit bills by cash or check to not be penalized by having to use a credit card. This authorization is only requested during times of unforeseen and unscheduled Town Hall closures to the public.

Additionally, this action is requested to be retroactively approved beginning on January 12, 2021, at 11:00 am, at which time the Town Manager gave emergency authorization to waive these fees during an unscheduled emergency Town Hall closure.

Number of Attachments: 0

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**Specific Action Requested:**

Provided for Board consideration and inclusion in the Consolidated Fee Schedule.

Submitted By: Administration

Date: January 13, 2021

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**Finance Officer Comment:**

Fiscal impact would be the Town absorbing the fees/charges associated with credit cards.

Signature: Amy Miller

Date: January 13, 2021

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**Town Attorney Comment:**

N/A

Signature: John Leidy

Date: January 13, 2021

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**Town Manager Comment and/or Recommendation:**

I concur with staff's request.

Signature: Greg Sparks

Date: January 13, 2021



## Agenda Item Summary Sheet

Item No: **D-3**  
Meeting Date: **January 20, 2021**

**Item Title:** Consideration of waiver of late fees for Cycle 4 water bills; Consideration of extension of Cycle 4 cutoff to coincide with Cycle 6 cutoff

### Item Summary:

At the January 20<sup>th</sup> Board of Commissioners meeting, staff is requesting that the Board authorize the waiving of late fees associated with Cycle 4 water bills, for those customers that did not receive their bill in the mail. Due to the 2020 Post Office problems, the majority of property owners (over 700 out of almost 1100) received their water bills in the mail after their bill was due and penalties had been applied. The bills were mailed December 10, 2020, and staff received notifications about these bills either not being received at all or being received after they were considered late on January 5, 2021.

In addition, staff is requesting to extend the Cycle 4 cutoff to coincide with the Cycle 6 cutoff (February 5, 2021) to give these customers sufficient time to mail a check to Town Hall.

Number of Attachments: 0

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### Specific Action Requested:

Provided for Board consideration in response to 2020 Post Office issues.

Submitted By: Administration

Date: January 13, 2021

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### Finance Officer Comment:

Staff informed the Nags Head Post Office about this situation. They were apologetic, however, were not able to explain what happened to the bills. The mail seems to be running as scheduled based on the cycle 6 and 8 payments coming in, as well as the confirmation of cycle 4 late bills being received. The cycle 4 cut off extensions will allow customers (over 500) an additional month to pay their bills without penalty.

Signature: Amy Miller

Date: January 13, 2021

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### Town Attorney Comment:

N/A

Signature: John Leidy

Date: January 13, 2021

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### Town Manager Comment and/or Recommendation:

I concur with staff's request.

Signature: Greg Sparks

Date: January 13, 2021



# Agenda Item Summary Sheet

Item No: **D-4**

Meeting Date: **January 20, 2021**

**Item Title:** Request for Public Hearing to consider a Conditional Use Permit and Major Site Plan review submitted by RDB Holdings, LLC for construction of a dock

**Item Summary:**

Conditional Use Permit and Major Site Plan review submitted by Ralph Buxton of RDB Holdings, LLC for construction of approximately 196 feet of new dock for Kitty Hawk Water Sports, located at 6920 S. Croatan Highway, Nags Head. The property is zoned C-2, General Commercial and is located within the Commercial-Outdoor Recreational Uses Overlay District and the Ocean and Sound Waters District.

**Staff Recommendation/Planning Board Recommendation**

Planning staff is finalizing their memorandum and recommendation to the Planning Board and will copy the Board of Commissioners on materials that are provided to the Planning Board for their upcoming January 19<sup>th</sup>, 2021 meeting.

Number of Attachments: 0

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**Specific Action Requested:**

Schedule the Public Hearing.

Submitted By: Planning and Development

Date: January 11, 2021

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**Finance Officer Comment:**

N/A

Signature: Amy Miller

Date: January 12, 2021

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**Town Attorney Comment:**

N/A

Signature: John Leidy

Date: January 12, 2021

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**Town Manager Comment and/or Recommendation:**

N/A

Signature: Greg Sparks

Date: January 12, 2021



## Agenda Item Summary Sheet

Item No: **E-2**  
Meeting Date: **January 20, 2021**

**Item Title:** From Jan 6<sup>th</sup> Board meeting - Consideration of Board of Adjustments appointments

### **Item Summary:**

At the January 6<sup>th</sup> Board of Commissioners meeting, the Board appointed Margaret Suppler to serve as BOA Chair and Angelina Lowe to fill the vacant regular position.

At the January 20<sup>th</sup> mid-month meeting, request appointment of Vice-Chair, in accordance with Town Code Sec. 48-592.

Staff has confirmed that BOA member Bobby Gentry would like to be reappointed (his term expires February 2021) and he is also interested in serving as Vice-Chair. Please note that John Mascaro has also expressed interest in being appointed Vice-Chair.

Attached please find an updated Tracking chart with the current roster for the Board of Adjustment.

Number of Attachments: 1

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### **Specific Action Requested:**

Provided for Board appointment.

Submitted By: Administration

Date: January 13, 2021

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### **Finance Officer Comment:**

No unbudgeted fiscal impact.

Signature: Amy Miller

Date: January 13, 2021

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### **Town Attorney Comment:**

N/A

Signature: John Leidy

Date: January 13, 2021

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### **Town Manager Comment and/or Recommendation:**

N/A

Signature: Greg Sparks

Date: January 13, 2021



Tracking Chart for Town of Nags Head **CURRENT** Board of Adjustment

Meeting Date: January 20, 2021

<i>Name of Board/Committee</i>	<i>Current members</i>	<i>Contact Info</i>	<i>Seat expires</i>	<i>Notes</i>
<b>Board of Adjustment</b> Meets 2 <sup>nd</sup> Thursday at 9 am as necessary  5 Regular Members 4 Alternate Members	Margaret Suppler Chair	Phone/email on file	2/06/22	<b>Was appointed Chair by BOC Jan 6, 2021</b>
	Bobby Gentry	Phone/email on file	2/07/21	<b>Is interested in being reappointed for another term and is interested in being appointed Vice-Chair</b>
	Judy Burnette	Phone/email on file	6/05/22	
	John Mascaro	Phone/email on file	3/04/23	
	Angelina Lowe	Phone/email on file	1/06/24	<b>Was appointed regular member by BOC Jan 6, 2021</b>
	Don Milbrath (ALT)	Phone/email on file	05/06/23	
	Tina Adderholdt (ALT)	Phone/email on file	2/21/21	
	VACANT (ALT)			<b>Angelina Lowe moved to regular member by BOC Jan 6, 2021</b>
	VACANT Alternate			June 2019 Board determined to take no action to fill this fourth Alternate seat



## Agenda Item Summary Sheet

Item No: **F-1**  
Meeting Date: **January 20, 2021**

**Item Title:** Discussion of Town Manager Recruit with Steve Straus of Developmental Associates

Time Specific 11:30 am

### **Item Summary:**

At the January 20<sup>th</sup> Board of Commissioners mid-month meeting, Board members will discuss with Steve Straus of Developmental Associates the process of recruiting a new Town Manager.

This item is time specific for 11:30 a.m.

Number of Attachments: 0

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### **Specific Action Requested:**

Provided for Board discussion.

Submitted By: Administration

Date: January 13, 2021

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### **Finance Officer Comment:**

No unbudgeted fiscal impact.

Signature: Amy Miller

Date: January 13, 2021

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### **Town Attorney Comment:**

N/A

Signature: John Leidy

Date: January 13, 2021

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### **Town Manager Comment and/or Recommendation:**

N/A

Signature: Greg Sparks

Date: January 13, 2021