



**BOC ACTIONS  
WEDNESDAY, JULY 7, 2021**

1. Call to order - Mayor Cahoon called the meeting to order at 9 am.
2. Agenda - The Board approved the July 7<sup>th</sup> agenda as presented.
3. Recognition -

Planner Margaux Kerr was recognized for five years of service.

Code Compliance Officer Ed Snyder was recognized for five years of service.

Public Information Officer Roberta Thuman was recognized for 20 years of service.

Former Public Works Director Ralph Barile was recognized by the Board for his 38 years of service to the Town; Mayor Cahoon presented the Long Leaf Pine Award to Mr. Barile as well.

4. Proclamation - National Night Out proclamation was adopted as presented.
5. Public Comment - No one spoke during Public Comment.
6. Consent Agenda - The Consent Agenda was approved as presented and consisted of the following:

Consideration of Budget Adjustment #1 to FY 21/22 Budget

Consideration of Tax Adjustment Report

Consideration of Business License and Registration Fee debt release

Approval of minutes

Consideration of resolution authorizing equipment exchange between Nags Head and Duck Fire Depts

Consideration of resolution authorizing higher federal micro-purchase thresholds

Consideration of resolution declaring the intention to reimburse the cost of certain expenditures

Consideration of housekeeping modification to adopted Pay and Classification Plan

Request for Public Hearing - Special Use Permit to operate Religious Complex in Croatan Center

**7. Public Hearing**

- Adoption of Town Low Impact Development and Stormwater Reference Manual and Amendment of the Recommended Standard Details Manual

- It was Board consensus to take no action concerning the Low Impact Development and Stormwater Reference Manual and the Amendment of the Recommended Standard Details Manual.

- The Board passed a motion to cancel the Public Hearing re: UDO text amendments to update references to Stormwater, Fill and Runoff Management ordinance for regulatory reference manuals.

**8. Update from Planning Director**

Sign Ordinance Update project - It was Board consensus to address the sign ordinance update at a later time in order to focus on other issues that need to be addressed.

Responses to Town Seasonal Workforce Housing Request For Information - It was Board consensus to thank them for their time and submittals - and to return to this issue at some future point.

Estuarine Shoreline Management Plan Advisory/Steering Committee - Others, such as the homebuilders, are to be involved in the process as advisors.

Decentralized Wastewater Mgmt Plan – The committee is expected to wrap up the third week of August.

After discussion of various items on the Planning Director's report to include sign ordinance, seasonal housing, and streetlights conversion, it was Board consensus to take no action at this time.

**9.** FY 2021-2022 Public Beach and Coastal Waterfront Grant pre-application for Epstein Street Beach Access - The Board scheduled a Public Hearing for the August 4<sup>th</sup> Board meeting. Mayor Cahoon asked for some background on the building such as details re: its condition and provide those findings to the Board.

**10.** From June 2<sup>nd</sup> Board meeting - Discussion of beach driving season - It was Board consensus that the Interim Town Manager address the following:

- Use his discretion in closing the beach
- Lower beach driving speed limit (15 MPH was suggested)
- Develop better monitoring protocols
- Use police enforcement to keep people driving on the correct portion of the beach (off the dunes)
- Consider marking the toe of the dunes with stakes during the NHSFC Tournament
- Review the beach driving ordinance and coordinate changes with Town of Kill Devil Hills
- Ask for recommendation from the NHSFC concerning ordinance changes
- Limit number of vehicles allowed on the beach during the NHSFC Tournament
- For presentation at the August 4<sup>th</sup> Board meeting - at the latest the September Board meeting.

**11.** Committee Reports: Comr. Fuller - DCTB meeting - Comr. Fuller reported that he and Mayor Cahoon will be meeting tomorrow (July 8<sup>th</sup>) with the Dare County - Outer Banks Event Site Committee to discuss possible alternatives for the development of that site.

Mayor Cahoon - Upcoming Mayors luncheon - Mayor Cahoon reported that he and the other mayors and the County Board Chair will be meeting with State Rep. Bobby Hanig concerning issues of interest.

**12.** Town Attorney - The Board approved the requested Town Attorney retainer increase as presented.

**13.** Town Attorney - Attorney Leidy pointed out that after Governor Cooper ends the pandemic State of Emergency, there will no longer be authority for the Board to participate in meetings via electronic means. Existing legislation does not allow it - Mayor Cahoon is to discuss possible legislation that would authorize this activity in the future at the upcoming Mayors luncheon when State Rep. Bobby Hanig is to be present.

**14.** Town Attorney - Request for Closed Session will be addressed at the appropriate time in the meeting.

**15.** Interim Town Manager Garman - Bryan Joyner of Moffat & Nichol presented the Year 1 Summary of the Beach Nourishment Master Plan. Interim Manager Garman told the Board that he spoke with Superintendent Hallac of the National Park Service concerning merging the southern end of the Town with Park service property.

**16.** Interim Town Manager Garman - Professional Services contract amendment for Year 2 of Beach Nourishment Master Plan - the Board passed the following motions:

- To authorize the Interim Town Manager to execute the agreement with Moffat & Nichol pertaining to the scope of work and fee proposal of \$1,737,907 as presented.

- To adopt the Beach Nourishment Master Plan Capital Project Ordinance Amendment #1 with the removal of Section 6.
  - To approve the associated budget amendment as presented.
- 17.** Interim Town Manager Garman - The Board passed a motion to approve the necessary actions to acquire the custom built Fire Truck with the additional equipment as determined by staff at a cost not to exceed \$1.4 million. The motion passed 4 – 1 with Comr. Renée Cahoon casting the NO vote.
- 18.** Comr. Renée Cahoon - It was Board consensus to submit the following requests to NCDOT:
- Perform traffic study at Grey Eagle/US 158 (during peak traffic season) to include possibility of looking at stoplights
  - Study possibility of installing median strip or something similar that would keep vehicles from turning left at Grey Eagle Street and US 158
  - Study possibility of no left turn when exiting S Old Oregon Inlet Road at NC 12 across from Sam and Omie’s Restaurant
- 19.** Comr. Renée Cahoon - Comr. Renée Cahoon asked for a status of the Homeowners Association of Old Nags Head Place paying for their portion of the stormwater project planned for the subdivision. Interim Manager Garman reported that he and staff are scheduled to meet with the subdivision HOA next week.
- 20.** Comr. Renée Cahoon - Staff is to look at some type of shade features for the Dowdy Park equipment which is at times too hot for children to use.
- 21.** Mayor Pro Tem Siers - Staff is to begin looking at parking issues in the Dowdy Park area – specifically the Bonnett Street and Wrightsville Street intersection.
- 22.** Mayor Pro Tem Siers - It was Board consensus that a task force made up of Mayor Cahoon and Mayor Pro Tem Siers be established in conversation with the local building community and the Dept of Insurance to touch on the issue of fire safety in the larger houses. This may include preparing a resolution to the State, a sprinkler system requirement for specific house sizes, and exit/emergency lighting requirements.
- 23.** Comr. Brinkley - Stormwater - Concerning the Low Impact Development Manual – Comr. Brinkley said that he hopes that the Board will actively make changes for stormwater issues, etc.
- 24.** Comr. Brinkley - Sanitation - Comr. Brinkley commented on the NC 12 trash overflow of carts, etc. Public Works Director Eric Claussen provided an update - he has initiated conversations with the property management companies; he is in the process of getting property managers to push carts back so they are not sitting on the Beach Road all weekend; some property managers are sending out texts mid-week to renters with reminders of trash collection schedules; he is also in the process of getting the proper number of carts to the appropriate house. He agreed to not limit it to the Beach Road.
- 25.** Mayor Cahoon - Preparation for Tropical Storm Elsa - Interim Manager Garman stated that dept heads responded to his inquiry yesterday afternoon and provided a list of actions in preparation for TS/TD Elsa.
- 26.** Closed Session/Open Session - The Board entered Closed Session at 12:19 p.m. to discuss attorney/client privilege, Town v Hale, other condemnation litigation as well as the 205 Baltic Street litigation - and re-entered Open Session at 12:47 p.m.
- 27.** Adjournment - The Board recessed to Monday, July 19<sup>th</sup> at 9 am in the Board Room for a Recessed Meeting - to meet with Developmental Associates - The time was 12:48 p.m.