



**BOC ACTIONS**  
**WEDNESDAY, JANUARY 5, 2022**

**1.** Call to order - Mayor Cahoon called the meeting to order at 9 a.m. He recognized former Mayor Bob Muller and former Commissioner John Ratzenberger in the audience. Comr. Renée Cahoon was not present as previously scheduled.

**2.** Agenda - The Board approved the January 5<sup>th</sup> agenda as modified (Dare County Motor Sports Charity and Fire LT Zadd's years of service presentations were moved to the February meeting).

**3.** Recognition -

ADVANCED CERTIFICATES - Police Chief Phil Webster presented Advanced Certificates to Police Officer Daniel "Danny" Harris and Police Officer Joseph "JC" Mitchell who were congratulated by the Board.

APPRECIATION OF ANNETTE RATZENBERGER - Annette Ratzenberger is resigning from her position as Treasurer of the Firemen's Relief Fund Board. Former Mayor of Nags Head and current Firemen's Relief Fund Board Chair, Bob Muller, expressed his appreciation for all Ms. Ratzenberger has done for the Firemen's Relief Board, Town firefighters and their families, as well as for her service to the Town in many other capacities. Board members thanked Ms. Ratzenberger for her dedication to the firefighters and their families noting how difficult it will be to fill her shoes.

PRESENTATION - Nags Head Woods Annual Report - Steward Aaron McCall presented the Nags Head Woods Annual Report to the Board. His powerpoint presentation provided updates for the past year and was well received by the Board.

**4.** Public Comment - There was no public comment.

**5.** Consent Agenda - The Consent Agenda was approved as presented and consisted of the following:

Consideration of Tax Adjustment Reports

Approval of minutes

Establishment of the Public Works Capital Project Fund and associated Budget Amendment

Ratification of several Traffic Control Map modifications

**Request for Public Hearing to consider Residential Stormwater Ordinance**

Consideration of Lease Extension for Community Care Clinic building at 425 Health Center Drive

**6.** **Planning Director Report - the Planning Director's update was well received - Mayor Cahoon confirmed with Board members that by acclimation the Board would like to see a text amendment processed (as a result of a recent BOA case) that takes into account structures located (due to roadway relocation many years ago) where NC 12 does not parallel the beach - requiring certain properties to meet 12' standards on the current flood maps which would have been 9' standards on the previous flood maps.**

**7.** Removal of trees with a caliper of 16 inches or greater within the SED-80 Zoning District - The Board approved this application as requested.

**8.** Annual Audit - Lisa Murphy of Johnson, Mizelle, Straub, and Murphy reported that the audit her office performed for the Town for the year ending June 30, 2021 resulted in an "unmodified opinion", which is the highest rating. She also noted that the Town's PAFR (Popular Annual Financial Report), prepared by Finance Director Amy Miller and her staff, provides additional information to include statistical and historical information. She noted that the Town has received the Certificate of Achievement from the GFAO (Government Financial Accounting Office) for the past four years for the PAFR which will be submitted for this year also.

**9.** From Dec 1<sup>st</sup> Board meeting - Consideration of amendments to Town Code Chapter 42 Traffic and Motor Vehicles re: updated definitions to include electric assist vehicles - The Board adopted the ordinance amending Town Code Chapter 42 to include electric assist vehicle definitions as presented.

**10.** From Dec 15<sup>th</sup> Board meeting - Consideration of Change Order to Old Nags Head Cove Water Main Replacement Project - The Board passed the following motions:

- To approve Budget Amendment #7 for the Old Nags Head Cove Water Main replacement project in the amount of \$142,885
- To authorize the Town Manager to execute the Change Order #1 Contract with Enviro-Tech in the amount of \$459,976.70

**11.** From Dec 15<sup>th</sup> Board meeting - Post-Dorian Beach Nourishment Project - The Board passed the following motions:

- To approve issuance of the Notice of Award to Great Lakes Dredge & Dock Company, LLC in the amount of \$11,598,653.10
- To adopt Amendment #3 to the Capital Project Ordinance as presented
- To authorize the Town Manager to execute the construction contract with Great Lakes Dredge & Dock Company, LLC in the amount of \$11,598,653.10

**12.** Committee reports -

- Comr. Sanders - Estuarine Shoreline Management Plan Committee - First meeting was December 15<sup>th</sup> - Overview of the project was provided by Executive Director Reide Corbett, of the Coastal Studies Institute; the next meeting is scheduled for later this month.

**13.** Board/Committee appointments - The following actions were taken by the Board:

- Margaret Suppler was reappointed to a 3-year term on the Board of Adjustment
- Margaret Suppler and Bobby Gentry were reappointed as BOA Chair/Vice-Chair
- Meade Gwinn was reappointed to a 3-year term on the Planning Board
- Anne Farmer was appointed to the vacant position on the Firemen's Relief Fund Board

Mayor Cahoon asked staff to continue to advertise for those interested in serving on various Town boards and committees.

**14.** Traffic Control Map amendment - The Board denied the request to designate a No Parking-Tow Away Zone on S North Shore Road in the Pond Island Subdivision.

**15.** COVID vaccination leave policy - The Board approved the COVID policy related to leave time for vaccinations as presented; the policy is retroactive to employees who have already received their shots.

**16.** Town Attorney - Attorney Leidy wished Board members and staff a Happy New Year.

**17.** Town Manager Garman - Project updates were provided as follows:

*Three sidewalk construction projects* – Bonnett Street, Barnes Street, and Seachase - Work is expected to begin on January 10<sup>th</sup> (starting with Seachase) and is hoped to be completed within 60 days.

*Seachase crosswalk light* - The NCDOT reimbursement agreement is in place and staff is coordinating with them for installation. Staff is hopeful that completion of the crosswalk light will align with completion of the sidewalk.

*Bainbridge Beach Access* - Under construction and currently closed; looking at getting the Huron Street Beach Access out to bid within the next few weeks.

*Dowdy Park pickleball courts* - Resurfacing project has been completed.

*Property purchase* - The Town recently closed on the purchase of the former BB&T building on Seachase Drive; staff has met with the tenant and is working through details.

*Soundside Road access to Jockey's Ridge State Park* - Yesterday staff met with State Parks and residents of Soundside Road concerning the access to the Park - Staff would like to remove one of the park's dilapidated boardwalk structures which is in a dangerous condition. Manager Garman stated that according to Jockey's Ridge Superintendent Joy Greenwood, a response to the Town's letter from last year should be on its way from the State. It was Board consensus to wait until receipt and discussion of the response from the State before taking action on the boardwalk. This is to be on the February 2022 Board agenda for discussion.

*Skateboard Park (At YMCA) status* – Town Manager Garman reported to the Board how structures at the skateboard park need to be replaced as they are hard to maintain enough to make them safe. It was Board consensus to agree with Manager Garman to move forward and utilize funds in the amount of \$1,500 for the design of a new skateboard park.

Mayor Cahoon requested a status of the following:

- Condition of the beach/beach driving after the recent storm: Manager Garman stated that the beach was closed during the storm and anticipate it opening up tomorrow (January 6<sup>th</sup>)
- Whalebone Park renovation/improvements – Manager Garman said that staff is still in discussions with the Planning Board

**18.** Town Manager Garman - Mayor Cahoon noted that the Closed Session to discuss a personnel matter requested by Town Manager Garman would be addressed at the end of the meeting.

**19.** Mayor Cahoon – Mayor Cahoon reported that last year the Governor signed Executive Order 218 to commit to offshore wind power to transition to a clean energy economy. Part of the Executive Order established a NC Taskforce for Offshore Wind Economic Resource Strategies (NC TOWERS). He learned recently that he has been appointed to this task force and will be attending the first meeting scheduled for February 2-3, 2022 in Wilmington.

- 20.** Mayor Cahoon – Mayor Cahoon will be attending a meeting in Washington, DC at the Netherlands Embassy on January 18, 2022, along with other coastal mayors, to discuss and hear the latest on flood management strategies.
- 21.** Comr. Brinkley – Comr. Brinkley wished all staff members a Happy New Year.
- 22.** Closed Session - The Board entered Closed Session to discuss a personnel issue; the Board re-entered Open Session at 12:21 p.m.
- 23.** Adjournment - The Board recessed to a BOC Workshop on Tuesday, January 25<sup>th</sup> at 9 am in the Board Room. The time was 12:22 p.m.