



**MINUTES
TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR MEETING
WEDNESDAY, AUGUST 7, 2019**

The Nags Head Board of Commissioners met in the Board Room of the Nags Head Municipal Complex located at 5401 S Croatan Highway in Nags Head, North Carolina on Wednesday, August 7, 2019 at 9:00 a.m.

Board members Present: Mayor Ben Cahoon; Mayor Pro Tem Susie Walters; Comr. Renée Cahoon; Comr. Webb Fuller; and Comr. Michael Siers

Board members Absent: None

Others present: Town Manager Cliff Ogburn; Attorney John Leidy; Andy Garman; Phil Webster; Perry Hale; Shane Hite; Amy Miller; Michael Zehner; Roberta Thuman; Holly White; David Ryan; Ryan Blythe; Ethan Ware; David Bragg; Jenny Ash; Kevin Brinkley; Marvin Demers; Phil Ruckle; and Town Clerk Carolyn Morris

CALL TO ORDER

Mayor Cahoon called the meeting to order at 9:00 a.m. He asked for a moment of silence to remember the victims and their families and friends of the recent shootings in El Paso, Texas and Dayton, Ohio. The moment of silence was followed by the Pledge of Allegiance.

ADOPTION OF AGENDA

MOTION: Mayor Pro Tem Walters made a motion to approve the August 7th agenda as presented. The motion was seconded by Comr. Renée Cahoon which passed unanimously.

RECOGNITION

New Employees

Water Plant Superintendent Nancy Carawan introduced new Water Plant Operators Ryan Blythe and Ethan Ware who were both welcomed to Town employment.

Presentation - Outer Banks Sporting Events (OBSE) Update

Outer Banks Sporting Events (OBSE) Director Jenny Ash presented a powerpoint presentation with an update on the 2018 sporting events / November 2018 Marathon. She pointed out that there were 6100 individual runners in the 2018 Marathon. She thanked the Board for their support of the organization's events, stated she enjoyed working with Town staff, and is looking forward to this year's events.

In response to Mayor Cahoon, Ms. Ash stated that November 8 – 10, 2019 are the dates to remember for this year's events with Sunday, November 10th as the date for the annual marathon.

PUBLIC COMMENT

PUBLIC COMMENT – DAVID BRAGG

David Bragg, Village at Nags Head resident; he spoke concerning trash pickup and carts not being set out for pickup or being rolled back correctly; he specifically asked Mayor Cahoon for a response to his issues. He stated that he had asked the Town previously these questions and has still not received answers. His questions concerned enforcement of the Town's ordinances that require trash carts to be set out by the roadway and picked up during specific times.

CONSENT AGENDA

The Consent Agenda consisted of the following items:

- Consideration of Budget Adjustment #2 to the FY 19/20 Budget
- Consideration of Year End Tax Documents
- Consideration of Year End (FY 18/19) Tax Adjustment Reports
- Consideration of Tax Settlement Report for Year End (FY 18/19)
- Consideration of New Year Tax Documents
- Consideration of Charge to Tax Collector to prepare current taxes
- Consideration of Business License / Registration Fee Write-off of debt owed more than three years
- Approval of Board of Commissioners meeting minutes
- Consideration of new multi-year phone service contract
- Request for public hearing to consider zoning ordinance text amendments re: Accessory Dwelling Units
- Request for public hearing to consider zoning ordinance text amendments re: Multi-Level Deck Platforms

MOTION: Comr. Fuller made a motion to remove *Consideration of change order to Hatchell Concrete Sand Fencing/Sand Sprigging contract – Item #E-7* – from the Consent Agenda for separate discussion. The motion was seconded by Comr. Siers which passed unanimously.

MOTION: Comr. Siers made a motion to approve the Consent Agenda, as modified [with removal of agenda Item #E-7]. The motion was seconded by Mayor Pro Tem Walters which passed unanimously.

Budget Adjustment #2 to the FY 19/20 Budget Ordinance is attached to and made a part of these minutes as shown in Addendum "A".

The year-end (FY 18/19) tax documents (Tax Adjustment Reports for Town-wide property and the MSD District as well as the Tax Settlement Report) are attached to and made a part of these minutes as shown in Addendum "B".

The new year (FY 19/20) tax document (Charge to Tax Collector to prepare current taxes), as approved, read in part as follows:

"State of North Carolina / Town of Nags Head

To the Tax Collector of the Town of Nags Head:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Tax Collector and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth for the tax year 2019 plus all delinquent taxes from tax years 2010 to

2018. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Nags Head, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.”

Information from the summary sheet re: the Business License / Registration Fee Write-off of debt owed more than three years, as approved, read in part as follows:

“As per section 12-32-C of the Town of Nags Head Code of Ordinances, I am respectfully requesting that the current outstanding balance for the following years be written off:

2016 Business Licenses/Registration Fees	\$ 380.00
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‘Attached is a list of all outstanding Business Licenses/Registration Fees for the above year. The total is \$1,085.00 which must be reduced by the penalty line of \$705.00 bringing the balance to \$380.00.

‘Thank you for your consideration in this matter.”

The outstanding Business Licenses/Registration Fees, as approved, are attached to and made a part of these minutes as shown in Addendum “C”.

Board of Commissioners meeting minutes for July 3, 2019, as approved, are on file in the Town Clerk’s Office and may be found on the Town’s web site.

Information from the summary sheet re: the new multi-year phone service contract, as approved, read in part as follows:

“Attached please find the three-year contract with nex Vortex – the total is \$361.50 per month for three years. This system replaces the phone lines the Town currently has with Information Technology Service. Thank you for your consideration in this matter.

‘This eliminates any physical connections to a phone company, thus eliminating the phone bill to Information Technology Services. The estimated monthly savings is \$1,000 per month, in addition to increased efficiency in processing payments.”

The request for public hearing re: accessory dwelling units, as approved, read in part as follows:

“This agenda item requests the scheduling of a public hearing on proposed amendments to the Zoning Ordinance establishing provisions allowing Accessory Dwelling Units (ADU’s), both as by-right uses and with a Conditional Use Permit depending on the zoning district, and subject to certain standards. While the Board voted to schedule a public hearing for September 4, 2019 at their July 3, 2019 meeting, including this action on the Board’s consent agenda would be consistent with standard procedures.

‘As previously noted for the Planning Board, pending the Board’s action on the proposed Unified Development Ordinance (UDO), the current draft of the amendments may need to be modified to become amendments to the UDO, as opposed to amendments to the current Zoning Ordinance.

‘Planning Board/Staff Recommendation

Staff recommends that the Board confirm the scheduling of a public hearing on proposed amendments to the Zoning Ordinance establishing provisions for ADU's, to be held at the Board's meeting on September 4, 2019.

'At their meeting on June 18, 2019, the Planning Board unanimously (7-0) recommended adoption of the proposed amendments to the Zoning Ordinance.'

The request for public hearing re: multi-level deck platforms, as approved, read in part as follows:

'Following discussion with the Planning Board at their June 2019 meeting, planning staff proposed two draft zoning ordinance text amendments pertaining to the construction of multi-level deck platforms within the Town. Consideration of this text amendment comes following the construction of this type of structure on the Town's oceanfront. While this structure was properly permitted via CAMA and Zoning regulations, it has precipitated a larger discussion of whether this type of development is consistent with the Town's vision. The Planning Board verbalized several concerns about the existing structure, the potential proliferation of these types of structures throughout the Town, and more specifically on the oceanfront. Concerns regarding the overall height, obstruction of viewsheds, and the ability for emergency personnel to access these structures were the Board's primary focus. Staff proposed two options for the Planning Board's consideration:

'Option A: Allow multi-level deck platforms when structurally attached to a principal or accessory structure and complying with all dimensional standards of the district in which it is located.

'Option B: Prohibit multi-level deck platforms in all zoning districts throughout the Town.

'Planning Board Recommendation: After much discussion the Planning Board recommended moving forward with Option B, to prohibit multi-level deck platforms in all zoning districts throughout the Town. A primary concern was that of access for emergency personnel and a concern that the NC Fire Prevention Code does not contemplate this type of structure in a residential setting.'

PUBLIC HEARINGS

Public Hearing to consider a Conditional Use/Site Plan Amendment submitted by Christina Jamieson to convert a vacant commercial structure into an Indoor Entertainment Facility, OBX-Scape Rooms. The applicant is also seeking a reduction in required parking. The property is zoned C-2, General Commercial and is located at 4125 S Croatan Highway (former Outer Banks Radiology Center)

Mayor Cahoon reported that this agenda item was withdrawn by the applicant.

Public Hearing to consider adoption of the proposed Unified Development Ordinance (UDO) which includes the repeal of existing chapters of the Town Code to be included therein

Town Attorney John Leidy introduced the Public Hearing to consider adoption of the proposed Unified Development Ordinance (UDO) to include the repeal of certain existing chapters of the Town Code. The time was 9:20 a.m.

Planning Director Michael Zehner summarized his memo which read in part as follows:

'The final clean version draft of the UDO, along with the adoption ordinance, were previously provided to the Board on July 24 for review and consideration. A public hearing on the adoption of the UDO and associated

amendments to the Town Code has been scheduled for the meeting on August 7, 2019. Staff and the Planning Board have recommended that the UDO become effective 60 days following the Board's adoption."

Notice of the Public Hearing was published in the *Coastland Times* on Wednesday, July 24, 2019 and on Wednesday, July 31, 2019 as required by law.

There being no one present who wished to speak, the Public Hearing was closed at 9:25 a.m.

Comr. Fuller pointed out that the UDO is a living, breathing document and there will constantly be changes.

MOTION: Mayor Pro Tem Walters made a motion to adopt the Unified Development Ordinance, adoption ordinance, as presented - to include an effective date of October 7, 2019, after 60 days have passed. The motion was seconded by Comr. Fuller which passed unanimously.

Comr. Renée Cahoon asked staff about the status of approval from the State for the Land Use Plan. Planning Director Zehner explained that staff is still waiting for additional information in order to complete the edits/changes being requested by the State; he noted that some changes are to be made to the Comprehensive Plan also. Comr. Renée Cahoon confirmed with Director Zehner that any questions/comments made would not change the Town's values as the Town's values are not CAMA's values.

The Code of Ordinances to include the UDO, as adopted, is on file in the Town Clerk's Office and can also be found on the Town's web site at www.nagsheadnc.gov.

REPORTS AND RECOMMENDATIONS FROM THE PLANNING BOARD AND THE PLANNING AND DEVELOPMENT DIRECTOR

Consideration of request to apply for DEQ – DCM Public Beach and Coastal Waterfront Access Grant - For Islington Street Public Beach Access

Planner Holly White summarized her memo which read in part as follows:

"The town was invited to submit a final grant application for the Islington Street Public Access through the Division of Coastal Management's ("DCM") Public Beach and Coastal Waterfront Access Grant Program; a public meeting on the proposal is a prerequisite of the application. Fourteen local governments within the 20 coastal counties submitted pre-applications totaling over \$2.4 million in grant requests. Approximately \$1 million in grant funding is available. The deadline for final applications is September 6, 2019. All final applicants will be notified of funding decisions in October 2019. It is anticipated that Governor's award letters will be sent in late September and contracts executed in November 2019.

"The Town's proposal involves the construction of an improved beach access in South Nags Head in an existing fifty (50) foot right-of-way (Islington Street) on the east side of S. Old Oregon Inlet Road/SR 1243, improvements to include a parking area, platform and walk extension to an existing dune cross over, shower, bike rack, lighting, signage, and stormwater management. Additional project materials are attached for your review."

MOTION: Comr. Renée Cahoon made a motion to authorize staff application for the DEQ – DCM Public Beach and Coastal Waterfront Access grant – for the Islington Street Public Beach Access – as presented. The motion was seconded by Comr. Siers.

Planner Holly White pointed out that a public comment period is required by the State prior to application being made and could still take place.

Comr. Renée Cahoon requested that, in the interest of transparency, a public comment period be held after appropriate public notice, at the September 4th Board meeting – even though this formality is not required by the State. Board members agreed.

CONTINUATION OF MOTION: The motion passed unanimously.

Report on building permit status

Planning Director Michael Zehner summarized his report on building permit status; the summary sheet read in part as follows:

“Planning and Development Department Staff will provide a report to the Board on progress and improvements in the Department’s permitting and inspection processes.

‘Staff Recommendation: Not applicable

‘Planning Board Recommendation: Not applicable”

The slides presented are attached to and made a part of these minutes as shown in Addendum “D”.

Comr. Siers asked how much of the Munis Module on building permits is being used. Director Zehner said that it is used more here in Nags Head than at his previous job – he noted that Code Compliance Officer Ed Snyder is familiar with the software and has been helping other employees.

Comr. Renée Cahoon confirmed with staff that an applicant cannot go online and see where their application is although Director Zehner did point out that an applicant will receive email notifications. He said further that staff will start with the trade permits for testing the application tracking first before moving to more complex applications and report back to the Board. Mayor Cahoon expressed his appreciation that Code Compliance Officer Snyder is also working on this module.

Comr. Fuller agreed with Comr. Renée Cahoon and encouraged staff to move forward faster.

OLD BUSINESS/ITEMS TABLED FROM PREVIOUS MEETINGS

From July 3rd Board meeting – Discussion of crosswalks and Town Pedestrian Plan

Dep Town Manager Andy Garman summarized the agenda summary sheet which read in part as follows:

“At the July 3rd Board of Commissioners meeting Comr. Renée Cahoon reported that she has heard from various businesses concerning the lack of crosswalks along NC 12. Comments were specific to the area south of the Village at Nags Head to Whalebone Junction. It was Board consensus for staff to review potential deficiencies that exist in this area in light of the town’s current practices for crosswalk installation also considering any guidance that can be derived from the town’s Pedestrian Plan.

‘While the town’s pedestrian plan is non-specific regarding the methods for establishing crosswalks on NC 12, staff has identified two locations for crosswalks based on established practice. As the Board is aware, the current practice has been to install crosswalks on NC 12 at street intersections that align with existing beach

accesses. The first location would be at the intersection of Forbes Street and NC 12. This would align the crosswalk with Pebble Beach Shores Homeowner's Association beach access walkway. Installing a crosswalk at this location would also reduce the gap between crosswalks from Forrest Street and the First Colony Inn, from 1,650 feet to less than 1,000 feet. The second location would be at the intersection of NC 12 and Grouse Street, which is an existing unimproved town beach access with a sand path to the beach. This would reduce the existing gap in crosswalks between Glidden Street and the First Colony Inn, from 1,550 feet to less than 900 feet. With the installation of these two crosswalks, all beach access locations from Forrest Street to Whalebone Junction would be serviced by a crosswalk and spacing would be less than 1,000 feet between all crosswalk locations along this portion of the roadway. Attached is a map which shows the existing and proposed crosswalk locations."

Comr. Renée Cahoon pointed out the need to have crosswalks at intersections; she does not want to encourage trespassing.

It was Board consensus to continue with the improvements for the two proposed crosswalks at Forbes Street/NC 12 and Grouse Street/NC 12, as presented.

From July 3rd Board meeting – Discussion of Town Manager's Review process

Comr. Fuller stated that he had suggested that the Manager's contract terminate in October in a two-year contract with review in September; his value is to request that the Board allow the attorney to coordinate the review process. This allows: 1) For the Mayor to be an equal with other Board members in the review process and 2) For individual scoring to be shared among themselves for discussion. Board members would need the review form for the next two weeks to fill out and to then be turned in to the Town Attorney.

Attorney Leidy said that a two-week turnaround is sufficient and it is something his firm does for other organizations also.

Mayor Pro Tem Walters stated that the last few years results were compiled by the mayor and not the attorney which is more cost-efficient since they function as a Board and not as individuals. The only thing that should matter is the Board's decision. Mayor Pro Tem Walters said that the relevant score is the overall average score and that is what should go into the Manager's file.

Comr Siers said he wants to do what is best for the community as a whole – which is with the use of a matrix.

Attorney Leidy stated that the evaluation form was approved by the Board in March 2019.

MOTION: Comr. Fuller made a motion to request that the attorney lead the Town Manager evaluation process for the Board; that a matrix be created that reflects individual scores; the form is to be sent out some time this month with a turnaround time of two weeks – before September 1st. In addition, a date for the review for some time in September 2019 is to be determined. The motion was seconded by Comr. Siers.

Board members agreed on Monday, September 16th at 9 am in the Board Room for the Manager's evaluation.

The Town Clerk is to forward the manager's evaluation form to Board members today; she is to receive completed forms from Board members by August 19th and to then forward them to Town Attorney Leidy.

CONTINUATION OF MOTION: The motion passed 3 – 2 with Mayor Cahoon and Mayor Pro Tem Walters casting the NO votes.

NEW BUSINESS

From Consent Agenda – Item #E-7 Hatchell Concrete change order for sand fencing/sprigging project

Town Engineer David Ryan summarized the change order to the sand fencing/sprigging project from the summary sheet as follows:

“Attached for Board consideration is a change order for Hatchell Concrete Inc. for an increase to the contract amount and time extension to permit complete project coverage of sand fencing along the 10-mile project length. The requested contract amount addition of \$107,928 includes the installation of 1,838 10’ sections of sand fence at a rate of \$56.00 per 10’ section and a \$5,000 contingency allowance. The contract time will be extended by 40 days to complete the scope of work.”

From Finance Officer Amy Miller:

“No amendment to the beach nourishment capital project ordinance is necessary at this time for the change order as sufficient funds have already been budgeted to cover this request. A future amendment request may be made from beach nourishment contingency in order to provide ongoing continuity of the project throughout the years if funds have been depleted and are necessary to provide support for continued efforts.”

Comr. Siers asked about the separation between sand fencing and questioned why this was not done before, i.e., reacting instead of planning ahead. Engineer Ryan explained that when originally bid, only one was received and the entire process had to be followed even when re-bid.

Mayor Pro Tem Walters stated that the sand fencing and sprigging is important to protect the Board’s investment.

In response to Mayor Cahoon, Engineer Ryan stated that planting is in accordance with DCM guidelines.

MOTION: Mayor Pro Tem Walters made a motion to approve the change order to the Hatchell Concrete Sand Fencing/Sprigging project as presented. The motion was seconded by Comr. Siers which passed unanimously.

ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN ATTORNEY

Town Attorney Leidy - Request for Closed Session to confer with the Town Attorney re: a matter within attorney/client privilege and to preserve that privilege in accordance with GS 143-318.11(a)(3)

Mayor Cahoon reported that the Closed Session is to take place at the end of the meeting.

ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN MANAGER

Town Manager Ogburn - Consideration of amendment to Traffic Control Map to designate No-Parking, Tow-Away Zone on the west side of Wrightsville Avenue

Town Manager Ogburn explained that the popularity of Dowdy Park at various times has created some parking issues on Wrightsville Avenue; he asked the Board to approve amending the Traffic Control Map

designating No-Parking, Tow-Away Zone designation on the west side of Wrightsville Avenue from its intersection with Bonnett Street to the Nags Head Elementary School entrance.

MOTION: Comr. Fuller made a motion to adopt the ordinance amending the Traffic Control Map designating a No-Parking, Tow-Away Zone on the west side of Wrightsville Avenue from Bonnett Street to the Nags Head Elementary School entrance, as presented. The motion was seconded by Mayor Pro Tem Walters.

Comr. Siers expressed concern that the amendment affecting only the west side of Wrightsville Avenue may be pushing parking to the other side of the roadway and creating additional issues. Mayor Cahoon said that he would prefer people to park in the school parking lot.

AMENDMENT TO MOTION: Comr. Siers made a motion to amend Comr. Fuller's motion to include the east side of Wrightsville Avenue in the designation of No Parking, Tow-Away Zone.

MOTION AS AMENDED: The motion, as amended, passed unanimously.

The amended ordinance, as adopted, is attached to and made a part of these minutes as shown in Addendum "E".

Town Manager Ogburn - Consideration of resolution authorizing the disposition of certain personal property by private sale

Town Manager Ogburn reviewed the summary sheet which read in part as follows:

"At the August 7th Board of Commissioners meeting, Town Manager Ogburn will present for Board consideration the attached resolution authorizing the disposition of personal property by private sale. The property for sale was to be utilized for the McCall Court ocean outfall extension and repair after the 2011 Beach Nourishment Project but was not needed. Carolina Marine Structures, contracted by NCDOT to perform the work, has inquired about purchasing this property which is described in the attached resolution.

'In accordance with GS 160A-267, see below, procedures are as follows:

- Adoption of resolution, at a regular meeting, authorizing official to sell items by private sale at negotiated price
- Notice of the resolution is published by the Town Clerk
- Sale can take place anytime after ten (10) days after publication of the Notice

'GS 160A-267. Private sale. reads as follows: When the council proposes to dispose of property by private sale, it shall at a regular council meeting adopt a resolution or order authorizing an appropriate city official to dispose of the property by private sale at a negotiated price. The resolution or order shall identify the property to be sold and may, but need not, specify a minimum price. A notice summarizing the contents of the resolution or order shall be published once after its adoption, and no sale shall be consummated thereunder until 10 days after its publication."

MOTION: Comr. Renée Cahoon made a motion to adopt the resolution authorizing the disposition of certain personal property by private sale, as presented. The motion was seconded by Mayor Pro Tem Walters which passed unanimously.

The resolution, as adopted, read in part as follows:

"WHEREAS, the Board of Commissioners of the Town of Nags Head, North Carolina desires to declare surplus and dispose of certain Town owned property.

'NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Nags Head that:

'The following described property, not used during the Town's repair and extension of the McCall Court ocean outfall after the 2011 Beach Nourishment Project, is hereby declared to be surplus to the needs of the Town of Nags Head:

'Twelve (12) precast concrete collars

'The Town Manager is authorized to dispose of the described property by private sale at a negotiated price.

'The Town of Nags Head Clerk shall publish notice summarizing this Resolution in accordance with GS 160A-267.

'The sale may be consummated not earlier than 10 days from the date of publication."

Request for authorization to request that Wildlife Resources Commission authorize a "no-wake zone" in the vicinity of Miller's Restaurant

Town Manager Ogburn presented the summary sheet re: a no-wake zone in the vicinity of Miller's Restaurant which read in part as follows:

"At the July 3rd Board of Commissioners meeting, the Board approved, after the required public hearing, the conditional use/site plan amendment as submitted for Millers Waterfront Restaurant for the construction of a platform, finger piers and associated mooring pilings to accommodate four transient boat slips.

'Discussion with NC Wildlife Resources representatives indicate that the request must come from a government entity.

'Attached please find application and flowchart."

MOTION: Comr. Fuller made a motion to eliminate the No-Wake Zone designation requirement for Miller's Waterfront Restaurant [required at the July 3, 2019 Board of Commissioners meeting]. In addition, staff is to request formal No Wake designation through the NC Administrative Code rulemaking process. The motion was seconded by Comr. Siers which passed unanimously.

Town Manager Ogburn - Pavement Condition Study

The Pavement Condition Study will be presented for discussion at the Board's September 12th Retreat.

Town Manager Ogburn - 2019 Beach Nourishment Project Maintenance and Monitoring Plan

The 2019 Beach Nourishment Project Maintenance and Monitoring Plan will be presented for discussion at the Board's September 12th Retreat.

Town Manager Ogburn - Community Care Clinic lease

Discussion of a new lease for the Community Care Clinic that rents the former Outer Banks Medical Center building will take place at the Board's September 12th Retreat.

Town Manager Ogburn – Discussions with NCDOT

Town Manager Ogburn reported that at the Board's meeting on July 3, 2019 letters were authorized to be forwarded to NCDOT asking for evaluation of several issues (pedestrian-activated signals, crosswalks, and the Little Bridge crossing). He reported that neither Allen Moran or Jerry Jennings from NCDOT are able to make the Board's September 4th meeting to further discuss these issues with the Board.

Mayor Cahoon stated that meeting with NCDOT at the Board's October 2019 meeting would also work fine.

Town Manager Ogburn – Consultant report on future use of Soundside Event site

Town Manager Ogburn noted that the consultant provided a report on the future use of the Soundside Event site at a recent Dare County Tourism Board (DCTB) meeting and it was indicated that a committee would be formed.

Board members noted that Comr. Fuller, as the Town's representative on the DCTB, would carry forward the Board's views as necessary.

BOARD OF COMMISSIONERS AGENDA

Comr. Fuller – NCDOT projects

Comr. Fuller said that NCDOT has decided to not repave the bypass as originally reported; he asked about the Town's projects re: culvert replacement that were to take place when the repaving occurred. Town Manager Ogburn said that he has not officially been given word from NCDOT that the repaving would not take place.

Mayor Cahoon said that he would communicate with the other Mayors concerning this issue.

Comr. Fuller – Board Retreat agenda

In response to an inquiry from Comr. Fuller concerning Board members adding items to the September 12th Retreat agenda, the Town Clerk is to forward the draft Retreat Agenda to Board members today for their input.

Comr. Fuller – Escape Room removed from today’s Public Hearing schedule

The request from the Escape Room was to add bicycle parking spaces and eliminate some vehicle parking spaces; Comr. Fuller stated that he is concerned about the Town encouraging people to ride bicycles to that proposed site. He would like staff/Planning Board to look at ordinances and to recommend alternate transportation only if safe to do so. Both staff and the Planning Board were in favor of this reduction in parking. Comr. Fuller is worried that the Town is setting itself up for failure and he does not feel the reduction in parking agrees with the Town’s values. He added a discussion of how parking is being reviewed to the Board’s September 12th Retreat agenda.

Mayor Pro Tem Walters – Thank you to UDO volunteers

Mayor Pro Tem Walters thanked everyone that served on the Unified Development Ordinance (UDO) Advisory and Technical Committees.

Comr. Renée Cahoon – National Night Out

Comr. Renée Cahoon thanked all who attended yesterday’s National Night Out at the Ark Church.

Comr. Renée Cahoon – Items in the right-of-way

Comr. Renée Cahoon has received complaints about used tent skeletons being placed in the right-of-way and left for extended periods of time. Comr. Fuller asked if items in the right of way, such as brush, are ever picked up this time of year. Town Manager Ogburn said that items are eventually picked up and staff will be more diligent.

Comr. Siers – Thank you to UDO volunteers

Comr. Siers echoed other Board members in thanking those who volunteered to work on the Unified Development Ordinance committees.

MAYOR’S AGENDA

Mayor Cahoon - Village at Nags Head trash cart roll-back service

Mayor Cahoon pointed out the email received from Village at Nags Head, Meade Gwinn, and stated that the issue of cart set up and roll-back would be added to the Board’s September Retreat agenda.

Mayor Cahoon - Report on appointment to Dare County Complete Count Committee (2020 Census)

Mayor Cahoon reported that Planning Director Michael Zehner has been appointed to serve on the Dare County Complete Count Committee re: upcoming 2020 Census.

CLOSED SESSION

MOTION: Comr. Siers made a motion, pursuant to GS 143-318.11(a)(3), to confer with the Town Attorney concerning a matter within the attorney/client privilege and to preserve that privilege. The motion was seconded by Mayor Pro Tem Walters which passed unanimously. The time was 11:32 a.m.

OPEN SESSION

The Board re-entered Open Session at 11:56 a.m. Attorney Leidy stated that the Board did confer with the Town Attorney concerning attorney/client privilege but no actions were taken.

ADJOURNMENT

MOTION: Mayor Pro Tem Walters made a motion to adjourn. The motion was seconded by Comr. Fuller which passed unanimously. The time was 11:57 a.m.

Carolyn F. Morris, Town Clerk

Date Approved: September 16, 2019

Mayor: _____
Benjamin Cahoon