



BOC ACTIONS JULY 3, 2019

1. Call to order - Mayor Cahoon called the meeting to order at 9:00 a.m. As he had previously noted, Comr. Siers was not in attendance.

2. Agenda – the Board approved the agenda with the addition of Public Safety Career Progression.

3. Recognition:

Police Chief Phil Webster introduced Detective Brandon Bostwick who was recognized by the Board for his recent attainment of Advanced Law Enforcement Certification.

Interim Fire Chief Shane Hite introduced Firefighter/EMT Tanner Mann who was recognized by the Board for having recently successfully completed the National Fire Academy Managing Officer Program.

2019 National Night Out - Police Chief Phil Webster presented information on the upcoming National Night Out scheduled for Tuesday, August 6, 2019 at the Ark Church. He invited everyone to attend.

Presentation – International Women’s Fishing Association – Kay Rybovich Trophy
Comr. Renée Cahoon introduced Linda Harper who was recently awarded the Kay Rybovich Trophy by the International Women’s Fishing Association. The award presented to Ms. Harper was for catching the most species of fish during one year among the membership – over 56 species of fish.

4. Public Comment – Joe Maione, Southridge Subdivision resident; he spoke of the Saturday-to-Saturday renters across the street – they put their filled trash carts out on Saturday when they are leaving which are not picked up until Tuesday.

5. Public Comment – Kent Wiles, property owner of 6403/5 S Virginia Dare Trail; he spoke re: 6407 S Virginia Trail, the nine-bedroom rental house owned by SAGA and rented by Kees Vacations; the nine-bedroom rental house is marketed as an event house that is promoted to hold 150 people; safety is an issue and he feels that the house is actually a nuisance; it was built as a residential house but feels it is really commercial; nuisance occurs when events occur; he wants the BOC to have a discussion of what to do with event homes like this that are built as a residential structure.

6. Update on Beach Nourishment Project - Coastal Science & Engineering Project Engineer Haiqing Kaczowski (HK) reported on the progress of the Beach Renourishment Project. The project started on May 1, 2019 and as of July 2, 2019, 65% of the sand volume has been placed on the beach – the project is expected to be completed by the Liberty Island dredge by the end of August 2019.

7. Consent Agenda – The Consent Agenda was approved as presented and consisted of the following:
Consideration of Budget Adjustment #1 to FY 19/20 Budget
Consideration of Tax Adjustment Report
Approval of minutes
Consideration of resolution to adopt updated *North Carolina Local Government Records Retention Schedule*
Consideration of reimbursement resolution for financing vehicles and equipment

Consideration of reimbursement resolution for financing pedestrian path construction, Dowdy Park lighting and decking, and the Public Works Fuel Tank Conversion

Consideration of Debris Removal Monitoring Service

Consideration of Resolution of Approval for Local Water Supply Plan

Approval of contract with Shoshin Technologies for IT Services

Request for Public Hearing to consider Cond. Use/Site Plan amendment for Entertainment Facility, OBX-Scape Rooms - applicant is seeking reduction in parking - property is site of former Outer Banks Radiology Center

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

8. Public Hearing – to consider conditional use/site plan amendment submitted by Brian Rubino of Quible & Associates, P.C. on behalf of Millers Waterfront Restaurant for the construction of a platform, finger piers and associated mooring pilings to accommodate four transient boat slips.

The Board approved the conditional use/site plan amendment as submitted for Millers Waterfront Restaurant by making the required findings of fact; and further that the Board is only approving four boat slips, and further that there must be approval by the Division of Marine Fisheries for the no-wake zones along with the appropriate signage.

Board members would like to see this area monitored for safety.

9. Coastal Resilience Summit – Planning Director Michael Zehner provided an update on the Coastal Resilience Summit he recently attended and noted that the Best Management Practices Manual should be available in draft in early 2020.

10. From May 1st Board meeting – Accessory Dwelling Unit (ADU) ordinance update – Planning Director Zehner provided an update; Megan Vaughan, Planning Board Chair, reported on a couple of components from Planning Board deliberations such as to a degree they felt that ADU's would self-regulate and that allowing them only as a conditional use was important.

The Board passed a motion to include Accessory Dwelling Units on the September 4th BOC agenda for Public Hearing to discuss further and to give the public an opportunity to comment.

11. Unified Development Ordinance (UDO) - Mayor Cahoon directed staff to provide responses to the Board comments on the UDO as soon as possible.

12. Committee Reports – Comr. Renée Cahoon – Government Education Access Channel Committee (GEACC) – a new employee has been hired; Mayor Cahoon pointed out the new monitor/screen in the Board Room allowing for sharper, clear images – purchased as a result of a GEACC Grant.

13. Comr. Renée Cahoon - Requests to NCDOT
a) Evaluation of full traffic signal at Soundside Road
b) Installation of pedestrian-activated signal at Grouse Street for use during events
c) Installation of pedestrian-activated signal at Epstein Drive

The Board passed a motion to approve the letters to be forwarded to NCDOT re: Soundside Road and Epstein Drive, with copy to Transportation Board member Allen Moran, as presented. The Board did not take any action re: Grouse Street as it was noted that the DTCB will be considering a new plan for the Soundside Event

Site. It was also suggested that if a concrete pad for Epstein Drive is to be done, to add concrete pad construction for Mall Drive at the same time.

14. Attorney Leidy – He reported that the Supreme Court ruled in the Richardson case that a new trial will be scheduled focusing only on the market value of the property. Mayor Cahoon stated that a Closed Session to discuss Attorney/Client privilege items in addition to the consideration of Closed Session minutes will take place at the end of the meeting.

15. Town Manager Ogburn – Stormwater and Streets Technician job description – The Board passed a motion approving the job description as presented.

16. Town Manager Ogburn - Public Safety Career Progression (added to the agenda earlier in the meeting) – The Board passed a motion to approve the Career Progression path for Police and Fire as presented with an associated Budget Adjustment of \$19,942.

17. Town Manager Ogburn – Annual Fireworks Display – He invited everyone to attend the Town’s annual fireworks display tomorrow, July 4th, at 9:25 p.m. at the Nags Head Fishing Pier.

18. Town Manager Ogburn – Town Manager Ogburn thanked Administrative Services staff for their ongoing work on the turnover to a new fiscal year.

19. Comr. Renée Cahoon – Request that NCDOT lower speed limit on US 64 from Washington Baum Bridge (Little Bridge) where it joins US 158 and on US 158 through Nags Head – to 45 MPH. It was Board consensus to take no action re: speed limit at this time.

20. Comr. Renée Cahoon – Request that NCDOT modify Melvin Daniels Bridge (Little Bridge) pedestrian crosswalk lights from yellow to red when activated – The Board passed a motion to request that NCDOT modify the blinking lights at Little Bridge to warn motorists of the upcoming pedestrian bridge from yellow to red.

21. Comr. Renée Cahoon - Discussion of crosswalks - Comr. Renée Cahoon reported that she has heard from various businesses concerning the lack of crosswalks in the Town. It was Board consensus that staff review the Town’s Pedestrian Plan and bring this back for Board discussion at the August 7th meeting.

22. Comr. Fuller - Town Manager’s Contract - Comr. Fuller reminded Board members that the Manager’s contract is up for review in September 2019 and at the August 2019 Board meeting he would like to propose a process for review. Mayor Cahoon directed staff to include this item on the August agenda.

23. Closed Session - The Board passed a motion to enter Closed Session – the time was 11:40 a.m.

24. Open Session – The Board re-entered Open Session at 12:15 p.m.

25. Mayor Cahoon – Pavement Study – He noted that the recently distributed Pavement Study will probably be discussed at the September 2019 Board Retreat Workshop. Dep Town Manager Andy Garman said that staff had provided a copy of the report for Board member information and in case the Board has additional information to be considered.

26. Adjournment - The Board passed a motion to adjourn – The time was 12:21 p.m.