



MINUTES
TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR MEETING
WEDNESDAY, JUNE 1, 2022

The Nags Head Board of Commissioners met in person at the Board Room located at 5401 S Croatan Highway, Nags Head, North Carolina on Wednesday, June 1, 2022 at 9:00 a.m. for a Regular Meeting. The Town continues to adhere to COVID state and local guidelines.

Board members Present: Mayor Ben Cahoon; Mayor Pro Tem Michael Siers; Comr. Renée Cahoon; Comr. Kevin Brinkley; and Comr. Bob Sanders

Board members Absent: None

Others present: Town Manager Andy Garman; Attorney John Leidy; Kelly Wyatt; Kate Jones; Amy Miller; David Ryan; Phil Webster; Randy Wells; Shane Hite; Chad Motz; Robin Taylor; 2022 Lifeguards via video; Nancy Carawan; Brian Joyner; Tim Oakley; Derek Stallings; Bob Muller; Michelle Gray; Roberta Thuman; and Town Clerk Carolyn F. Morris

CALL TO ORDER

Mayor Cahoon called the meeting to order at 9 am. Mayor Cahoon asked that the recent two tragic mass shootings be considered during a moment of silent meditation. The Pledge of Allegiance followed.

ADOPTION OF AGENDA

MOTION: Comr. Brinkley made a motion to adopt the June 1st agenda as presented. The motion was seconded by Mayor Pro Tem Siers which passed unanimously.

RECOGNITION

INTRODUCTION OF LIFEGUARDS - Ocean Rescue Director Chad Motz introduced the 2022 lifeguards via a video presentation where each lifeguard introduced themselves.

TWENTY-FIVE YEARS - Water Plant Superintendent Nancy Carawan introduced Facilities Maintenance Custodian Robin Taylor who was congratulated by the Board for 25 years of service.

PUBLIC COMMENT

There was no one present who spoke during Public Comment. Attorney Leidy concluded Public Comment at 9:14 a.m.

CONSENT AGENDA

The Consent Agenda consisted of the following items:

Consideration of Budget Amendment #14 to FY 21/22 Budget
Consideration of Tax Adjustment Report
Approval of minutes
Consideration of annual write-off of uncollectible water accounts

MOTION: Comr. Brinkley made a motion to approve the Consent Agenda as presented. The motion was seconded by Mayor Pro Tem Siers which passed unanimously.

Budget Amendment #14, as approved, is attached to and made a part of these minutes as shown in Addendum "A".

The Tax Adjustment Report, as approved, is attached to and made a part of these minutes as shown in Addendum "B".

The Annual write-off of uncollectible water accounts memo, as approved, read in part as follows:

"The annual write-off of water accounts is being requested at this time; these accounts are considered to be uncollectible. A detailed list of these accounts as well as staff's memo are attached.

'The total amount requesting to be written off for the approximately 4,900 water billing accounts for FY 21/22 is \$307.72.

'Request Board approval of the write-off of all water accounts currently considered to be uncollectible - as shown in the attached list. There are no write-offs for accounts \$50 or less this fiscal year.

'Every effort is made to recover the bad debt - Currently, the balance in allowance for doubtful accounts is more than enough to cover the requested write-off amount of \$307.72."

PUBLIC HEARINGS

Public Hearing to consider citizen comment on the Town Manager's proposed operating budget for July 1, 2022 – June 30, 2023, proposed CIP requests for FY 22/23 through FY 26/27, and updated Consolidated Fee Schedule and Pay Plan/Scale

Attorney John Leidy introduced the Public Hearing to consider citizen comment on the Town Manager's proposed operating budget for July 1, 2022 – June 30, 2023, proposed CIP requests for FY 22/23 through FY 26/27, and updated Consolidated Fee Schedule and Pay Plan/Scale. The time was 9:17 a.m.

Dep Town Manager/Finance Director Amy Miller summarized the budget as well as numerous policies for Board consideration. The agenda summary page read in part as follows:

"At the May 4th Board of Commissioners meeting, Town Manager Andy Garman presented highlights of his recommended FY 22/23 Budget. At that time the proposed budget was distributed to Board members. A Public Hearing was subsequently scheduled for the June 1st Board meeting.

`Attached please find the following:

1. Notice of Public Hearing
2. Proposed Operating Budget ordinance
3. General and Water Fund CIP Requests
4. Updated Consolidated Fee Schedule

`If the budget is adopted, staff is requesting consideration of the following (attached) modified documents:

1. Fund Balance policy
2. Capital Investment Fund policy / ordinance
3. Debt Management policy
4. Pay Plan/Allocation List
5. Septic Health Initiative Program policy
6. Cell Phone policy
7. Four (4) Job Descriptions:
 - Sanitation Equipment Operator
 - Sanitation Equipment Operator Trainee
 - Sanitation Equipment Operator Crew Leader
 - Event Planner"

Notice of the Public Hearing was published in the *Coastland Times* on Wednesday, May 18, 2022 and on Wednesday, May 25, 2022 as required by law.

Dep Town Manager/Finance Director Amy Miller summarized her memo detailing changes to the originally presented budget which read in part as follows:

"On May 4, 2022, I presented to you the recommended budget for FY 2022/2023. On May 18, 2022, we had a budget workshop and received comments from the board. Based on these comments, staff has revised the budget ordinance and fee schedule. Additionally, staff has included policies that were discussed at the workshop which will need to be adopted in conjunction with the budget. Below is a summary of the changes to the recommended budget. These reflect the changes discussed by the board and the items presented to the board during the meeting. For ease of reference, the recommended budget can be viewed using the following link: <https://www.nagsheadnc.gov/DocumentCenter/View/4550/FY-2022---2023-Town-of-Nags-Head-Recommended-Budget>.

`At such time that the board decides to adopt the budget, staff would request that the board make separate motions on the following items, which have all been included in your packet:

1. Proposed Operating Budget ordinance
2. General and Water Fund CIP Requests
3. Updated Consolidated Fee Schedule

`If the budget is adopted, staff is requesting consideration of the following (attached) modified documents which should be adopted separately:

- `1. Fund Balance policy
2. Capital Investment Fund policy / ordinance
3. Debt Management policy
4. Pay Plan/Allocation List
5. Septic Health Initiative Program policy

6. Cell Phone policy
7. Four (4) Job Descriptions:
 - Sanitation Equipment Operator
 - Sanitation Equipment Operator Trainee
 - Sanitation Equipment Operator Crew Leader
 - Event Planner

Changes to the recommended budget:

GENERAL FUND

EXPENDITURE INCREASES IMPACTING THE GENERAL FUND

- Personnel services increases reflected departmentally total \$42,279
- Increase the Cost-of-Living Adjustment (COLA) to 7% from 6%
- Decrease recommended 401k contribution from 5 to 4% for non-sworn Law Enforcement Officers
- Increase the seasonal lifeguard pay scale by \$.50 from \$15.50 to \$16.00 for starting base pay rate
- Increase department supplies to account for Town Hall furniture lobby in conjunction with the security retrofit and lighting project - \$15,000
- Increase in fuel estimated at \$5.00/gallon diesel and \$4.00/gallon for regular unleaded - \$114,250

REVENUE INCREASES

- Increase occupancy taxes - \$80,390
- Increase land transfer taxes - \$116,139
- Increase to intergovernmental grants - \$631,391
- Increase reimbursement from Capital Investment Fund for net increases to capital outlay – \$572,300
- Account for loan proceeds for Public Services Complex financing reimbursement - \$389,950
- Decrease fund balance appropriation – (\$25,000)
- The net financial impact to the general fund totals \$171,529
- Reflected as expenditure increase for personnel services, fuel, and supplies
- Reflected as increase in occupancy, land transfer taxes and decrease in appropriated fund balance
- Budget ordinance increases by \$1,765,170 from \$33,255,283 to \$35,020,453
-

ITEMS NOT IMPACTING FUND BALANCE

- Fire Department Emergency Operations grant - **\$75,000** – increase professional fees operations
- Facilities Maintenance - Epstein Street bathhouse grants - \$450,000 – increase capital outlay
- Government Access Channel (GAC) grant – Town Manager Department – change from capital outlay - increase contracted services in operations – **\$5,000**
- Stormwater - Project Area #12 design, reduce local funding by \$45,000, increase grant funding by \$45,000
- Stormwater - Project Area #4; increase local funding by \$38,609, increase grant funding by \$61,391 for a total project increase of \$100,000 in capital outlay
- Increase to restricted intergovernmental grants totals \$631,391
- Increase capital outlay for vehicles by \$27,300 to reflect actual quotes received for two (2) dump trucks, with one having an aluminum body
- Net increases to capital outlay (expenditures) and transfers from the Capital Investment Fund (revenues) - **\$572,300**
- Reflect installment finance reimbursement (revenue) and Interfund reimbursement to the Capital Investment Fund (expenditure) from the Public Services Complex financing - \$389,950
- Net increase in Interfund transfers to the Capital Investment Fund for capital outlay/ reimbursement of net increase to restricted intergovernmental grants:
- Epstein Street bathhouse \$450,000, Stormwater Project Areas #4 and #12 \$106,391, reduction in GAC grant capital outlay (\$5,000) total \$551,391 and reimbursement of Public Works Complex

design fees \$389,950 - **\$941,341**

WATER FUND

- Personnel Services increases reflected departmentally total \$583
- Increase the Cost-of-Living Adjustment (COLA) to 7% from 6%
- Decrease the recommended 401k contribution from 5% to 4% for all non-sworn Law Enforcement Officers
- Increase in fuel estimated at \$5.00 a gallon for diesel and \$4.00 a gallon for regular unleaded – \$5,750
- Increase revenues for utility charges - \$6,333
- Budget ordinance increases by \$6,333 from \$6,807,631 to \$6,813,964”

Attorney Leidy invited those interested to speak during the Public Hearing.

Bob Muller, Nags Head resident; he complimented the Board and staff on the presentation of the budget; he complimented staff on the high tax collection rate which means that everyone is paying their fair share – and on the 100% collection rate in the MSD district; he complimented the Board/staff on the fund balance amount obtained through careful budgeting and with the current situation the shifting of funds for new capital infrastructure. He thanked the Board and staff for a remarkable budget with long and short-term range planning. He also expressed his appreciation for the Board’s adoption of the recommendations of the Decentralized Wastewater Management Plan.

There being no one else present who wished to speak, Attorney Leidy closed the Public Hearing at 9:22 a.m.

Mayor Cahoon thanked former Mayor Muller for his comments; Mayor Cahoon agreed that staff did a good job with the budget.

Comr. Renée Cahoon reported that as of yesterday the Town’s tax collection rate was 99.983% and she commended Tax Collector Linda Bittner for her outstanding efforts. Comr. Brinkley also thanked staff and Comr. Sanders also mentioned his appreciation of a budget presentation that he could understand.

Budget Ordinance

MOTION: Comr. Renée Cahoon made a motion to adopt the FY 22/23 Operating Budget ordinance as presented. The motion was seconded by Comr. Brinkley which passed unanimously.

Capital Improvement Plan

MOTION: Comr. Renée Cahoon made a motion to approve the Capital Improvement Plan as presented. The motion was seconded by Comr. Brinkley which passed unanimously.

Consolidated Fee Schedule

MOTION: Comr. Brinkley made a motion to approve the revised Consolidated Fee Schedule as presented. The motion was seconded by Comr. Renée Cahoon which passed unanimously.

Fund Balance Policy

MOTION: Comr. Renée Cahoon made a motion to approve the Fund Balance Policy as presented. The motion was seconded by Comr. Brinkley which passed unanimously.

Capital Investment Fund Policy

MOTION: Comr. Brinkley made a motion to approve the Capital Investment Fund Policy as presented. The motion was seconded by Mayor Pro Tem Siers which passed unanimously.

Capital Investment Fund Ordinance

MOTION: Mayor Pro Tem Siers made a motion to adopt the Capital Investment Fund Ordinance as presented. The motion was seconded by Comr. Brinkley which passed unanimously.

Debt Management Policy

MOTION: Mayor Pro Tem Siers made a motion to approve the Debt Management Policy as presented. The motion was seconded by Comr. Brinkley which passed unanimously.

Pay Plan and Allocation

MOTION: Mayor Pro Tem Siers made a motion to approve the Pay Plan/Allocation as presented. The motion was seconded by Comr. Renée Cahoon which passed unanimously.

Septic Health Initiative Policy

MOTION: Mayor Pro Tem Siers made a motion to approve the Septic Health Initiative Policy as presented. The motion was seconded by Comr. Brinkley which passed unanimously.

Cell Phone Policy

MOTION: Comr. Sanders made a motion to approve the Cell Phone Policy as presented. The motion failed for lack of a second.

MOTION: Comr. Sanders made a motion to adopt the policy with the amendment removing item "F" entitled "Documentation and Review Requirements". The motion was seconded by Comr. Brinkley which passed unanimously.

Job Description - Sanitation Equipment Operator

MOTION: Comr. Renée Cahoon made a motion to approve the Sanitation Equipment Operator job description as presented. The motion was seconded by Mayor Pro Tem Siers which passed unanimously.

Job Description - Sanitation Equipment Operator Trainee

MOTION: Comr. Brinkley made a motion to approve the Sanitation Equipment Operator Trainee job description as presented. The motion was seconded by Mayor Pro Tem Siers which passed unanimously.

Job Description – Sanitation Equipment Operator Crew Leader

MOTION: Comr. Brinkley made a motion to approve the Sanitation Equipment Operator Crew Leader job description as presented. The motion was seconded by Mayor Pro Tem Siers which passed unanimously.

Job Description - Event Planner

MOTION: Comr. Brinkley made a motion to approve the Event Planner job description as presented. The motion was seconded by Comr. Renée Cahoon which passed unanimously.

All Board-approved policies/ordinances can be found on the Town's web site at www.nagsheadnc.gov and all job descriptions are on file in the office of the Director of Human Resources.

Public Hearing to consider a text amendment to the Unified Development Ordinance submitted by George E. Goodrich to vary/increase the maximum allowable gross floor area permitted within individual dwelling units within a conforming Cottage Court

Comr. Renée Cahoon asked to be recused from this agenda item.

MOTION: Comr. Brinkley made a motion to excuse Comr. Renée Cahoon from this agenda item re: cottage courts due to a conflict of interest [Comr. Renée Cahoon owns a cottage court.]. The motion was seconded by Mayor Pro Tem Siers which passed unanimously.

Attorney John Leidy introduced the Public Hearing to consider a text amendment to the Unified Development Ordinance submitted by George E. Goodrich to vary/increase the maximum allowable gross floor area permitted within individual dwelling units within a conforming Cottage Court. The time was 9:32 a.m.

Notice of the Public Hearing was published in the *Coastland Times* on Wednesday, May 18, 2022 and on Wednesday, May 25, 2022 as required by law.

The agenda summary sheet read in part as follows:

"Applicant, George E. Goodrich, has submitted a text amendment request to the UDO which, if adopted, would amend the supplemental regulations for conforming Cottage Courts as it pertains to the maximum allowable gross floor area and the number of stories. The current ordinance states that the maximum allowable gross floor area for individual cottages is 1,500 square feet and that cottages shall not contain more than 1 ½ stories and at least one-third of the cottage court units shall not exceed one story. The applicant's proposed revisions are as follows:

- One-third of the individual cottages shall be one floor, not to exceed 1,400 square feet of gross floor area.
- One-third of the individual cottages shall be one and one-half floors, not to exceed 1,700 square feet of gross floor areas.
- One-third of the individual cottages shall be two floors, not to exceed 2,000 square feet of gross floor area.

'A goal expressed during the Focus Nags Head Land Use Plan Update was to improve the variety of accommodations within the town, including transient uses such as hotels and cottage courts, to provide more opportunities for short-stay visitors. Following this, the Planning Board and Board of Commissioners adopted an ordinance adding "Cottage Courts" as an allowable use with criteria on location, lot size, architecture, etc. The adopted ordinance standards were largely designed to emulate the characteristics and function of the existing cottage courts studied during the analysis. At this time, staff recommended the maximum gross floor area be established at 2,000 square feet, however, during the Unified Development Ordinance update it was determined that this was excessive, and the maximum gross floor area was reduced to 1,500 square feet.

'Staff and Planning Board Recommendation

Staff would submit that a maximum gross floor area of 2,000 sf is more in line with that of a single-family dwelling, and not that of a "cottage". Staff also has concerns that increasing the gross floor area may lend itself to a desire to "condo-out" the cottages and offer them for sale, thus circumventing the Town's subdivision ordinance. At their April 19, 2022 meeting the Planning Board voted unanimously to recommend denial of the text amendment as proposed."

Planning Director Kelly Wyatt summarized the staff report which read in part as follows:

"OVERVIEW AND BACKGROUND

George E. Goodrich has submitted the attached text amendment request to the Unified Development Ordinance (UDO), which, if adopted would amend the maximum allowable gross floor area within each

dwelling unit of a conforming Cottage Court as well as increase the maximum allowable stories from 1½ stories to 2-stories.

‘In 1985 the Cottage Court use was eliminated from the then Zoning Ordinance, making those existing at that time nonconforming structures. In 2015 the Board of Commissioners adopted language allowing certain minor and major modifications to be permitted to individual dwelling units within a nonconforming cottage court. As an example, adding a small, uncovered deck to a nonconforming cottage court dwelling would be considered a minor modification and could be approved by planning staff administratively. The expansion or creation of additional habitable space would be considered a major modification and could be considered for approval via the Special Use Permit process. Shortly after, in November 2016, following Comprehensive Land Use Plan discussions by the FOCUS Nags Head Advisory Committee, the Board of Commissioners adopted an ordinance which would re-establish the “Cottage Court” use as a conforming use with supplemental regulations that must be adhered to for approval. The version of the Cottage Court ordinance adopted in November 2016 is attached for your review, you’ll note that at that time the maximum allowable gross floor area within each dwelling unit was 2,000 square feet.

‘In review of the Cottage Courts developed since the 2016 adoption, staff would submit for your consideration the following:

- Whalebone Cottages, located at 8201 S. Old Oregon Inlet Road, was approved via the Conditional Use Permit process in April of 2017. At that time the proposed cottages were compliant with the supplemental regulations and the largest unit has approximately 1,503 square feet of gross floor area.
- Haven on the Banks (Gandt) Cottages, located at 115 E. Dove Street, was approved via the Conditional Use Permit process in August of 2018. At that time the proposed cottages were compliant with the supplemental regulations and the largest structure has approximately 1,522 square feet of gross floor area.
- Outer Banx Hotel, LLC Cottages, was approved via the Conditional Use Permit process in March of 2018, to be constructed at 7222 S. Virginia Dare Trail. This cottage court was never constructed, and the site plan approval expired in March 2019. The proposed development was compliant with the supplemental regulations in place at that time and the largest dwelling unit was approximately 1,917 gross floor area.

‘The applicant for this text amendment, Mr. Goodrich, was the applicant that sought the Site Plan approval for Outer Banx Hotel, LLC Cottage Court in March of 2018.

‘During the drafting of the Unified Development Ordinance (UDO), and ultimately the adoption of it (effective October 7, 2019) it was consensus among the FOCUS Nags Head Advisory Committee that the maximum habitable area of 2,000 square feet was too high, resulting in what appeared more like a single-family dwelling and not a “cottage”, in the spirit of what previously existed. At that time, and as a part of the UDO, staff proposed that the maximum allowable gross floor area permitted within each dwelling unit of a conforming cottage court be reduced from 2,000 square feet to 1,500 square feet. No other cottage court developments have been reviewed by the Planning Board and Board of Commissioners since the adoption of the UDO and the reduction of the gross floor area for dwelling units.

‘Interest has recently been expressed in having the site plan for the Outer Banx Hotel, LLC Cottage Court approved again, as the previous site plan approval has expired. Upon submittal of the revised site plan and architectural renderings, the new proposed cottages were not compliant with the current supplemental regulations in that several of the dwelling units exceeded 2,000 square feet of gross floor area and were in excess of 1 ½ stories. A new, compliant design has not been submitted for review by the Planning and Development Department.

The applicant, Mr. Goodrich, is proposing to amend the supplemental regulations for cottage courts as it relates to the maximum gross floor area within the dwelling units. Noting that the Town does desire diversity in the appearance and size of the dwelling units, Mr. Goodrich has proposed the following revision:

7.2.2. Size and Arrangement.

Cottage courts shall be designed and intended for transient guests on a rental basis, with the exception of living quarters for the property owner or on-site management. Individual dwelling units must be designed and arranged for occupancy by one family operating as a housekeeping unit and shall contain at least five hundred (500) but no more than ~~fifteen hundred (1,500)~~ **two thousand (2,000)** square feet of gross floor area. One structure may be up to five thousand (5,000) square feet if it is combined with on-site management or another complementary business use. Each cottage court unit shall contain separate sleeping, bathing and living areas. Each unit within a cottage court development shall comply with the following size and design criteria:

7.2.2.1. One-third of the individual cottages shall be one floor, not to exceed 1,400 square feet of gross floor area.

7.2.2.2. One-third of the individual cottages shall be one and one-half floors, not to exceed 1,700 square feet of gross floor area.

7.2.2.3. One-third of the individual cottages shall be two floors, not to exceed 2,000 square feet of gross floor area.

7.2.3. Architectural Design.

7.2.3.2. Individual cottages shall not contain more than ~~1½~~ **two (2)** stories and adhere to the size criteria of Section 7.2.2. ~~At least one third of the cottage court units shall not exceed one story.~~

During the course of working on the town's land use plan and unified development ordinance (Focus Nags Head), there was much discussion about the need for diversity of accommodations. A main goal expressed was to improve the variety of accommodations within the town, including transient uses such as hotels and cottage courts, to provide more opportunities for short-stay visitors. In June 2016 the Planning Board agreed to initiate a text amendment to add "Cottage Courts" as a use within the town's zoning ordinance and to develop appropriate standards for regulating these uses. Staff collected information to assist the Planning Board and Board of Commissioners through the ordinance drafting process to include a map of existing cottage courts, the general site and building characteristics for each cottage court as well as photographs. The Planning Board also created standards to define the number of units on each site, the minimum lot size for a cottage court, the minimum and maximum square footage of each cottage unit, building height, separation between buildings, property line setbacks, lot coverage, building design requirements, and a requirement that cottage courts will operate under a unified management scheme. The adopted ordinance standards were largely designed to emulate the characteristics and function of the existing cottage courts studied during the analysis.

In an attachment labeled "Cottage Court Footprints", staff determined the floor area of several cottage courts throughout the Town to include 2 Fish Cay, Cahoon's Cottages, Oceanside Court, Sandspur Cottages and Sea Spray Cottages. You can see that the average sizes of multiple older Cottage Court developments are as follows:

- 2 Fish Cay Cottages are approximately 954 square feet.
- Cahoon's Cottages are approximately 1,185 square feet.
- Oceanside Court Cottages are approximately 998 square feet.

- Sandspur Cottages are approximately 1,611 square feet, including larger unit for office and management facilities.
- Sea Spray Cottages are approximately 1,135 square feet.

'POLICY CONSIDERATIONS

The 2017 Comprehensive Land Use Plan states the following:

'LU-27a: Explore incentives and remove regulatory barriers to encourage cottage court development along the oceanfront and beach road areas. The size and scale of individual buildings within cottage court developments should generally be limited to small scale structures (no greater than 2,000 square feet) that are consistent with the size and appearance of traditional cottage court development within the town.

'STAFF RECOMMENDATION:

Based upon the above review and noting that the maximum allowable gross floor area for cottage court dwelling units was reduced from 2,000 square feet to 1,500 square feet as part of the considerations undertaken during the development of the Unified Development Ordinance, staff is recommending denial of the proposed text amendment as submitted.

'Staff would submit that keeping the maximum allowable gross floor area for individual cottage court units limited to 1,500 square feet and limited to 1 ½ stories is consistent with the desired design and appearance expressed by the FOCUS Nags Head Advisory Committee as well as with the aesthetic of the existing cottage courts which this ordinance was designed to emulate. Staff would submit that a maximum gross floor area of 2,000 square feet is in more in line with the gross floor area of a single-family dwelling, and not that of a "cottage". Further, staff does have a concern that increasing the allowable gross floor area to be more characteristic of a single-family dwelling, would lend itself to a desire to "condo-out" the structures and offer them for sale thus circumventing the Town's subdivision ordinance.

'PLANNING BOARD RECOMMENDATION:

At their April 19, 2022 meeting the Planning Board voted unanimously to recommend denial of the text amendment as proposed.

'If the Board of Commissioners is inclined to adopt this proposed text amendment, please reference Appendix A for the Statement of Consistency with the Town's adopted Comprehensive Plan requirements."

Applicant Eddie Goodrich stated that the reason for his request is that one size sq footage for a single family home doesn't fit all and a 2000 sq ft house is not a big house; diverse standards are needed and diversity can be achieved with different house sizes and heights – a 2000 sq foot house is a 4-bedroom house; he doesn't see that having one number provides diversity as various unit sizes would.

Developer Derek Stallings thanked staff for the text amendment he did last year – he is excited to have cottage courts back in Nags Head; he asked the Board to consider the amendment; the builder has a lot of integrity; he would like to see people being able to come and stay in smaller cottages.

There being no one else present who wished to speak, Attorney Leidy concluded the Public Hearing at 9:52 a.m.

Mayor Cahoon said that he feels a 2000 sq foot house is too large for a cottage court; he would like to see the Planning Board have another pass at this with input from the Board. He would like to contribute to allow two-story units but to limit them to not more than 1/3 of the units and to consider an increase to 1750 square feet for those larger units.

Mayor Pro Tem Siers stated that changing roof lines could change the appearance and there is some room to expand but he would like to see the Planning Board review the proposal again.

Comr. Brinkley agreed that some diversity is needed; he has no interest in going to a two-story building but is open to doing something different than what currently exists.

Comr. Sanders felt that it is more aesthetically pleasing to have various sizes in a cottage court; he would not be opposed to having the Planning Board review it again and come up with an alternative.

In response to Mayor Cahoon, Ms. Wyatt said that Planning Board members were all against the proposal and their primary concern was the 2000 square foot size house; many have single-family homes and live comfortably in a 2000 or less single-family house.

Mayor Cahoon confirmed that it was Board consensus to review a revised version of the proposal.

Attorney Leidy clarified the Board's direction to the Planning Board – the Board would like to see architectural diversity – diversity in the appearance of each cottage within a cottage court development – such as with varying heights and areas.

Comr. Sanders questioned how changes would affect existing cottage courts; staff is to do an analysis of existing single family development homes also.

MOTION: Comr. Brinkley made a motion to table consideration of the UDO text amendment re: maximum allowable gross floor area permitted within individual dwelling units within a conforming Cottage Court by forwarding the amendment back to the Planning Board for their consideration with the following direction: To maintain diversity within the cottage court to consider allowing some size increase beyond the current size, and to permit some number of two-story units within the cottage court. The motion was seconded by Mayor Pro Tem Siers which passed 4 – 0 (Comr. Renée Cahoon was excused.).

Comr. Renée Cahoon returned to the meeting.

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

Update from Planning Director

Planning Director Kelly Wyatt summarized her memo which read in part as follows:

"This memo provides an overview of selected Planning and Development Department activities, projects, and initiatives. If requested, Staff will be prepared to discuss any of this information in detail at the Board of Commissioners meeting on June 1, 2022.

Monthly Activity Report

Attached for the Board's review is the *Planning and Development Monthly Report for April 2022*. In addition to permitting, inspections, code enforcement, and Todd D. Krafft Septic Health Initiative activities, Staff was involved in the following meetings or activities of note during the month:

- Monday, May 2nd – PARTF Grant Submission deadline.
- Tuesday, May 3rd – Technical Review Committee Meeting.
- Tuesday, May 3rd - AIA Meeting.

- Wednesday, May 4th – Board of Commissioners Meeting.
- Saturday, May 7th – Artrageous at Dowdy Park, A&C Committee present.
- Wednesday, May 11th – Committee for Art and Culture Meeting.
- Thursday, May 12th – Board of Adjustment (no hearings).
- Tuesday, May 17th – Planning Board Meeting.
- Thursday, May 19th – Estuarine Shoreline Mgmt. Meeting – AC Meeting # 3

`Planning Board - Pending Applications and Discussions

The Planning Board's most recent meeting was held on Thursday, May 19th, 2022 and included consideration of a Sketch Plan Review for the construction of a three-story mixed use structure located at 4413 S. Croatan Highway, an update from planning staff on the status of Phase III of the Resilient Coastal Communities Program and continued discussion of current tree removal/preservation regulations within the UDO.

`The Planning Board's next meeting is scheduled for June 21st, 2022. At this time, the agenda is expected to include a Sketch Plan Review for the construction of a 4-story, 90 Unit Hotel (The Inn at Whalebone) located at 6632 W. Pheasant Avenue, consideration of a Special Use Permit Review for the construction of a three-story mixed-use structure located at 4413 S. Croatan Highway, and a text amendment request pertaining to the rental and sales of remote control (RC) vehicles with outdoor courses and facilities.

`Staff would note that the Planning Board has expressed an interest in revisiting conversations pertaining to the allowance of Accessory Dwelling Units (ADU's) within the Town.

`Board of Adjustment – Pending Applications

There were no items for Board of Adjustment consideration in the month of May, however, the Board of Adjustment will meet June 9, 2022 to hear a variance request from Mr. John Robert Mitchell III regarding the application of setbacks upon the lot located at 119 W. Waterside Lane, Nags Head.

`Additional Updates

- Decentralized Wastewater Management Plan – This plan was adopted by the Board of Commissioners at their May 4, 2022 meeting. Staff is requesting that the Board of Commissioners consider appointments to DWMP Master Plan committee to develop a voluntary septic operations maintenance subscription service.
- Estuarine Shoreline Management Plan – The ESMP Advisory Committee held their third meeting on May 19th from 3 – 4:30pm in the Town Hall Board Room. Turnout was excellent and discussion focused on the development of existing and proposed shoreline typologies. Potential project areas were discussed, and input was received on the project prioritization criteria. The ESMP project website is up to date, including the meeting minutes, meeting video recording, and the presentation slides. This information can be accessed [HERE](#). The next meeting of the ESMP Advisory Committee will likely be held early to mid-August. Next steps for the consultant team are to 1) generate a permitting fact sheet, 2) finalize the existing and proposed typologies which will be graphically represented, and 3) refine the project selection criteria based on feedback and propose both the 10 project areas, as well as the 3 project sites to carry through to conceptual design. This information will be presented at the next Advisory Committee meeting, as well as in a public meeting.
- NC Resilient Coastal Communities Program – The final resilience report and online mapping tool are available for viewing on the project website, located [HERE](#). Staff will be submitting the Phase 3 grant

application for the engineering and design of Project Area # 12 in the amount of \$45,000.

- Electric Vehicle Action Plan – This plan has been completed by the Duke Masters of Environmental Management (MEM) students. Planning staff will provide a brief update of the finalized document at the Board of Commissioners June 1, 2022 meeting and accept any comments and suggestions the Board would like to offer and/or see incorporated into the plan.
- ETIPP Project/Program – A meeting will be held on Tuesday, June 7th to present the unique social burden calculation and analysis which is critical to identification of potential microgrid areas.
- NC AIA Activate Technical Assistance –Representatives from NC State and AIA along with staff are finalizing the Residential Energy and Water Conservation Guide. A draft of the guide is anticipated to be presented to the Board of Commissioners for their review early summer.
- Whalebone Park: Phase 1 Planning – Staff has submitted the PARTF Grant application and will begin working on the Outer Banks Visitors Bureau grant for the remaining funding.
- LID Stormwater Demonstration Project – All components of the Town Hall rain garden have been installed, except for the gutter and downspouts which are still backordered. Staff has set up a temporary sprinkler so the plants can establish. Staff is in contact with the contractor and as soon as the gutters arrive, they will schedule installation as quickly as possible. Additionally, the Dare County Soil and Water Grant Administrator recommends the Town apply for cost share funds to install signage near the rain garden. Staff is pricing signage and looking into funding possibilities.
- Dominion LED Amber Streetlight Pilot Project – Staff will be compiling and evaluating all comments received regarding the eight (8) amber “turtle friendly” light fixtures in order to provide Dominion Energy with a preferred fixture moving forward. Planning Board member, Meade Gwinn and NEST Chapter President, John Cece conducted an inventory and has provided very useful and valuable feedback on each access, fixture and orientation.
- Dowdy Park Events/Farmers Market/Holiday Markets/Art & Culture – The first Dowdy Park Farmers Market will be held Thu, June 16th - Event Coordinator, Paige Griffin has already generated numerous communications to the selected vendors on the rules and regulations, expectations, and vendor parking requirements for market days. In coordination with the Committee for Art and Culture, Ms. Griffin is generating a calendar of events for 2022 Season including markets, movies, music, and fitness opportunities.

Upcoming Meetings and Other Dates

- Wednesday, June 1st – Board of Commissioners Meeting.
- Thursday, June 2nd – CRS Users Group and Planners Lunch.
- Friday, June 3rd – RCCP Phase 3 grant application due.
- Monday, June 6th – Soundside Event Site Presentation.
- Tuesday, June 7th – Technical Review Meeting.
- Tuesday, June 7th – ETIPP Meeting, Social Burden Analysis.
- Wednesday, June 8th – Committee for Art and Culture Meeting.
- Thursday, June 9th – Board of Adjustment.
- Friday, June 10th – AIA Activate Meeting – Final review of Conservation Guide.
- Thursday, June 16th, 23rd, and 30th – Dowdy Park Farmers Market, 9 am – 1 pm”

Consideration of appointment to Decentralized Wastewater Master Plan (adopted at May 4, 2022 Board meeting) committee to develop voluntary septic operations maintenance subscription service

Planning Director Kelly Wyatt summarized the agenda summary sheet which read in part as follows:

"As part of the Decentralized Wastewater Management Plan, which was adopted by the Board on May 4, 2022, the plan recommended that the town establish a voluntary septic subscription service. This service would allow property owners to pay an annual fee that would cover basic system maintenance tasks such as inspections and tank pumping and ensure that they are performed on a regular schedule. Currently owners must request services individually which has led to inconsistent maintenance of systems. A goal of this service would also be to increase participation in the Septic Health Initiative.

'Staff is proposing to start working on this project with the goal of having a recommendation to the Board for the next budget cycle. The plan recommends that the Board of Commissioners establish a working group to develop the service. Bob Muller, who worked closely with staff on the development of the plan, has offered to serve on this working group. The town received technical assistance from several outside individuals for the development of the Decentralized Wastewater Management Plan. Bob has suggested that we ask two of these individuals, Dr. Bob Rubin of NC State and Dr. Katie Hill of the University of Georgia, to provide technical assistance to the working group. Both have agreed to serve in this capacity. Staff members on the working group would include Kelly Wyatt, Director of Planning and Development, Kate Jones, Deputy Planning Director, Amy Miller, Deputy Town Manager/Finance Officer and Andy Garman, Town Manager. Other resources would be added as necessary, including the Town Engineer and Town Attorney. The Board may wish to consider appointing a member of the Board of Commissioners and a member of the Planning Board to serve. Staff would welcome any other suggestions from the Board.

'Bob Muller has drafted the attached document which outlines the potential charge for this committee. Staff would ask the Board for input on the charge and request that the Board establish this working group considering the aforementioned suggestions."

MOTION: Comr. Renée Cahoon made a motion to appoint the following to the Decentralized Wastewater Master Plan – Voluntary Septic Subscription Service Working Group: Technical assistance provided by NC State Dr. Bob Rubin and University of GA Dr. Katie Hill; Planning Director Kelly Wyatt, Dep Planning Director Kate Jones, Town Manager Andy Garman, Dep Town Manager/Finance Director Amy Miller; former Mayor Bob Muller and Town Comr. Kevin Brinkley. Planning Board members are to consider participation in the committee also. The motion was seconded by Comr. Sanders.

Comr. Renée Cahoon confirmed the charge as follows:

- Improve the performance of septic systems in the Town by making sure maintenance and repair are done on a regular basis; and
- Create a program that can be replicated by other local governments or accessed by homeowners outside of Nags Head.

CONTINUATION OF MOTION: The motion passed unanimously.

Presentation of Electronic Vehicle Plan prepared by Duke University students

Dep Planning Director Kate Jones summarized her report which read in part as follows:

"BACKGROUND

The Planning Board initiated discussion of electric vehicle charging stations in June 2019, and Staff prepared a detailed memo the following month to facilitate discussion. These initial discussions led to the inclusion of an Electric Vehicle Action Plan as part of the Planning & Development Department FY2020-2021 Strategic Work Plan, with the general goal being to support the increasing prevalence of electric vehicles. In Fall 2021, Staff began working with Dr. Timothy Johnson and Duke University Master of Environmental Management (MEM) Program students Camila Ospina, Narissa Petchumrus, and Will Price to draft a scope of work that was subsequently reviewed by the Planning Board.

'Nags Head Electric Vehicle Action Plan Updates

Duke MEM Program students provided staff with a draft EV Action Plan on March 23, 2022. Staff worked with the students on several rounds of edits, and the draft EV action plan was presented to the planning board at their April 2022 meeting. Staff would like to briefly discuss the overall project, EV action plan product and determine if there any additional comments or suggestions that the Board of Commissioners would like to see in the plan. If no further changes are suggested by the Board of Commissioners, staff would like to make the draft publicly accessible.

'MEM students presented the EV Action Plan draft at the 2022 Duke Spring Master's Project Symposium. Information on the symposium is available [HERE](#). Staff did attend the presentation virtually and felt that the students had a great presentation and represented the Town well.

'Staff will be available at the meeting to address any questions."

Mayor Cahoon stated that he would like to review the plan more before the next discussion – also, he would like to know if the Town's sister communities have any plans to electrify their fleet – and if there's been any impact from electrical vehicles on cottages and is that something being advertised. Mayor Pro Tem Siers said that it has been installed in one of his rentals and has not been used yet.

It was Board consensus that the public view and provide feedback on the Electronic Vehicle (EV) Plan; find out if any of the town's sister communities have plans to electrify their fleet; if there's been any impact from EV on cottages and is that something being advertised; and to return to the Board with any comments/recommendations for further discussion and consideration.

Consideration of Event Sponsorship Policy

Planning Director Kelly Wyatt summarized the agenda summary sheet which read in part as follows:

"Staff has prepared the attached Event Sponsorship Policy for the Board of Commissioners consideration following the inclusion of sponsorship opportunities within the updated consolidated fee schedule to accompany the FY 22/23 operating budget. This request originated with the Committee for Arts and Culture to pursue community sponsorships for entertainment events within the Town. This policy speaks to the criteria for sponsorships, sponsorship agreements, permissible/impermissible sponsors, and message content as well as general conditions.

'Staff will be available at the meeting for further discussion or to address any questions."

Mayor Cahoon noted that he wants to make sure the public is comfortable with the policy before adoption; Comr. Brinkley expressed concern about possibly commercializing events that haven't been done before.

It was Board consensus to thank the Arts and Culture Committee for the proposed Event Sponsorship Policy but that feedback be obtained from the public before adoption, and that the Town Attorney review for legality.

NEW BUSINESS

Committee Reports

Mayor Pro Tem Siers – Dare County Tourism Board (DCTB) – There will be a public meeting at the Haven on the Banks facility in Nags Head on Monday, June 6th to identify proposals for the Soundside Event Site.

Comr. Renée Cahoon – Governmental Education Access Channel Committee (GEACC) met last week and finalized their budget.

Comr. Brinkley – Jennette’s Pier Advisory Committee - due to staff shortages the committee will meet in person later in the summer; an email was forwarded by Executive Director Mike Remige with an update on repairs and maintenance; also reported that the Waves To Water event was successful in spite of inclement weather.

Comr. Sanders – Estuarine Shoreline Access Committee – all documentation concerning the Estuarine Shoreline Access Committee is available on the Town’s web site under the Planning and Development Dept; the committee is in the process of reducing from 10 to three erosion areas for shoreline management projects.

Presentation of Public Services Master Plan - Architecture Update

- Task Order Contract
- Budget Amendment

Town Engineer David Ryan summarized the agenda summary sheet which read in part as follows:

“Tim Oakley of the architectural firm Oakley Collier will be presenting an update on the progress of the Public Works Facility Plan. Site development planning has been ongoing for the past several months with the next phase in the planning process consisting of finalizing site elements in advance of state permit application submissions. A tentative project schedule will be shared with the Board outlining the various tasks necessary to progress towards project construction.

‘The second part of this item included for Board consideration is a contract amendment to proceed with the vertical construction design component. A fee proposal has been submitted by Oakley Collier encompassing a portion of design services necessary to begin with the building design. The remaining balance of services to complete the building design will be presented for Board consideration at an upcoming meeting.

‘A budget amendment in the amount of \$100,000 is being requested to cover the cost of the fee proposal.

‘Staff requests Board of Commissioners approval to authorize the following:

- Budget amendment in the amount of \$100,000 to cover the initial cost of building design services
- Authorize the Town Manager to proceed with a contract amendment with the firm of Oakley Collier in the amount of \$100,000.”

Tim Oakley from the Oakley Collier architecture firm summarized his slides for the Public Services Master Plan. He noted that the end of June 2022 is being targeted for the permitting of the site work.

MOTION: Comr. Brinkley made a motion to approve the Budget Amendment in the amount of \$100,000 to cover the cost of the building design services component of the Public Works Facility Plan and to authorize the Town Manager to proceed with the contract amendment with Oakley Collier. The motion was seconded by Mayor Pro Tem Siers which passed unanimously.

Mr. Oakley's presentation slides are attached to and made a part of these minutes as shown in Addendum "C".

Beach Nourishment Master Plan Update

Town Engineer David Ryan summarized the agenda summary sheet which read in part as follows:

"Brian Joyner with the engineering firm of Moffat & Nichol will be presenting the findings of Year 2 of the Town's Multi-Decadal Master Plan. The year 2 effort expands the first year's work through additional field investigations, engineering, and modelling needed to progress the engineering side of the Master Plan.

"In addition to the Master Plan work, Mr. Joyner will provide an update for the Post-Dorian Beach Nourishment Restoration Project."

Mr. Joyner presented a PowerPoint presentation with an update of the Beach Nourishment Master Plan:

Slides included the following:

- Engineering Analysis and Plan Development of Beach Nourishment Master Plan
- Master Plan Progress by year
- Borrow area geotechnical investigations
- Post-Dorian Beach Nourishment
- Ellis Island dredge (larger dredge) to be received in mid-July
 - This date is evolving and he will keep Engineer David Ryan updated – expects the project to be completed by the first week of September 2022 – but will be sooner if the Ellis Island dredge arrives earlier.

In response to Comr. Renée Cahoon, Engineer Ryan said that the annual beach monitoring reports as well as the sea bed borings (samples) can be made available in the Town Hall lobby for viewing by the general public if desired.

Mr. Joyner's slides are attached to and made a part of these minutes as shown in Addendum "D".

ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN ATTORNEY

Attorney John Leidy - Request for Closed Session

Mayor Cahoon noted that the Board will consider Attorney Leidy's request for a Closed Session at the appropriate time at the end of the meeting.

ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN MANAGER

Town Manager Garman - Request for price increase for recycling services

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

"On April 22, 2022, the Town received a request from TFC Recycling for a price increase to the town's subscription recycling program. As noted in the request, the CPI-U for Garbage and Trash increased 4.3% in March 2022 compared to the previous 12 months. Therefore, the request is to increase the cost by \$.60 per month. The total monthly service cost would be \$14.60 if approved. The town covers \$5 per month as part of a subsidy. Assuming the increase would be borne by the customer and not the town, the total monthly cost to the customer would be \$9.60.

'Per the franchise agreement, TFC can request a rate adjustment at each anniversary date of the initial three-year term executed by both parties. The anniversary date was March 18, 2021. Rate increases are based on the percentage change in the most recently available data from the Bureau of Labor Statistics, Garbage and Trash Index, prior to the request. The rate shall not increase more than 5% in any contract year and no more 10% over the life of the initial term. Rate adjustment applications shall be filed by the franchisee ninety (90) days prior to the end of the term to provide adequate time for consideration by the Board of Commissioners. Rate adjustments may be sought for all reasonable grounds. If approved by Nags Head Board of Commissioners in an open meeting, a rate adjustment shall not be effective until at least 60 days from date of approval in order for the franchisee to give all clients a minimum 60-day notice of the approved rate adjustment.

'Attached is the CPI-U for Garbage and Trash for 2022 as well as for the prior two years. As noted by TFC, the index increased 4.3% in March of 2022 compared to the previous 12 months. Any future increases are limited by the contract to a total of 10%, so for the next two years the remaining increases could not exceed 5.7%.

'Although TFC did not submit the request in the timeframe prescribed by the agreement, staff sees a legitimate basis for the request. Staff would recommend that the Board approve the request making the increase effective 90 days from the date of approval. This would provide adequate time for TFC to notify customers in light of the date the request was received by the town. Attached is the franchise agreement for the subscription service as well as the CPI data for Garbage and Trash."

MOTION: Comr. Renée Cahoon made a motion to approve the request from TFC Recycling as presented – which would increase the monthly amount to each customer by \$.60. The motion was seconded by Comr. Brinkley which passed unanimously.

Town Manager Garman - Review of Town Pedestrian Projects

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

"At the March 2, 2022 Budget Workshop, staff presented a pedestrian project list and map detailing potential future pedestrian projects. As noted in staff's memo dated February 24, 2022 (attached), pedestrian priorities have changed with the installation of the west side multi-use path with a focus towards improved bicycle and pedestrian neighborhood connections to the path.

'Staff would note that this list of projects was not prioritized. Also, this may not be a comprehensive list of current and future needs. The last time the town developed an updated list of pedestrian projects was

during the 2017 Comprehensive Plan. Staff is prepared to begin the process of identifying and ranking future pedestrian projects for Board consideration as part of next year's CIP. The town has typically formed an advisory committee to assist with this process. We would like to put a call out to the community for volunteers to serve on this committee. We would welcome input from the board on the selection of committee representatives, to include geographic representation and other factors.

'After appropriate public notice advertising for those interested in serving on a Pedestrian Project Advisory Committee, staff would like to present a list of recommended members for consideration at the August 3rd Board meeting.'

It was Board consensus that this item return to the Board at the August 2022 meeting for discussion/consideration after word gets out to the community requesting those interested in serving; Board members would like to see all geographic areas represented. All parts of the Town should be included on the map of future pedestrian paths.

BOARD OF COMMISSIONERS AGENDA

Comr. Renée Cahoon - Discussion of impacts from large holes on the beach

Comr. Renée Cahoon brought forward and Board members discussed local legislation concerning large holes on the beach. It's not just a Nags Head issue, it's a Dare County-wide issue.

It was Board consensus to endorse taking the issue of large holes on the beach to state-wide coastal communities for endorsement of local legislation that would give coastal towns some teeth to enforce this issue. A public safety campaign concerning this issues was also mentioned.

MAYOR'S AGENDA

Mayor Cahoon - Consideration of resolution in support of a Wright Brothers Tribute Museum and Observatory

The agenda summary sheet read in part as follows:

'At the June 1st Board of Commissioners meeting, Mayor Cahoon will present the attached resolution in support of a Wright Brothers Tribute Museum and Observatory in the Town of Kitty Hawk. Mayor Cahoon withdrew the resolution from consideration at the Board's April meeting in order to obtain additional information about the project.

'The Dare County Tourism Board (DCTB) adopted a resolution in support of the Wright Brothers Tribute Museum at its May 19th meeting. Outer Banks Visitors Bureau Executive Director Lee Nettles noted that the project developer agreed to build the Welcome Center as the first part of the project to ease the transition and minimize the disruption to the Welcome Center function. The pledge of a new center was also offered with no additional cost to the DCTB. No agreement has yet been reached between the Town of Kitty Hawk and the State with regard to the land at this time.'

'The attached resolution expresses the Board's support of the concept contingent upon the points listed.'

Mayor Cahoon noted that the proposed resolution presented is drawn from the Dare County Tourism Board's adopted resolution.

Mayor Pro Tem Siers pointed out that the Dare County Tourism Board wants to make sure the Welcome Center remains. He feels like the museum is still in a planning dream phase.

Mayor Cahoon expressed concern that the site be preserved as much as possible and he would want this noted when forwarding the resolution, if adopted.

The Board took no action on the proposed resolution.

Town Manager Garman – Upcoming Shred Event

Town Manager Garman mentioned the upcoming Shred Event scheduled for Saturday, June 11, 2022 at Town Hall from 9 am to 12 noon.

Comr. Renée Cahoon – Recent Memorial Day event

Comr. Renée Cahoon thanked staff who worked on the recent Memorial Day presentation which was very well attended and appreciated.

CLOSED SESSION

MOTION: Mayor Pro Tem Siers made a motion to enter Closed Session pursuant to GS 143-318.11(a)(3), to consult with the Town Attorney re: pending litigation and other matters re: 205 Baltic Street, Budlong, LLC Beach Nourishment Condemnation actions, and other issues within attorney/client privilege. The motion was seconded by Comr. Renée Cahoon which passed unanimously. The time was 12:04 p.m.

OPEN SESSION

The Board re-entered Open Session at 12:30 p.m. Attorney Leidy reported that the Board did discuss the Town's pending litigation and other matters within attorney/client privilege.

ADJOURNMENT

MOTION: Comr. Brinkley made a motion to adjourn. The motion was seconded by Mayor Pro Tem Siers which passed unanimously. The time was 12:30 p.m.

Carolyn F. Morris, Town Clerk

Date Approved: July 6, 2022

Mayor: _____
Benjamin Cahoon