



BOC ACTIONS MAY 1, 2019

1. Call to order / Agenda adoption - Mayor Cahoon called the meeting to order at 9:00 a.m. The May 1st agenda was approved as presented.

2. Recognition

New employee – Customer Service Rep/Cashier Shannon Krzyzanowski was welcomed by the Board.

Five years - Fleet Mechanic Peter Woickelman was recognized by the Board for five years of service.

Fifteen years - Permitting Coordinator Lily Nieberding was recognized by the Board for 15 years of svc

Twenty years - Water Quality Coord. Todd Krafft was recognized by the Board for 20 years of svc

Proclamation – National Police Week – The Board adopted the Proclamation identifying National Police Week as May 12 – 18, 2019.

Sgt. Earl Murray, Jr. - Dep Police Chief Perry Hale recognized that May 15, 2019 was the ten-year anniversary of Sgt. Earl Murray's death in the line of duty; Dep Police Chief Hale summarized the incident of May 15, 2009 and explained how much Sgt. Murray is still missed today.

3. Public Comment

Nanette Griesi, Seagull Drive property owner; Ms. Griesi read a letter written by her husband Jim which requested a call for action by the Board to remove the Cherry structure from the oceanfront beach.

Bob Muller, Nags Head resident; he spoke in opposition to Accessory Dwelling Units (ADU's); there are other options to look at re: housing opportunities besides ADU's.

Ellen Heatwole, Seagull Drive property owner; she was in support of the letter read by Ms. Griesi in opposition to the structures still sitting on the oceanfront beach; the houses will adversely impact beach nourishment and since she does pay more for the project she would like the project to be done right.

Barbara Maskello, Altoona Drive property owner; she was in support of the letter read by Ms. Griesi in opposition to the structures still sitting on the oceanfront beach; the Toloczko house also sits on the oceanfront and will impede the upcoming beach nourishment project; she questioned why the address for the Toloczko house is now Altoona a private street when it was on Seagull a public street.

Mayor Cahoon asked the Town Attorney and staff to update the Board on the issues raised today during Public Comment as soon as possible.

4. Consent Agenda – The Consent Agenda was approved as presented and consisted of the following:

Budget Adjustment #11 to FY 18/19 Budget

Tax Adjustment Report

Approval of minutes

Amendment No. 1 to Dark Fiber License Agreement with MCNC connectivity

Request for Public Hearing - citizen comment on Town Manager's proposed operating budget for FY 19/20
Request for Public Hearing - site plan amendment by Tale of the Whale for pier extension for dock facility

- 5.** Project update – FOCUS Technical Committee – UDO – Planner Holly White updated the Board and reported that the draft copy of the UDO would be distributed to Board members on Friday, May 3rd.
- 6.** Project update – Stormwater Projects – Town Engineer David Ryan updated the Board on the Town's stormwater projects and reported that NCDOT has agreed to cost-share with the Town the S Nags Head stormwater drainage projects in an amount up to \$100,000.
- 7.** Sherwin-Williams site plan amendment – The Board passed a motion to table this item to give staff time to make sure erosion/sedimentation controls have been met; Staff is to verify the solution is properly installed with no negative effect on neighboring properties.
- 8.** From April 3rd Board meeting – The Board passed a motion to accept the Planning Staff recommendation to send the ADU issue back to the Planning Board to answer any questions and address issues raised today by the Board and that the attorney is to research. Receipt of the Planning Board determination is expected within 60 days.

Also discussed was that Town Board/Committee members should be provided Town email addresses and Town information received on personal email accounts should be forwarded to the Town as public records.

- 9.** Public Comment by Seagull Drive property owner – The Board passed a motion to accept the letter written by Jim Griesi, read during Public Comment by Nanette Griesi concerning the Seagull Drive Cherry, Inc. oceanfront house, into today's Town record.

10. Committee Reports

Comr. Renée Cahoon - Coastal Resources Commission (CRC) – the CRC met last week in Manteo and unanimously adopted a resolution opposing offshore oil drilling and seismic testing.

Comr. Renée Cahoon – Dare County Board Clerk Gary Gross is retiring and he will be missed.

Comr. Fuller - Coastal Resources Commission (CRC) - He congratulated Comr. Renée Cahoon on getting CRC to adopt the resolution opposing offshore oil drilling.

Comr. Fuller – Dare County Tourism Board (DCTB) – the DCTB looked at the event site and then met the next day and had two discussions: 1) Interest in a 1,000 seat building and 2) Interest in a low profile site with water access and dock/walkway.

- 11.** Town Attorney – Attorney Leidy reported that the Richardson lawsuit has been scheduled for oral argument in the State Supreme Court on Wed. May 29th at 9:30 a.m. at the State Capital Building in Raleigh.

- 12.** Town Manager - Town Manager Ogburn presented his recommended budget for FY 19/20 via a powerpoint presentation; budget books were distributed to Board members.

- 13.** Town Manager - Town Engineer David Ryan provided an update on the 2019 Beach Nourishment Project – sand is expected to be pumped on the beach starting this afternoon. It was noted that the online map will be updated as reports are provided to staff. It was also reported that the Forrest and Juncos beach accesses will be closed to vehicular but open to pedestrian traffic during the project.

- 14.** Town Manager – The memo re: enforcement of the ordinance pertaining to tents on the beach in the upcoming summer season was presented to the Board.
- 15.** Town Manager - Dep Planning Director Kelly Wyatt reported on the May 6th Bicycle Rodeo at Nags Head Elementary School (NHES) from 8 am to 2 pm and will include obstacle course and bicycle safety presentations. She also reported that the May 8th Bike To School event will take place between 7 and 7:20 am with representatives from the Town at designated locations to help get kids to school safely.
- 16.** Closed Session – The Board entered Closed Session to consider the acquisition of property located at 115 McCall Court in S Nags Head and to confer with the Town Attorney to preserve attorney/client privilege – in accordance with GS 143-318.11(a)(5) and (3). The time was 11:58 a.m.
- 17.** Open Session – The Board re-entered Open Session at 12:33 p.m.
- 18.** Property acquisition – The Board passed a motion to accept the conveyance of property located at 115 McCall Court in S Nags Head.
- 19.** Comr. Fuller – House Bill 645/Senate Bill 534 – The Board passed a motion to adopt the resolution opposing the proposed revisions to advertising legislation (House Bill 645/Senate Bill 534) as presented and to forward to State representatives today.
- 20.** Comr. Renée Cahoon – Staff is to research and determine how the Seagull Drive Toloczko structure ended up with an Altoona Street address.
- 21.** Comr. Renée Cahoon - Satterfield Landing Road repaving – Town Manager Ogburn spoke of problems with the outside engineer on the project and indicated that he would expedite the repaving project.
- 22.** Mayor Cahoon – NCBIWA Conference – Mayor Cahoon reported on a presentation by the South Carolina Aquarium re: plastics in the ocean. An “app” is available for downloading which records on a map when, where, and what trash is collected. The user can then click on any “dot” to see what kind of trash is being found where.
- 23.** Mayor Cahoon – Mayors meeting with DEQ Secretary Regan re: offshore drilling - Mayor Cahoon reported a meeting has been scheduled for Wed. May 8th at 1 pm at the Dare Center.
- 24.** Adjournment – The Board recessed to the May 15, 2019 Budget Workshop at 9 am in the Board Room. The time was 12:53 p.m.