



BOC ACTIONS
REGULAR MEETING (COVID-19)
WEDNESDAY, APRIL 15, 2020

1. The Nags Head Board of Commissioners held their first electronic meeting on April 15th.
2. Call to order - Mayor Cahoon called the meeting to order at 9 am. He welcomed all who were present and thanked all those working during the COVID-19 pandemic.
3. Electronic meeting policy – The Board approved the Electronic Meeting Policy as presented.
4. Agenda adoption – The Board approved the April 15th agenda with the removal of the March 4th Board minutes for additional details re the presentation by Outer Banks Visitors Bureau Executive Director Lee Nettles who spoke during Public Comment concerning the Soundside Event Site.
5. Public Comment - Mayor Cahoon and Town Manager Ogburn read the approximately 50 public comments that were received via email.
6. Consent Agenda – the Consent Agenda was approved as amended (with the removal of the March 4th Board meeting minutes to return for consideration at the May 6th Board meeting) and consisted of the following items:

Consideration of Budget Adjustment #10 to FY 19/20 Budget

Consideration of Tax Adjustment Report

Approval of minutes

Resolution/Ordinance in support of DOT lowering speed limit on SR 1243 from Juncos St. south to 35 MPH

The (K9) Handler Compensation Policy – for inclusion in Town Personnel Policy

Request for Public Hearing - to consider text amendments to UDO re: flood maps/Flood Damage Prev Ord

Request to continue Public Hearing – to consider text amendment to UDO re: outdoor stands

Request to continue Public Hearing – to consider text amendment to UDO to correct identified errors

7. Public Hearing - to consider the adoption of resolutions authorizing the Town to enter into an Installment Purchase contract to finance the cost of the Sidewalk Pedestrian Path, Fuel Tank Conversion, and Dowdy Park improvements as identified in the FY 2019/2020 Budget

The Board adopted the resolution authorizing the Town to file an application for approval of a financing agreement authorized by GS 160A-20 to finance the cost of the Sidewalk Pedestrian Path, Fuel Tank Conversion, and Dowdy Park improvements as identified in the FY 19/20 Budget, as presented.

The Board adopted the resolution authorizing the financing terms for the cost of the Sidewalk Pedestrian Path, Fuel Tank Conversion, and the Dowdy Park improvements as presented at an amount of \$1,401,396.00, at a term to not exceed five (5) years from closing with an annual interest rate to not exceed 2.42%, as presented.

- 8.** Upcoming 11 am broadcast - Mayor Cahoon noted that Dare County Chairman Woodard has a planned broadcast at 11 am today – Mayor Cahoon also thanked all those participating/listening electronically to today’s Town meeting.
- 9.** Grant pre-application – It was Board consensus, with one dissent from Comr. Fuller, to move forward to submit the pre-application for the FY 20/21 Public Beach and Coastal Waterfront Grant (Huron Street Beach Access), keeping aware of the Town’s budget.

10. Committee reports:

Comr. Brinkley – Jennette’s Pier Advisory Committee – Comr. Brinkley received word from Pier Director Mike Remige stating that while the pier closed on March 17th - all pier programs are closed until May 15th.

Comr. Fuller – Dare County Tourism Board – The Budget and Finance Committee met recently and will be providing recommendations to the full Tourism Board tomorrow.

Comr. Fuller – DCTB-owned South Beach Grille building – The building is under contract to be demolished but the contractor is out of the County and unable to get in – Comr. Brinkley noted that vendors are allowed in with a County pass.

Comr. Fuller – Soundside Event Site – In response to one of the letters read during public comment, Comr. Fuller said that it was his understanding from the DCTB that there is no interest in negotiating a settlement with the Town re: paying the Town back / transferring the Town’s property until a determination is made re: what will be done with the Event Site.

Mayor Cahoon – Dare County Control Group – As a member of the Control Group, Mayor Cahoon reported that other than today and one other weekend the Control Group has met every day since the first day of the emergency; there has not been discussion yet concerning the reopening of the beach. He stated further that Chairman Woodard has asked members to assemble their thoughts concerning reopening for discussion at a meeting the end of this week with a full discussion next week when the Health Director and the Emergency Management Director will provide a briefing.

11. Town Manager - Update on Corona Virus-19 - Resolution

The Board adopted the resolution authorizing waiving the fees listed (debit/credit/e-check to pay taxes, utility fees) to include the addition of late filing penalties for personal property taxes – until June 30, 2020.

12. Town Manager – Update on Corona Virus-19 – Emergency Paid Sick Leave Policy

The Board approved the Emergency Paid Sick Leave Policy as presented.

13. Town Manager – Update on Corona Virus-19 – Impact on current/future budgets

Town Manager Ogburn discussed the remainder of this year’s budget and next year’s budget with a powerpoint presentation - The May 20th mid-month meeting was modified to take place at 9 am rather than 7 pm and was approved for the Manager’s budget distribution which allows him and staff to gather as much knowledge/information as possible. In addition, the 2020 Fireworks display is to be placed on the May 6th Board agenda for discussion.

14. Town Manager – Recycling contract - It was Board consensus to continue to prioritize expenditures and to suspend the Town’s recycling contract with Bay Disposal for the remainder of this fiscal year, for reconsideration after that time.

- 15.** Town Attorney – Attorney Leidy requested a Closed Session at the appropriate time to confer with the Board re: potential claims/litigation and matters protected by attorney/client privilege.
- 16.** Town Manager – Coastal Storm Damage Mitigation Fund – The Board passed a motion to authorize the Town Manager to proceed with the submission of the FY 2019/2020 Coastal Storm Damage Mitigation grant application as presented.
- 17.** Comr. Renée Cahoon – GEACC Budget - The Board passed a motion to approve the FY 2020-2021 Government Education Access Channels Committee (GEACC) annual budget as presented.
- 18.** Comr. Renée Cahoon – Local comments – She pointed out that hard times bring out the best and sometimes the worst in people. Although some people do not have in-state license tags on their vehicles such as Coast Guard personnel, they are still here legally; some are here taking care of family members, some came in prior to the closing, some were snuck in by some of our own citizens. Many of these people have experienced being yelled at, received gestures by others who have exhibited bad behavior toward them - even though they may be here legally. She stated further that how we act towards each other determines our character and how we are perceived. Comr. Renée Cahoon thanked those that are being nice to all.
- 19.** Comr. Fuller – The Board passed a motion to waive their monthly stipend from the Town for the remainder of this fiscal year.
- 20.** Comr. Fuller – Comr. Fuller confirmed with Attorney Leidy that the Dare County Control Group is subject to the Open Meetings Law.
- 21.** Comr. Fuller – Comr. Fuller confirmed with Attorney Leidy that a personnel matter would be discussed during the upcoming Closed Session.
- 22.** Comr. Brinkley - Comr. Brinkley requested a Closed Session to discuss the status of the Town-owned property at the Soundside Event Site.
- 23.** Mayor Cahoon - Mayor Cahoon mentioned that a discussion on the future vision of the Town would be more appropriate another time.
- 24.** Mayor Cahoon – Mayor Cahoon made time for the reading of additional public comments that were received during the Board meeting; Town Manager Ogburn read these additional public comments.
- 25.** Closed Session – The Board passed a motion to enter Closed Session to confer with the Town Attorney re: potential claims or litigation and matters that are protected by the attorney/client privilege and to protect that privilege in accordance with GS 143-318.11(a)(3); and to consider the Town Manager’s Review in accordance with GS 143-318.11(a)(6). The time was 11:54 a.m.
- 26.** Open Session - The Board re-entered Open Session at 1:08 p.m.
- 27.** Adjournment - The Board adjourned at 1:09 p.m.