



**TOWN OF NAGS HEAD  
BOC ACTIONS  
SEPTEMBER 2, 2020**

- 1.** Call to order - Mayor Cahoon called the meeting to order at 9:00 a.m.
- 2.** Agenda - The Board passed a motion that agenda item E-6 entitled: *Request for Public Hearing to consider text amendments to the UDO pertaining to nonconforming hotels and accessory uses in association with preexisting fishing piers* be removed from the agenda and the September 2<sup>nd</sup> agenda was approved as amended.
- 3.** Recognition - Facilities Maintenance Supervisor Mike Norris introduced Stormwater & Streets Technician Bobby Hooper who was congratulated for five years of service.
- 4.** Public Comment - The following spoke in favor of extending the Dowdy Park Farmers Markets and in continuing to fund the Dowdy Park Event Coordinator part-time position: Kerry Oaksmith-Sanders, Peggy Saporito, Chris Carrol, Samantha Lock, Ginny Flowers, Chris Sawin, Valerie Netsch, David Elder, Karen Brown (spoke on behalf of Denise Turner).
- 5.** Consent Agenda - The Consent Agenda was approved as amended (with removal of the agenda item re: Request for Public Hearing to consider nonconforming hotels and accessory uses in association with preexisting fishing piers) and consisted of the following items:

Consideration of Budget Adjustment #3 to FY 20/21 Budget

Consideration of Tax Adjustment Reports (New Year and Monthly)

Approval of minutes

Consideration of request from Fraternal Order of Eagles to conduct 2020 bonafide fishing tournament

Consideration of Health Reimbursement Arrangement Plan Maintenance Agreement for Town Mgr

Consideration of Business Associate Agreement for Town Mgr

Request to modify Consolidated Fee Schedule for Post-Season Per Farmers Market Vendor fee

- 6.** Dominion Energy presentation - Rob Richardson of Dominion Energy presented a powerpoint report which included information on the installation of electric transmission lines on US 158 and included an update on pole replacement on the Nags Head/Manteo Causeway. Some highlights include:
  - a) Dominion Energy staff are in the early stages of researching a Feasibility Study of installation of electric transmission lines on US 158; the purpose is to establish alternative electric transmission lines to be used in case of outages due to storms, etc.;
  - b) Causeway pole replacement project is missing easements from Oceans East and Kitty Hawk Kites;
  - c) Comr. Renée Cahoon would like to see the US 158 poles installed underground. She also asked for a map clarifying exactly where the lines from the Colington tap will be located;
  - d) Feasibility Study is to include studying underground poles on US 158 as well as underwater installation.

- 7.** Public Hearing - The Board passed a motion to adopt the ordinance amending the UDO that would allow for lots west of NC12 and SR1243 which have a Base Flood Elevation (located in an AE

zone) to have fill added up to a height required by the Dare County Health Department for onsite wastewater, as presented.

Planning staff is to review the email forwarded last night to Board members from Jay Overton of Albemarle & Associates concerning this item - and to forward their analysis to Board members.

**8.** Public Hearing - The Board passed a motion to adopt the ordinance providing clarification changes and correcting errors in the Unified Development Ordinance, as presented.

**9.** Public Hearing - The Board recused Mayor Cahoon from the discussion re: a Unified Development Ordinance text amendment to allow furniture stores as an allowable use as part of Commercial Mixed Use uses as he represented the applicant in his position with Cahoon & Kasten, Architects. The Board passed a motion to adopt the ordinance amendment as presented.

**10.** Planning Director - the Planning Director's update was presented to the Board; some highlights: a) It was Board consensus to agree with Planning Director Zehner that he ask for volunteers for an advisory group/steering committee to assist in guiding the Town's Decentralized Wastewater Management Plan update to be brought to the Board for consideration of appointment at an upcoming meeting; b) In response to Mayor Cahoon, Director Zehner said that he would check with Code Compliance Officer Ed Snyder and work with Public Information Officer Roberta Thuman to issue a press release re: campaign/voting signage.

**11.** Committee Reports

Comr. Brinkley – Jennette's Pier Advisory Group – Director of the Pier, Mike Remige, reported to Comr. Brinkley that 18,000 visitors visited the Pier during the month of June 2020. Direct access to the Pier is being allowed with social distancing for fishing.

Comr. Fuller – Dare County Tourism Board (DCTB) – the Grants Committee meets on September 9<sup>th</sup>; Visitation to the Wright Brothers Memorial visitation is very low but the Hatteras campgrounds are full.

**12.** Police Dept - Presentation of Police Dept Progress Report - Police Chief Phil Webster presented a powerpoint presentation which was well received.

**13.** Town Manager - The Board approved the Town Organizational Chart as presented.

**14.** Town Manager - The Board approved the proposed modification to the Personnel Policy re: approval of job descriptions/pay class plan as presented.

**15.** Town Manager - The Board passed a motion to authorize staff to apply for Dare County Tourism Board - Tourism Impact Grants (Sidewalk from US 158 to Wrightsville Avenue at Admiral Street and Skate Park renovations) as requested.

**16.** Comr. Renée Cahoon - The Board adopted the resolution in support of the J-1 Visa Exchange Visitor program with the following modification: Revise paragraph "1." to read as follows:

"Petitions the White House and Trump Administration to issue a National Interest Exemption for Economic Recovery during the next 60-Day Review, concluding on September 22, 2020, as provided by Section 3(b)(iv) and 4(a)(i) of the Presidential Proclamation of June 22, 2020;"

Board members directed staff to forward the executed resolution to the Resort Towns and Cities organization and Dare County/municipalities recommending it be adopted – in addition to forwarding it to the legislature listed in the resolution.

**17.** Comr. Brinkley - Comr. Brinkley thanked Dep Town Clerk Michelle Gray for forwarding the change in voting location for Nags Head residents to Board members and employees noting that he had also recently received a notice in the mail. He asked Public Information Officer Roberta Thuman to issue a press release to this effect.

**18.** Comr. Brinkley - Comr. Brinkley thanked all those that spoke today during Public Comment in favor of the Dowdy Park Farmers Market.

**19.** Comr. Fuller - Comr. Fuller clarified with staff that Dewberry Surveying is surveying on US 158 on behalf of Dominion Energy.

**20.** Comr. Fuller - He emphasized that while several departments may maintain the Town's parks/facilities/skateboard park, responsibility for everything related to each individual site should be with just one person.

**21.** Mayor Pro Tem Siers - he spoke in support of the comments made by other Board members.

**22.** Comr. Renée Cahoon - she asked the Board to consider how to address trash pick-up services on the west side of US 158 so that they have a consistent level of service.

**23.** Comr. Renée Cahoon - she noted that there may be some mis-information concerning the Dowdy Park Farmers Market as no one wants to stop the Farmers Market and the entire budget to include the part-time position will be re-addressed. Staff was directed to prepare a two-paragraph email from Board members responding to those that spoke today with information concerning the Farmers Market to include that it will be continuing through this month.

**24.** Mayor Cahoon - Mayor Cahoon asked the Town Clerk to locate an email he prepared after the January 2020 Board Retreat where he shared some thoughts concerning community values/vision to be forwarded to Board members and Interim Town Manager Sparks.

**25.** Closed Session - The Board entered Closed Session to discuss various legal matters within attorney/client privilege to include Beach Nourishment Project Condemnations and to discuss confidential personnel matters. The time was 11:58 a.m.

**26.** Open Session - The Board re-entered Open Session at 12:38 p.m.

**27.** Adjournment - The Board recessed to the Board Retreat at the Villas Clubhouse on Wednesday, September 23<sup>rd</sup> at 9:00 a.m. The time was 12:41 p.m.