



BOC ACTIONS JANUARY 6, 2021

1. Call to order - Mayor Cahoon read a brief statement re: COVID-19 and pointed out that healthcare workers are still working, still caring for the sick, and still holding the hands of those dying; everyone has healthcare workers as family, neighbors, etc. and Mayor Cahoon thanked them. A moment of silence was followed by the Pledge of Allegiance.

2. Agenda adoption - The Board approved the January 6th agenda with the addition of a Closed Session to preserve attorney/client privilege and to discuss a personnel issue.

3. Recognition - Interim Public Works Director Terry Haugen, via Zoom, introduced Sanitation Equipment Operator Tony Windham who was recognized and thanked by the Board for 15 years of service; he introduced Sanitation Equipment Operator Deronte White who was recognized and thanked by the Board for five years of service.

Fire Chief Randy Wells, via Zoom, introduced Firefighter/EMT Richard Gibbons who was recognized and thanked by the Board for 15 years of service.

Finance Director Amy Miller, via Zoom, introduced Water Billing/Customer Service representative Brittany Phillips who was recognized and thanked by the Board for five years of service.

4. Presentations - National Park Service Superintendent David Hallac – Sediment Management Plan - Superintendent Hallac, via Zoom, discussed the Sediment Management Framework and Environmental Impact Statement with Board members; Superintendent Hallac reported that he has been preparing a very detailed erosion analysis on the miles between Ramp 1 (boundary of National Park Service and the Town) down to Oregon Inlet. Board members spoke positively of - and thanked him for - his presentation.

Presentation by Dare County Manager/Attorney Bobby Outten - He discussed the Beach Nourishment Program for the County; the Beach Nourishment Fund is financed with 2% of the occupancy tax; the goal of the County Commissioners is to use that fund to get as much sand on the beaches as possible. They are pushing for State funding - it may be 2028 before significant funds will be built up again. Mayor Cahoon will bring up with Mayors during an upcoming Mayors' lunch a discussion re: asking the legislature for another way for beach nourishment funding.

Presentation by Town Auditor Lisa Murphy - Auditor Lisa Murphy of Grizzelle, Straub, Johnson, and Murphy, via Zoom, presented the Town's Annual Audit Report. The Town is in excellent financial condition and the Town's Finance Dept is working at a high level of expertise.

Presentation by Town Finance Director Amy Miller - Finance Director Amy Miller, via Zoom, presented her Popular Annual Financial Report (PAFR); she thanked everyone who assisted her with the Report and stated that she was available for questions.

5. Public Comment - There were no comments received for today's meeting.

6. Consent agenda - The Consent agenda was approved as presented and consisted of the following:

Budget Adjustment #8 to FY 20/21 Budget

Tax Adjustment Report
Approval of minutes
Consideration of Direct Electronic Payment Delivery Agreement
Consideration of Emergency Paid Sick Leave (EPSL) Policy
Ratification of Designation of Applicant's Agent

7. Public Hearing - to consider a text amendment to the Unified Development Ordinance pertaining to the reduction of the side yard setbacks for corner lots abutting unimproved rights-of-way. The motion to adopt the text amendment (Option "D") with the following addition: "being developed for a residential use and" passed 4 – 1 with Comr. Fuller (agreeing with the Planning Board determination) casting the NO vote.

8. Review of Public Works Facilities Master Plan scope of work - It was Board consensus to move forward with the Public Works Facilities Master Plan scope of work as presented.

9. Public Hearing - to consider text amendments to the Unified Development Ordinance pertaining to uses allowed within the C-3, Commercial Services and C-2, General Commercial Zoning Districts, the "Furniture Store" and "Furniture Showroom" uses, the "Warehousing & Storage Facilities" use and storage as an accessory to these uses

Board members spoke concerning language in the ordinance that is geared toward maintaining the Town's values and standards yet somehow separates furniture store from showroom in all its various forms and also addresses other parts of the ordinance such as dual/mixed uses/shopping centers. Staff will revise the ordinance based on the Board's comments and return for further discussion - the Board tabled consideration of the ordinance.

10. Recess for lunch - The Board recessed for lunch at 12:35 am and reconvened at 1:45 p.m.

11. Update from Planning Director:

Consider VW Settlement Phase 1-Level 2 Charge Program

Staff is to research the questions brought up by Board members to include location and fees for further discussion at the January 20th Board meeting.

Review and Discuss Options to Allow Flexible/Temporary Outdoor Dining

Re: a wind-down period, Director Zehner stated that after the Statement of Emergency is lifted, there is some flexibility; a Special Use Permit would allow businesses to continue at least through rest of the season. It was Board consensus to wait until nearing the end of the Statement of Emergency before looking further into the issue of flexible/temporary outdoor dining options - in the short term, no action is needed.

12. From Dec 2nd Board meeting - Discuss and consider Request for Public Hearing to consider text amendments to the Unified Development Ordinance pertaining to nonconforming hotels and accessory uses in association with preexisting fishing piers - The Board scheduled the Public Hearing as requested.

13. From Dec 2nd Board meeting - Update on street maintenance plan/repair work - Dep Manager Andy Garman presented and the plan was well received - To be considered during the upcoming budget process.

14. Committee Reports:

Mayor Pro Tem Siers - Street/Stormwater - Mayor Pro Tem Siers reported that he recently rode around Town with staff to view street and stormwater areas of concern.

Mayor Pro Tem Siers - Jockey's Ridge/Soundside Road Committee - The Jockey's Ridge Soundside Road Committee recently met and is working toward a resolution.

Mayor Cahoon - COVID update - Mayor Cahoon forwarded to Board members this week an email summarizing the recent meeting of local officials discussing the latest updates on the COVID pandemic where the numbers continue to increase.

15. Board of Adjustment (BOA) - The Board appointed Margaret Suppler to serve as BOA Chair and Angelina Lowe to the vacant regular position. Appointment of Vice-Chair is to be included on the January 20th mid-month Board meeting agenda. Staff is to also find out if BOA member Bobby Gentry is interested in reappointment, his term expires February 2021, and if so, if he is interested in serving as Vice-Chair.

16. Salary Study Scope - The Board was positive about the salary study scope presented; they would like to see progression goals not be glossed over and not become boiler plate and that opportunities be provided for all departments so they are eligible for pay increases once they meet their agreed-upon goals.

17. Town Attorney - Attorney Leidy had no new reports.

18. Interim Town Manager Sparks - The following schedule was approved for upcoming workshops:

<u>Recessed Meeting</u> - Includes Beach Nourishment Funding	Wed. Jan 20, 2021; 9 am
<u>Interview with Board members</u> Steve Straus - Developmental Associates (TM Recruit)	Wed. Jan 20, 2021; 11:30 am
<u>Budget Planning Workshop</u>	Wed. Feb 3, 2021; following 9 am Board of Commissioners meeting
<u>Capital Improvement Program Workshop</u> - If continuation is needed	Wed. Mar 24, 2021; 9 am Wed. Mar 31, 2021; 9 am
<u>Presentation of Managers Recommended Budget</u>	Wed. May 5, 2021; 9 am
<u>Budget Workshop</u> - If continuation is needed	Wed. May 12, 2021; 9 am Wed. May 19, 2021; 9 am
<u>Public Hearing</u>	Wed. Jun 2, 2021; 9 am
<u>Budget Workshop</u>	Wed. Jun 16, 2021; 9 am; Followed by mid-month meeting/Budget Adoption

- 19.** Interim Town Manager Sparks - The Board approved the Sanitation Division position request as requested.
- 20.** Mayor Pro Tem Siers - Dominion Energy storage on lot next to Dunes - Interim Manager Sparks is to continue to look into this issue and verify completion of project/lot cleared by end of February.
- 21.** Interim Town Manager Sparks - The Board passed a motion authorizing the purchase of flood warning signage, in the amount of \$8,500; Continued requests are to be made to NCDOT to take some action on their roadway; Police patrol to be increased in causeway area.
- 22.** Comr. Brinkley - The Town's weather monitor is not working he noted from the Town's web site - He would like to see this fixed so those interested can view the local weather information.
- 23.** Comr. Fuller - thanked staff for fixing the hole in the ceiling [from removal of the projector unit].
- 24.** Comr. Fuller - he spoke of the letter received from Mr. David Benner and confirmed with Interim Town Manager Sparks that staff has made no arrangement re: Old Nags Head Place.
- 25.** Comr. Renée Cahoon - She thanked Sanitation, Police, and Fire for their work during the holidays.
- 26.** Mayor Cahoon - Since the Board just held a fall 2020 retreat and laid out a comprehensive plan that staff is engaged in, Board members agreed there was no need for a retreat in January.

The Board is to receive quarterly strategic planning progress updates from staff; Mayor Cahoon stated that two of these updates could be in a retreat form (abbreviated) and two in the form of workshops. After discussion with Interim Town Manager Sparks, he will return with a schedule.
- 27.** Comr. Renée Cahoon - (Clarify #21 above) The Board passed a motion to utilize funds in the amount of \$8,500 for traffic signage from Undesignated Fund Balance and not from Powell Bill funds.
- 28.** Mayor Cahoon - The Board passed a motion authorizing the Mayor to sign the letters in support of NC DEQ Secretary Regan as EPA Director to Senators Burr and Tillis as presented.
- 29.** Closed Session - The Board entered Closed Session to discuss a personnel issue and to confer with the Town Attorney re: attorney/client privilege at 3:49 a.m. and re-entered Open Session at 4:10 p.m.
- 30.** Adjournment - The Board recessed to a mid-month meeting on January 20th at 9 am - The time was 4:15 p.m.