



**BOC ACTIONS  
WEDNESDAY, DECEMBER 1, 2021**

- 1.** Call to order - Mayor Cahoon called the meeting to order at 9 a.m. He recognized and welcomed former Commissioner Anna Sadler in the audience.
- 2.** Agenda - The agenda was approved as presented.
- 3.** Recognition

Police Chief Phil Webster introduced Police Officers Christopher Lee Kingston and Kana Eiko Mari Hashigami who were welcomed by the Board to Town employment.

Public Services Director Eric Claussen introduced Facilities Maintenance Crew Leader Steven Saunders who was congratulated by the Board for 20 years of service.

2021 Earl Murray Jr Employee of the Year Award - Mayor Cahoon acknowledged the 2021 nominees: Fire Dept - Matthew Swain; Police Dept - Trey Lipscomb; Public Services - Conner Twiddy; Admin Services - Brittany Phillips; and Planning - Steve Szymanski. On behalf of the Board, Mayor Cahoon announced the Earl Murray Jr Employee of the Year winner as Admin Services Water Billing Specialist Brittany Phillips.

Appreciation - On behalf of the Board, Mayor Cahoon recognized and expressed his appreciation to outgoing Commissioner Webb Fuller. Several gifts to include a heron carving and an autographed book by artist/designer Bob Timberlake were presented to Comr. Fuller.

- 4.** Reorganization of the Board - Town Clerk Carolyn Morris presented the November 2<sup>nd</sup> election results; Oaths of Office were given to Mayor Cahoon, Comr. Siers, and Comr-Elect Sanders. After a unanimous vote/motion, the oath of office was then given to Mayor Pro Tem Mike Siers.
- 5.** Public Comment - Mayor Cahoon read an email from a permanent resident of the Town who expressed his appreciation to the Town and it's employees.
- 6.** Consent Agenda - the Consent Agenda was approved as presented and consisted of the following:
  - Consideration of Budget Adjustment #5 to FY 21/22 Budget
  - Consideration of Tax Adjustment Report
  - Approval of minutes
  - Request for Public Hearing to consider Residential Stormwater Ordinance
  - Consideration of update to Personnel Policy, Article VI. - Section 2. On Call Duty Policy
- 7.** Public Hearing - to consider a UDO text amendment submitted by Jay Overton, PE, PLS of Albemarle & Associates to amend Section 8.5.4 as it pertains to alternative site design standards within the Soundside Residential Overlay District - The Board passed a motion to adopt the text amendment as presented understanding that staff and the Planning Board found that the proposed ordinance is not

consistent with the Land Use Plan and in addition that there is a statement approving the amendment containing the following:

- This declaration of approval is also deemed an amendment to the Comprehensive Plan; Changes in the conditions that the Board took into account in order to amend the UDO are:

- An overwhelming preference for natural grading,
- Interest in minimizing structural features like bulkheading,
- Accommodating extraordinary conditions for a limited number of lots with extreme elevation chgs

And that a more natural approach to landscaping and grading of lots in addition to the ability to control stormwater was reasonable and in the public interest. The motion passed 4 - 1 with Comr. Sanders casting the NO vote. It was Board consensus that staff develop a Special Use Permit process to bring back through the Planning Board - to the Board of Commissioners - consistent with the Board's earlier discussions.

**8.** Public Hearing - to consider the adoption of a resolution authorizing the Town to enter into an Installment Financing contract in an amount not to exceed \$1,200,000 to finance the acquisition of Real Property located at 105 W Seachase. The Board approved the associated Budget Amendment and adopted the three resolutions as follows:

- Authorizing staff to enter into Installment Financing contract in amount not to exceed \$1,200,000
- Authorizing filing an application to Local Government Commission for finance agreement approval
- Authorizing reimbursement of the cost of the expenditures

**9.** Update from Planning Director - Planning Director Kelly Wyatt highlighted items from her report.

Board members commented: They congratulated staff on the improved Community Rating Service of Class 5 which they asked to be advertised in a public service announcement; Include the importance of maintaining flood insurance; Make sure the tree preservation ordinance has legal counsel; Include information re: why the Town has an ordinance limiting tree removal in certain districts; Staff was thanked for the planning and preparation done for the very successful Dowdy Park markets.

**10.** From Nov 3<sup>rd</sup> Board meeting - It was Board consensus that staff pare down the proposed ordinance amending Chapter 42 of the Town Code re: electric assist vehicles on multi-use pedestrian paths, making it more simple and easier from an enforcement standpoint - to return for Board review and consideration at an upcoming meeting.

**11.** From Nov 3<sup>rd</sup> Board meeting - Update on sidewalk/crosswalk projects - The Board awarded Hatchell Concrete the contract in an amount not to exceed \$67,600; approved the Budget Amendment allocating the funds; and authorized the Town Manager to execute the contract.

**12.** From Nov 3<sup>rd</sup> Board meeting - Report on NCDOT Traffic Studies from Public Services Director Eric Claussen as follows:

Gray Eagle onto US 158 - A review of Gray Eagle onto US 158 did meet the required volume/number of vehicles but the low number of crashes did not meet the criteria for a traffic signal. He said that the Town can request a banana island to prohibit left turn movement in that area making that area around Sugar Creek Condos safer. The Board passed a motion that, where Gray Eagle intersects with US 158, it become Right Turn only with the appropriate signage.

NC 12/S Old Oregon Inlet Road (SOOIR) - Minor modifications are needed to better delineate movement off of NC 12 turning onto S Old Oregon Inlet Road; Signage, striping and minor geometrical changes are being reviewed. This includes a banana island which can force a Right Turn Only off of SOOIR onto NC 12. Removal of one of the crosswalks and associated signage would also make a safer intersection; Director Claussen would be working with NCDOT on this which includes a raised crosswalk.

Pedestrian crossing at NC12/Seachase Drive - A solar powered pedestrian activated crossing unit is being worked on by NCDOT in the area of the NC 12 / Seachase Drive intersection.

Pedestrian features on the Beach Road - Director Claussen reported that NCDOT has committed to installing advanced crosswalk signs and triangular striping in five separate locations on the Beach Road.

Speed limit change in the Village - The Board unanimously passed a motion to amend the Traffic Control Map reducing the speed limit from 25 MPH to 20 MPH on both Baymeadow and Links Drives.

Signal timing on US158 from side streets - Director Claussen updated the Board on discussions with NCDOT re: incorrect traffic signal timing. He indicated that NCDOT has installed a newer technology traffic responsive software system on US 158 and is now awaiting a software update.

Board members endorsed Director Claussen's recommendations and requested updates.

**13.** Committee reports - Gov-ED/Current TV Channel - Comr. Renée Cahoon reported that the new Gov-Ed Channel Manager has been hired and is expected to start work in Jan 2022.

**14.** Appointment - The Board passed a motion to nominate Mayor Pro Tem Siers as the primary appointee to represent the Town on the Dare County Tourism Board. It was Board consensus to include two other names as requested by Dare County: Mayor Cahoon and Comr. Brinkley.

**15.** Appointment - The Board appointed Comr. Sanders to the Estuarine Shoreline Management Plan Advisory Committee.

**16.** Beach Nourishment Project Update - A recent Federal court ruling re: water quality certification has impacted permitting for the 2022 Post-Dorian Beach Nourishment Project. Staff has reached out to the recommended contractor requesting that they extend the terms of their bid while the issue is being resolved and they were agreeable. Engineer Ryan is to continue to provide updates to the Board.

**17.** Town Attorney - Attorney Leidy stated that he would like to add an additional Closed Session pertaining to preserving attorney/client privilege and the Baltic Street building litigation.

**18.** Town Attorney - Attorney Leidy congratulated Comr. Sanders and welcomed him to the Board.

**19.** Comr. Brinkley - He congratulated Mayor Cahoon, Mayor Pro Tem Siers, and Comr. Sanders on their success in the recent election, he indicated that he is looking forward to working with Comr. Sanders.

**20.** Comr. Renée Cahoon - Comr. Renée Cahoon welcomed Comr. Sanders to the Board.

**21.** Mayor Pro Tem Siers - Mayor Pro Tem Siers congratulated both Comr. Sanders and Mayor Cahoon on their recent election wins; he also congratulated Ms. Wyatt on her promotion to Planning Director.

**22.** Mayor Cahoon - Mayor Cahoon congratulated those who won in the recent election and he welcomed Comr. Sanders to the Board.

- 23.** Mayor Cahoon - The Board awarded bonuses of \$150 to full-time and \$75 to part-time employees.
- 24.** Mayor Cahoon - Mayor Cahoon reported that he would be representing the Town at a conference, conducted by flood management experts, at the Netherlands Embassy in Washington, DC in Jan 2022. Since the Town is recognized for its flood mitigation and stormwater management efforts, he and Town Engineer David Ryan remotely attended a similar conference earlier this year where Engineer Ryan gave a presentation that was well received.
- 25.** Mayor Cahoon - Town Manager Garman indicated that a brief Dec mid-month meeting may be requested for review and approval of two project scopes of service and associated contracts: Old Nags Head Cove watermain replacement and the Public Works Master Plan projects.
- 26.** Mayor Cahoon - It was Board consensus to schedule a Workshop/Mini-Retreat for Jan 26, 2022 at 9 am to include attendance by Attorney Leidy for discussion of the Public Works Master Plan and employee housing.
- 27.** Closed Session - The Board entered Closed Session to confer with the Town Attorney to preserve attorney/client privilege related to Baltic Street and other litigation matters. The time was 12:11 p.m.
- 28.** Open Session - The Board re-entered Open Session at 12:44 p.m.
- 29.** Adjournment - The Board recessed to Dec 15<sup>th</sup> at 9 am - The time was 12:45 p.m.