



BOC ACTIONS
REGULAR MEETING
WEDNESDAY, JULY 6, 2022

1. Call to order - Mayor Cahoon called the meeting to order at 9:02 am.
2. Adoption of agenda – the July 6th agenda was approved as presented.
3. Recognition

NEW EMPLOYEES - The below employees were introduced by their Department Heads and welcomed by the Board to Town employment:

- Public Services Director Nancy Carawan introduced Sanitation Equipment Operator Bryon Mullis.
- Dep. Fire Chief Shane Hite introduced Firefighter/EMT Noah Parsons.
- Planning and Development Director Kelly Wyatt introduced Planner Kelly Brady.

FIVE YEARS OF SERVICE - Public Services Director Nancy Carawan introduced Sanitation Superintendent Eddie Williams who was congratulated by the Board for 5 years of service.

TEN YEARS OF SERVICE - Dep. Fire Chief Shane Hite introduced Fire Lieutenant Evan Zadd who was congratulated by the Board for 10 years of service.

TWENTY YEARS OF SERVICE - Planning and Development Director Kelly Wyatt introduced Permit Specialist Kim Thompson who was congratulated by the Board for 20 years of service.

4. Consent Agenda - The Consent Agenda was approved as presented and consisted of the following:
 - Consideration of Budget Amendment #1 to FY 22/23 Budget
 - Consideration of Tax Adjustment Report
 - Approval of minutes
 - Consideration of Business License and Registration Fee debt release
 - Consideration of modification to CFS to add rental/use of dumpsters
 - Consideration of resolution authorizing higher federal micro-purchase thresholds
 - Consideration of resolution to request State assistance for preliminary feasibility study of a Water Resources Development Project (Ground Water and Water Quality Data Loggers
 - Consideration of grant applications: Coastal Storm Damage Mitigation Grant - and - NC Land & Water Funds Flood Risk Reduction Program Grant (Letter of Interest)
 - Request for Public Hearing to consider Site Plan Review for Special Use Permit submitted by Albemarle & Associates, Ltd. on behalf of BK Associates, for the construction of a three-story mixed-use structure (office and residential).
 - Request for Public Hearing to consider text amendment to the Unified Development Ordinance submitted by George E. Goodrich to modify the maximum allowable gross floor area within each unit of a conforming Cottage Court and increase the allowable stories.

- Consideration of resolution authorizing litigation to confirm and if necessary, condemn beach nourishment easements

5. Outer Banks Visitors Bureau Board Chair, Tim Cafferty, and Executive Director, Lee Nettles, presented a slide presentation outlining the conceptual plan for the Soundside Event site. The intention of the event/civic center is to support year-round tourism, such as basketball, pickle ball, cheerleading and wrestling tournaments as well as concerts. They noted the plan will need various permits, zoning, and variance amendment approvals from the town before breaking ground. Mr. Nettles stated comments on this project could be emailed to information@outerbanks.org or call 252-473-2138.

6. Public Comment – no one present spoke during Public Comment.

7. Planning Director – The monthly Planning Director’s report was presented to the Board.

8. Committee Reports

Comr. Kevin Brinkley - Jennette’s Pier Advisory Committee will meet on August 2nd.

Mayor Cahoon – does not maintain a committee but attends the local mayor’s lunch and other events on behalf of the town. He took this opportunity to report on the following:

- The plan for repaving Hwy 158 - NC DOT indicated that two contractors would perform the work with each having 18 months to complete their share of the project. Mayor Cahoon reached out to our representatives in Raleigh to see if the work could be combined into a single contract. As the session ended, the representatives did not get answers from NC DOT. The mayor asked Town Manger Garman to reach out to NC DOT to invite them to a future Board meeting for further discussion of the repaving project.

- Mayor Cahoon reached out to Dare County Board of Commissioners Chairman, Bob Woodard, to request payment on the town’s share of the Soundside Event site. A response is expected soon.

- The mayor recently attended the American Flood Coalition Summit in Washington, DC and discussed how he was able to observe how some communities have worked together to build coalitions to help with their resiliency and flood planning. At a recent mayor’s lunch, Mayor Cahoon mentioned this topic with the other mayors and cited how each municipality could share information and potentially share the cost of grant writers. Fellow mayors were receptive to working together.

- Comr. Renée Cahoon asked the Mayor to follow up on the state’s budget regarding a portion of NC Sales Tax going to NC DOT. She requested that he ask if any funds would be going into our region’s budget since our funds went to urban areas in the past budget, as these funds could help with Hwy 158.

9. Update on Shoreline Management Plan – Dep Planning Director Kate Jones provided a slide presentation to the Board on this plan which was well received.

10. Beach Driving Town Code Amendment – Dep. Town Manager Amy Miller presented the amended beach driving ordinance. The amended ordinance raises the beach driving permit fee to \$100 for non-residents and \$50 for residents/property owners; it also removes reference to the reciprocal agreement with the Town of Kill Devil Hills. The Board requested to make the following changes to the ordinance: 1) in *Sec. 8-83 c* instead of referencing “Town” change to “Nags Head”; 2) in *Sec. 8-85 e* insert the detailed fee information for residents/property owners and non-residents. The Board unanimously approved the motion to adopt these changes.

Staff was directed to install additional signage on the beach regarding the town's limit at Eighth Street for driving on the beach in Nags Head; change the design/shape/color of the vehicle decal for easier distinction; change the beach driving signs located at town entrances to read *Nags Head Town Permit*.

11. Consideration of award of Disaster Debris Removal agreement – Town Manager Garman provided a brief update on this item noting that Engineer David Ryan hopefully will be finished with a pre-construction meeting for the Public Service Complex. After some discussion on the debris removal process/agreement, the Board approved tabling this item to after closed session in the meeting with hopes that Mr. Ryan would be in attendance.

12. Consideration of modifications to Public Services/Water - Pay Plan/Organizational Chart - Town Manager Garman provided a report and requested approval on the changes to the Public Services/Water - Pay Plan/Organizational Charts. The Board approved all changes as presented.

13. Discussion of Nags Header and Lightkeeper Award Process - Town Manager Garman provided a report on these awards with exception to naming John and Annette Ratzenberger as Lightkeepers recently, the awards for both accreditations have not been consistently awarded in the past few years. It was Board consensus to approve the process for these awards as presented.

14. Town Manager – Project Updates

- Upcoming Beach Nourishment Project – Engineer David Ryan gave a presentation update on this project which is scheduled to begin within the next two weeks. Comr. Renée Cahoon requested that information regarding the project be posted on the town's front page of the website.

- Sanitation Cart Rollback Process – Town Manager Garman stated that hiring an outside contractor has proven to be effective. The beach road looks the best it has in years.

Mr. Garman commended Engineer Ryan for his insight into having the multi-use path repaired in South Nags Head while the concrete contractor was already in town performing other work. David Perry, Water Operations Supervisor was also commended for creating a comprehensive report of the areas of the path that needed repairs.

- Request for OBVB/DCTB lifeguard funding – Dep. Town Manager Miller reported that she recently spoke with Diane Bognich, DC Tourism Board Grant Coordinator, concerning a possible grant for lifeguard salaries since the tourist season is extending further into the year. Ms. Bognich agreed to present our request to the DCTB Steering Committee. Comr. Renée Cahoon suggested asking other towns if they would be interested in this as a coordinated effort.

15. Comr. Renée Cahoon

- Discussion of lack of doctors in Dare County – Board members all agreed that the Outer Banks Hospital's decision to not fill the local doctor positions at the Medical Center in Manteo leaving almost 3,000 people without medical care was unacceptable. It was Board consensus to endorse a collaborative effort with other towns and the county have the lack of medical care in Dare County addressed.

- Update on Stormwater Maintenance – Town Manager Garman explained that a maintenance plan has been implemented and conducted within the zones at least twice a year. Public Services Stormwater Crew Leader, Bobby Hooper, has been proactive in making sure the drain ditches are cleaned and draining properly. Pre-storm efforts are conducted; coordination with NC DOT to assure the outfalls operate properly; aquatic weed spraying twice a year; and frequently checking the "choke point areas" to correct issues.

- Discussion of crosswalk safety – It was Board consensus that pedestrian crosswalk safety is a serious issue as drivers do not always stop for pedestrians, as well as pedestrians do not do their part in being safe. Police Chief Webster provided a report on what his department and the Pedestrian Coalition are doing to bring awareness.

16. Comr. Kevin Brinkley thanked Public Services, Fire, and Police for their work in preparation of, during and after the July 4th fireworks event. He received a lot of positive feedback.

17. Comr. Kevin Brinkley reiterated how to comment on the Soundside Event/Civic Center - information@outerbanks.org; call 252-473-2138; <https://www.outerbanks.org/partners/event-center-faq-and-support/>

18. Closed Session – The Board entered Closed Session to consult with the Town Attorney re: pending litigation updates, and other issues within attorney/client privilege at 11:48 am p.m. The Board re-entered Open Session at 12:20 p.m.

19. Continuation of the Disaster Debris Removal agreement discussion – Engineer Ryan provided further information on the low bid contractor TFR Enterprises, Inc. (Leander, TX). After some discussion, it was Board consensus to table this item to the mid-month July 20, 2022 BOC meeting and direct staff to provide a copy of the proposed contract, follow-up with references for TFR Enterprises, Inc., and procedures from the State during hours prior to the first 48-hours.

20. Adjournment – The Board recessed to the July 20, 2022 Recessed Session. The time was 12:40 p.m.