



AGENDA

**TOWN OF NAGS HEAD BOARD OF COMMISSIONERS
NAGS HEAD MUNICIPAL COMPLEX - BOARD ROOM
TUESDAY, MAY 21ST, 2024, 10:30 A.M.
Recessed Session**

A. CALL TO ORDER / MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE

B. ADOPTION OF AGENDA

C. RECOGNITION

1. Recognition
PROCLAMATION – National Public Works Week - May 19 – 25, 2024

Documents:

[5 MM C RECOGNITION SUMMARY.PDF](#)
[5 MM C RECOGNITION PUBLIC WORKS WEEK PROC.PDF](#)

D. PUBLIC COMMENT

E. CONSENT AGENDA

1. Consideration Of Updates To
Use of Town Parks Policy and Use of Dowdy Park Policy to incorporate recently adopted balloon release ordinance and housekeeping items.

Documents:

[5 MM E1 USE OF PARK REV FOR BALLOONS SUMMARY.PDF](#)
[5 MM E1 USE OF TOWN PARK POLICY RED-LINED.PDF](#)
[5 MM E1 USE OF DOWDY PARK POLICY RED-LINED.PDF](#)

2. Consideration Of Resolution In Support Of
NC Resilient Coastal Communities Program Grant Application 2024 - 2025

Documents:

[5 MM E2 RCCP SUMMARY.PDF](#)
[5 MM E2 RCCP GRANT RES.PDF](#)
[5 MM E2 RCCP PHASE 3 GRANT APPLICATION.PDF](#)

F. ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN ATTORNEY

G. ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN MANAGER

H. BOARD OF COMMISSIONERS AGENDA

I. MAYOR'S AGENDA

J. CLOSED SESSIONS

1. Mayor Cahoon-Request For Closed Session To Consider Applications received for Nags Head Lightkeeper and Nags Header awards pursuant to GS 143-318.11(a)(2)

Documents:

[5 MM J1 RCS AWARDS SUMMARY.PDF](#)

K. OTHER BUSINESS

L. ADJOURNMENT

1. Adjournment
Recess to: - FY 24/25 Budget Workshop
[FY 24/25 RECOMMENDED BUDGET](#)
- Ribbon Cutting at New Epstein Bathhouse

5401 S. Croatan Hwy, Nags Head, NC 27959
252-441-5508

Agenda Item Summary Sheet



Item No: C
Meeting Date: May 21, 2024

Item Title: Recognition

Item Summary:

Recognition at the May 21st Board of Commissioners meeting includes the following:

PROCLAMATION – National Public Works Week - May 19 – 25, 2024
(Please see attached proclamation.)

Number of Attachments: 1

Specific Action Requested:

Provided for Board recognition.

Submitted By: Administration

Date: May 17, 2024

Finance Officer Comment:

N/A

Signature: Amy Miller

Date: May 17, 2024

Town Attorney Comment:

N/A

Signature: John Leidy

Date: May 17, 2024

Town Manager Comment and/or Recommendation:

Thank you Nags Head Public Services!

Signature: Andy Garman

Date: May 17, 2024



**Proclamation
National Public Works Week
"Advancing Quality of Life For All"**

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of Nags Head; AND

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are responsible for rebuilding, improving, and protecting our town's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; AND

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in Nags Head to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; AND

WHEREAS, the year 2024 marks the 64th annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE BE IT RESOLVED THAT, the Nags Head Board of Commissioners do hereby designate the week May 19–25, 2024, as National Public Works Week, and further extends its appreciation to our public services department for the vital services they perform. We encourage all citizens to thank and celebrate our public services employees and to recognize the substantial contributions they make to protecting our health, safety, and quality of life and for making Nags Head a great place to live, work, and visit.

This the 21st day of May 2024.

Benjamin Cahoon, Mayor
Town of Nags Head

ATTEST

Carolyn F. Morris, Town Clerk



Agenda Item Summary Sheet

Item No: **E-1**
Meeting Date: **May 21, 2024**

Item Title: Consideration of revised *Use of Town Parks* policy and *Use of Dowdy Park* policy

Item Summary:

At the May 21st Board of Commissioners meeting, staff requests that the below additions/modifications to the *Use of Town Parks* and *Use of Dowdy Park* policies be approved.

Adding the prohibition of ballons being released in the parks and housekeeping items.

The *Use of Town Parks* policy and *Use of Dowdy Park* policy is attached for review.

Number of Attachments: 2

Specific Action Requested:

Request approval.

Submitted By: Administration

Date: May 6, 2024

Finance Officer Comment:

Signature: Amy Miller

Date: May 6, 2024

Town Attorney Comment:

Signature: John Leidy

Date: May 6, 2024

Town Manager Comment and/or Recommendation:

I concur with these policy modifications.

Signature: Andy Garman

Date: May 6, 2024



Town of Nags Head
Post Office Box 99
Nags Head, NC 27959
Telephone 252-441-5508
Fax 252-441-0776
www.nagsheadnc.gov

Board of Commissioners Policy

Use of Town Parks

Adopted: May 3, 2006
Revised: April 5, 2017; August 3, 2022; May 21, 2024

Facilities covered

- *Town Park* located at 415 Health Center Dr.
- *Harvey Sound Access Site* located at 6912 S. Croatan Hwy.
- *Whalebone Park* located at 7300 S. Va. Dare Trail

Principles of use

- The Town has priority in the use of the Parks and reserves the right to cancel the non-Town use of these facilities.
- The Town expects users to respect the Parks and to leave them in good condition, clean and ready for use when they leave.
- There is to be no alcohol at the Parks, except as otherwise permitted as part of a Town authorized event.
- Smoking or use of tobacco products are strictly prohibited.
- To ensure the security of the Parks, they may only be used during daylight hours. Park hours are 6 am – 9 pm.
- Grills are not to be used under any pavilion or structure.
- At Town Park and the Harvey Sound Access, reservations guarantee the use of the pavilion and grills only. The restrooms, playground area, soccer field area and sound access area will remain open for public use. No other facilities may be reserved at any of the parks.
- At Town Park, staking of equipment in the soccer field, i.e., tents, soccer goals is are prohibited; equipment must be weighted to prevent damage to irrigation lines.
- Pyrotechnic devices (fireworks) are prohibited unless part of a town-authorized event.
- Pets must be on a leash at all times. Owners must clean up after pets.

- Balloons are prohibited from being released in any of the parks.
- The Town will provide electricity to users of the reserved facilities upon request. Available power consists of one ground-fault interrupter receptacle on a stand-alone 15-amp circuit (there are two double outlets controlled by one GFIR on a 20-amp circuit at the Harvey Site). There will be a \$5.00 non-refundable charge for providing electricity to facility users.
- *These facilities are not intended to accommodate large groups for weddings or receptions. ~~The~~ Therefore parks cannot be reserved for weddings or receptions. This ~~would~~ does not prohibit weddings/receptions. ~~They simply cannot be reserved.~~ However, no portion of the park may be restricted for use by members of the public not associated with an event being held at one of the parks.*

Priority of use

- Town of Nags Head Board of Commissioners.
- Town Boards and Committees.
- Town staff.
- Non-Town related individuals and groups with reservations and other non-Town related individuals and groups.

Approval, scheduling, and associated issues

- Groups not associated with the Town may reserve a Park up to 60 days in advance of the use date. Reservations require a \$50 deposit, which will be refunded after the event, provided the Park was left in good order.
- No "for profit" uses will be permitted at any of the facilities covered by this policy.
- The Town Manager or their designee must approve all reservations.
- The Manager's decision may be appealed to the Board of Commissioners at their next regularly scheduled meeting.



Town of Nags Head

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Nags Head, North Carolina 27959
Telephone 252-441-5508
Fax 252-441-0776
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Use of Dowdy Park Policy

Board of Commissioners Policy
(Updated August 2, 2017)
(Amended July 5, 2018); May 21, 2024

Dowdy Park located at 3005 S. Croatan Highway

- At this time, a reservation for private events, such as birthday parties, is not required.
- The Town expects users to respect the park and to leave it in good condition, clean and ready for use when they leave.
- There is to be no alcohol at the park, except as otherwise permitted as part of a Town authorized event.
- Hours of operation. The park shall be open daily from 6 am to 9 pm.
- Open fires/grills are not to be used under any pavilion or structure; open fires shall be limited to permanently installed grill facilities.
- Firearms/fireworks (including sparklers) are prohibited within the park.
- Pets must be on a leash at all times. Owners must clean up after pets.
- Tobacco products. The use of cigarettes, cigars, or similar products is prohibited.
- Damage to town property. It shall be unlawful for any person to damage town property, including, but not limited to, defacement of property with graffiti, damaging furniture or fixtures, or damaging trees or vegetation within the park.
- Bicycles/rollerblades/skateboards/scooters. The use of bicycles, rollerblades, ~~skateboards~~, scooters and similar apparatus is strictly limited to the sidewalks and walkways within the parks. Use of bicycles, rollerblades, ~~skateboards~~, scooters and similar apparatus on playground equipment, play dunes, or on the lawn areas is strictly prohibited. Use of skateboards at Dowdy Park shall be prohibited.
- ~~Children.~~ Children under the age of 12 shall be under the supervision of an adult who is physically present within the park.
- Balloons are prohibited from being released within the park.

Approval, scheduling, and use of Dowdy Park Organizations, groups, or private individuals who wish to schedule an event or activity at Dowdy Park may do so only in accordance with the following terms and conditions:

- If the activity is anticipated to draw more than 100 participants, the person responsible for the activity must obtain a Crowd Gathering Permit from the town. This policy shall not apply to town sponsored events. The town shall maintain priority of use for the park over non-town related individuals or groups.
- The event or activity must be free and open to the public.
- The person responsible for the activity must complete an activity request form with the town a minimum of 30 days prior to the requested date. The town may advertise the activity to the general public.
- Organizations, groups, or private individuals may not have more than one scheduled activity in any 30-day period.
- Unless approved as part of a Crowd Gathering Permit, no organization, group, or individual shall post signage, sell products or services, solicit business, or otherwise advertise within the park.
- Designated freedom of speech area. The south side of the park may be used for this purpose. It shall not conflict with a scheduled event.

- No portion of the park may be reserved or restricted for use by other members of the general public not associated with the scheduled activity.
- Weddings. The park shall not be reserved for weddings. Weddings are not prohibited; however, no portion of the park shall be closed to accommodate the event.
- The use of additional equipment, including, but not limited to, chairs, tables, tents, cooking devices, sound-amplifying devices, and the like is strictly prohibited.
- Tents, umbrellas. The erection of tents, umbrellas, or similar products not associated with an approved activity is prohibited within the parks. When approved by the town as part of a scheduled activity, tents shall be secured with sandbags or weights. No stakes shall be used in lawn areas.



Agenda Item Summary Sheet

Item No: **E-2**
Meeting Date: **May 21, 2024**

Item Title: Discussion of resolution in support of NC Resilient Coastal Communities Program Grant Application 2024-2025

Item Summary:

Nags Head has participated in Phases 1 and 2 of the N.C. Resilient Coastal Communities Program (RCCP). This grant application is for Phase 3, engineering and design. In the grant application we are asking for \$60,000, or a 10% match of the National Fish and Wildlife Foundation National Coastal Resilience Fund (NFWF NCR) grant request of \$600,000. This would eliminate the local match from the CIF in the FY 24/25 Recommended Budget that we had proposed towards the NFWF NCR project. Both the RCCP and NFWF NCR grants are for design of two Estuarine Shoreline Master Plan pilot sites located at Nags Head Woods Preserve & Villa Dunes Drive and West Soundside Road. These projects are included in Recommended FY 24/25 CIP. Board approval is a requirement per the RCCP grant application, which is due May 31.

Number of Attachments: 2

Specific Action Requested:

Approval of resolution and grant application.

Submitted By: Planning and Development

Date: May 17, 2024

Finance Officer Comment:

This is a budgetary benefit as it would eliminate our local portion of the NFWF NCR grant match.

Signature: Amy Miller

Date: May 17, 2024

Town Attorney Comment:

N/A

Signature: John Leidy

Date: May 17, 2024

Town Manager Comment and/or Recommendation:

This request implements recommendations from the town's estuarine shoreline management and CIP. It also preserves funding in the CIF for other uses.

Signature: Andy Garman

Date: May 17, 2024



**RESOLUTION IN SUPPORT OF THE 2024-2025 NORTH CAROLINA RESILIENT COASTAL COMMUNITIES PROGRAM (RCCP) PHASE 3 GRANT APPLICATION
DESIGNING LIVING SHORELINES IN THE ROANOKE SOUND**

WHEREAS, the Town has an adopted Estuarine Shoreline Management Plan and is seeking grant funding to implement recommended nature-based solutions; and

WHEREAS, the Town has participated in Phases 1 and 2 of the NC Resilient Coastal Communities Program (RCCP); and

WHEREAS, the Town is in favor of Phase 3 grant funding from the NC Resilient Coastal Communities Program (RCCP) to support the Town's estuarine shoreline project; and

WHEREAS, the Town is committed to working towards solutions and techniques to address the ongoing shoreline erosion within the estuarine shoreline area ; and

WHEREAS, the Town is working to ensure the success of a living shoreline project.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF NAGS HEAD:

1. That the Town of Nags Head supports implementing nature-based estuarine shoreline projects as an integrated approach to resiliency; and
2. That the Town of Nags Head supports designing a living shoreline that can serve as an important model for other North Carolina coastal communities to manage and restore their shorelines.
3. That the Town of Nags Head Board of Commissioners fully supports the proposal to apply for a Phase 3 RCCP grant to provide necessary resources to the town to complete several estuarine shoreline stabilization and enhancement projects.

Adopted this the 21st day of May 2024.

Benjamin Cahoon, Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk



NORTH CAROLINA RESILIENT COASTAL COMMUNITIES PROGRAM
PHASE 3 APPLICATION 2024-2025

Applicant Name: _____ Federal ID Number: 56-_____

Project Name: _____

Brief Project Description:

Project Administrator Name: _____ Title: _____ Address: _____ City, State, Zip: _____ Telephone: _____ Email: _____	Lead Elected Official Name: _____ Title: _____ Address: _____ City, State, Zip: _____
Costs rounded to nearest dollar: Grant funds requested: \$ _____ .00 Local government's matching funds: \$ _____ .00 Cash Match: \$ _____ .00 In-kind Match: \$ _____ .00 Total cost of project: \$ _____ .00	Project Type <input type="checkbox"/> Engineering & Design <input type="checkbox"/> Development of Ordinances or Policies to further your resiliency
Local Government Approval: Each grant application must be reviewed and approved by the local governing board at a duly advertised public hearing or meeting. Provide a memorandum resolution, or copy of the minutes indicating the board's action on the application. <p style="text-align: center;">Date of Public Hearing or Public Meeting:</p>	

Certification

I hereby certify the information contained in the attached application is true and correct and the required matching funds will be available during the project period.

Print or Type Name Title Signature

North Carolina

**RESILIENT
COASTAL
COMMUNITIES
PROGRAM**



Phase 3 Application 2024-2025

A. Project Details: RCCP communities; this information was identified in your Resilience Strategy (see [RCCP Planning Handbook](#), pg. 49)

1. Project Name: _____

2. Project Summary (provide a concise summary of the work to be done, including why the project is necessary)

3. Hazards addressed by the project:

4. Potential Funding Sources

5. Potential project partners:

6. Projected estimated timeline: _____

7. Priority rating (High, Medium, or Low):

8. Project Map (attach to your application):  



Resilience Strategy Matrix

If you did not participate in Phases 1 and 2 of the RCCP, please provide documentation showing how you meet the requirements by linking where these strategies are met in your specific documents. **If you participated in Phases 1 and 2 of the RCCP this matrix is not required.**

Resilience Strategy Requirements	Documentation showing you meet the Resilience Strategy requirement
Community Resilience Vision & Goals Any community goals/vision that have a focus on building resilience. These may be found in existing plans or ordinances.	<i>Insert document(s) name and page #'s and link if available</i>
Community Action Team Planning Board, Floodplain Management Committee Members, or any community group that has met on multiple occasions to discuss the community's vision/goals towards resilience.	
Stakeholder Engagement Strategy A document that details how you communicate with your community, especially any vulnerable populations (via Town Meetings, email distribution lists, informational brochures, and webpages, etc.)	
Review of Existing Plans and Efforts You have reviewed existing planning documents (Land Use Plan, Hazard Mitigation Plan, Capital Improvement Plans etc.) and are familiar with your existing plans and ongoing efforts.	
Risk & Vulnerability Assessment Report You have access to data from your Regional Hazard Mitigation Plan or have had recent assessments conducted.	
Project Portfolio A list of potential projects that have been identified by staff and/or the community. These might be found within a Floodplain Management Plan, or Council minutes.	
Additional files These can include maps or any other pertinent documents.	



2024-2025 Phase 3 Project Budget

Lead Applicant _____ Project Name _____

This form below must be completed and included with your application. Round project costs to the dollar.

Local cash match contributions are not required and should only be included in the chart below if they are necessary to complete the project.

Project Elements		Requested Amount	Local Match	Total Cost
Item				
Outside Consultants				
Project Administration				
Mapping/GIS Expenses				
Addnl. Expense				
Addnl. Expense				
Addnl. Expense				
TOTAL				

Use the form below to show the sources of your matching funds. Indicate if these funds are currently available or yet to be approved. If funds are yet to be approved, list the date for approval. If applicable, provide additional narrative related to the match.

Type of Matching Funds (Local/State/Federal)	Amount	Funding Source	Availability
TOTAL			



Phase 3 Project Timeline

The project timeline establishes benchmarks during the project period to ensure timely completion. Progress monitoring occurs at 2-month intervals over the 12-month contract. We recognize that unexpected events may require adjustments to the timeline. The schedule is meant to be an aid for measuring the progress of the project and a guide to making adequate contract adjustments when necessary. Please list the tasks required under the task column and mark which period of the contract they will occur.

Task	1	2	3	4	5	6	7	8	9	10	11	12

Nags Head Woods Preserve & Villa Dunes Drive

Nags Head, NC

HEAVILY ERODED BANK AND HIGH HISTORICAL EROSION HISTORY. LIVING BREAKWATER POSITIONED TO ACCRETRE SAND BEING TRANSPORTED IN A NORTHERN DIRECTION.

Private Drive

Villa Dunes Drive

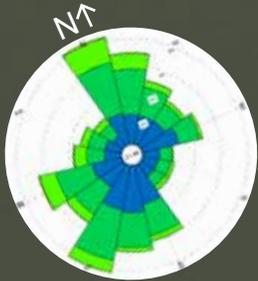
SECTION

Nags Head Shoreline (1949)

LIMITING INTERVENTIONS TO BEHIND BOATHOUSES/ BOARDWALK POINT TO REDUCE NAVIGABLE HAZARDS

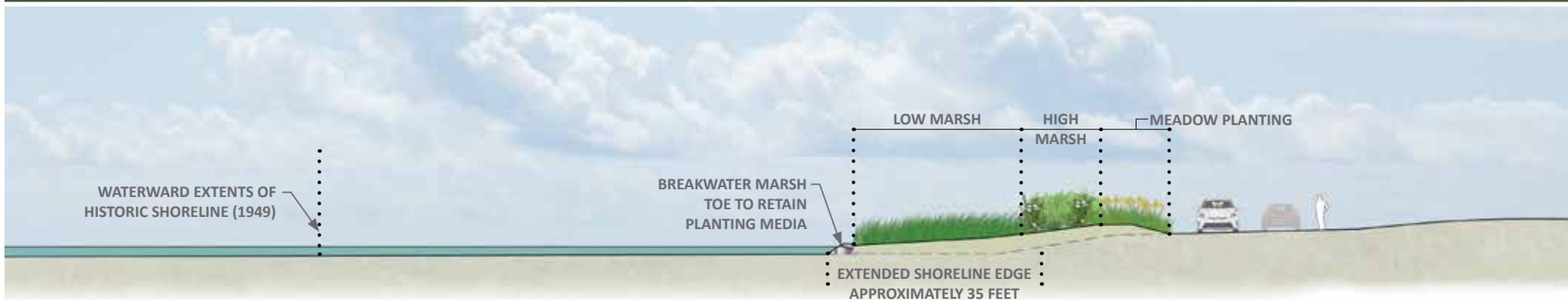
LIVING BREAKWATERS ORIENTED TO ENCOURAGE THE ACCRETION OF SUSPENDED SANDS MOVING NORTH. HARDENED WATERWARD EDGE PROTECTS BREAKWATER AND SHORELINE FROM WAVE DAMAGE.

Seasonal Sediment Movements North



West Soundside Road

Nags Head, NC





Agenda Item Summary Sheet

Item No: **J-1**
Meeting Date: **May 21, 2024**

Item Title: Mayor Cahoon – Request for Closed Session

Item Summary:

At the May 21st mid-month Board of Commissioners meeting, Mayor Cahoon will request a Closed Session to consider applications that have been received for the Nags Head Lightkeeper and the Nags Header Awards – pursuant to GS 143-318.11(a)(2).

It is anticipated that the award recipients will be honored at the June 5th Board of Commissioners meeting.

Number of Attachments: 0

Specific Action Requested:

Provided for Board discussion.

Submitted By: Administration

Date: May 9, 2024

Finance Officer Comment:

Minimal fiscal impact for the purchase of appropriate award plaques, etc.

Signature: Amy Miller

Date: May 9, 2024

Town Attorney Comment:

N/A

Signature: John Leidy

Date: May 9, 2024

Town Manager Comment and/or Recommendation:

N/A

Signature: Andy Garman

Date: May 9, 2024