



**DRAFT MINUTES**  
**TOWN OF NAGS HEAD**  
**BOARD OF COMMISSIONERS**  
**RECESSED MEETING**  
**WEDNESDAY, MARCH 20 2024**

The Nags Head Board of Commissioners met in the Board Room located at 5401 S Croatan Highway, Nags Head, North Carolina on Wednesday, March 20, 2024 at 9:00 a.m. for a Recessed Meeting.

Board members Present: Mayor Ben Cahoon; Comr. Kevin Brinkley; Comr. Bob Sanders; and Comr. Megan Lambert

Board members Absent: Mayor Pro Tem Michael Siers

Others present: Town Manager Andy Garman; Town Attorney John Leidy; Amy Miller; Karen Snyder; Dep Town Clerk Brittany Phillips; Public Services Director Nancy Carawan; Police Chief Perry Hale; former Comr. Susie Walters; and TFC Rep, Victoria Norcini

**CALL TO ORDER**

Mayor Cahoon called the meeting to order at 9:01 a.m. A moment of silence acknowledging the passing of former Town employee, Robert "Murph" Issacs, Jr., was followed by the Pledge of Allegiance.

**ADOPTION OF AGENDA**

MOTION: Comr. Brinkley moved to approve the March 20<sup>th</sup> meeting agenda as presented. The motion was seconded by Comr. Sanders and passed unanimously. (Mayor Pro Tem Siers was excused.)

**PUBLIC COMMENT**

Attorney Leidy opened Public Comment at 9:03 a.m.

Susie Walters; Nags Head resident; requested that the Board re-analyze their strategic goals, the adopted and approved land-use plan, and the community expectations to budget and subsidize the Town recycling service.

There being no one else present who wished to speak, Attorney Leidy closed the Public Comment period at 09:05 a.m.

Mayor Cahoon acknowledged the following email comments from Nags Head residents Mike Anzalone and Diane Wehner regarding the recycling service contract, which read in part as follows:

From Mike Anzalone: "Sir I am with you on recycling. After watching the town mtg we also only put our recycling out twice per month, not each week and I was already wondering if wanted to keep this going since paying \$124/year for it. If they are going to increase the cost I might just drop recycling. While I'd hate to do

that I'm already wondering if I want to keep paying \$124/year. At \$150+ per year for something we use about 12-20 times per year I'm not sure I'd continue to do recycling."

From Diane Wehner: "I will not be able to attend the commissioners meeting on Wednesday, but I do want to express that I believe recycling is an important Town service. I would be happy to forgo two weekly trash pickups for the Town to continue subsidizing and/or offer recycling to the entire community. Thanks for all you do."

### **OLD BUSINESS/ITEMS TABLED FROM PREVIOUS MEETINGS**

From the March 6<sup>th</sup> Board Meeting - Consideration of revised Residential Recycling Contract and Town subsidy

The summary sheet read in part as follows:

"At its March regular meeting, the Board discussed a proposal by Tidewater Fibre Corp (TFC) recycling to continue with a subscription-based recycling service for the Town at a rate of \$19.85 per month. The current rate is \$15.33 per month. Therefore, the new proposal would increase the monthly cost by \$4.52 per month. Recognizing that the proposal represents a significant cost increase to the subscriber, the Board requested that staff determine whether the service could be offered twice a month rather than once a week. The Board also requested that staff negotiate the monthly rate.

"TFC has stated that service can be offered twice a month for a rate of \$15.58 per month. However, it is "all or nothing," meaning that the entire town must be serviced either weekly or bi-weekly in any given month. Additionally, if extra pickups are needed during bi-weekly months, for example if there was a holiday, then that month would be charged as weekly recycling, \$19.85. The Town of Duck currently contracts with TFC to provide weekly town-wide recycling service from May 1 to October 31 and bi-weekly service the rest of the year. If the Town were to select bi-weekly service for the same period of time, subscribers would save \$25.62 over a six-month period; however, they would lose 12 days of service.

"TFC did not agree to lower the rate provided in the original proposal for once-a-week service.

"Taking price point into consideration with the "all or nothing" approach, staff recommends approving the contract with TFC for weekly, year-round recycling. Staff would also like the Board's direction on maintaining or increasing the current Town subsidized portion for those participating in the program. Staff has suggested increasing the subsidy from \$5 per month per subscriber to \$6.50 per month per subscriber.

"Staff would note that TFC's proposal would hold the price for two years, with a 7.5% escalation for the third year of the contract."

Mayor Cahoon relayed that Mayor Pro tem Siers is in favor of continuing the contract but not increasing the subsidy.

**MOTION:** Comr. Brinkley moved to approve the contract with TFC as recommended by staff including the increase of the monthly subsidy from \$5.00 to \$6.50 a month. Comr. Lambert seconded, and the motion passed unanimously. (Mayor Pro Tem Siers was excused.)

### **ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN ATTORNEY**

Attorney Leidy – had nothing to report.

### **ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN MANAGER**

Town Manager Garman – had nothing to report.

**BOARD OF COMMISSIONERS AGENDA**

Comr. Brinkley complemented the recent Nags Head Police Dept. social media campaign regarding stopping at red lights and the additional enforcement by our officers.

**MAYOR’S AGENDA**

Mayor Cahoon echoed Comr. Brinkley’s comment complementing the Nags Head Police Dept. Regarding the proposal on Ban Ballon Releases in NC presented during the March 6, 2024 public comment period, he would like to see the Town consider the possibility of banning ballon releases from Town Property and public beaches as a first step. Comr. Brinkley recommended handling through the crowd gathering permit process.

**CLOSED SESSION**

Request for Closed Session

MOTION: Mayor Cahoon moved to enter Closed Session to discuss possible acquisition of real property at 4222 S Croatan Hwy in accordance with GS 143-318.11(a)(5). The motion was seconded by Comr. Sanders and passed unanimously. The time was 09:20 a.m. (Mayor Pro Tem Siers was excused.)

**OPEN SESSION**

The Board re-entered Open Session at 10:24 a.m. Attorney Leidy reported that no actions were taken during closed session.

**ADJOURNMENT**

MOTION: Comr. Brinkley moved to adjourn. The motion was seconded by Comr. Lambert and passed unanimously. (Mayor Pro Tem Siers was excused.) The time was 10:25 a.m.

\_\_\_\_\_  
Brittany Phillips, Dep Town Clerk

Date Approved: \_\_\_\_\_

Mayor: \_\_\_\_\_  
Benjamin Cahoon