



**BOC ACTIONS  
WEDNESDAY, APRIL 3, 2024**

1. Call to order / Agenda - Mayor Cahoon called the meeting to order at 9 a.m. The April 3<sup>rd</sup> agenda was approved as presented.
2. Recognition
  - Facilities Maintenance Custodian William (Will) Jones was welcomed by the Board to Town employment.
  - Master Police Officer Alex Liverman was recognized by the Board for five years of service.
  - Fire Captain James Moseman was recognized by the Board for 20 years of service.
3. Proclamation – The Board declared April 2024 as Child Abuse Prevention Month as presented.
4. Public Comment

Public Comment – Bob Muller, Nags Head resident, spoke concerning three issues:

- Red light running; he thanked Police Chief Hale for his response to this issue which is still a constant issue that he witnesses every day; he suggested speaking to the District Attorney to make sure that people who receive tickets are not allowed to plead them down.
- Accessory Dwelling Units; this is on today's agenda; he spoke against them due to the increase in density, sanitation, parking, and wastewater concerns they would cause; continue working on the multi-family ordinance and make sure a rule is noted in the body of the ordinance, not the definition, for enforcement.
- He supports the rules, reinstated by the NC Coastal Resources Commission (CRC), surrounding Jockey's Ridge designating it as an Area of Environmental Concern (AEC); the rules which also affect significant coastal areas now go before the NC Rules Commission that meets on April 8<sup>th</sup>; the Town's email broadcast sent out yesterday addressed the issue and encouraged public comment; he thanked the Town.

Public Comment – Courtney Gallop, Nags Head resident; she spoke on behalf of and as a board member of the Dare County League of Women Voters (LWV) which is a non-partisan organization; she presented the 2024 annual Citizens Guide which is a comprehensive phone listing of Dare County; Ms. Gallop also thanked Police Chief Hale for helping with funeral processions when necessary for the Gallop Funeral Home.

5. Consent Agenda - The Board approved the Consent Agenda as presented which consisted of:

Budget Amendment #10 to FY 23/24 Budget

The Tax Adjustment Report

Approval of three sets of minutes

Ordinance changes to Chapter 30 *Solid Waste Management* and Franchise Agreement

Resolutions supporting conservation easements - Nags Head Woods / Soundside Event Site

Capital Project Ordinances, amendments #1 and #3 for the Public Services Complex

**Increase in the Dune Management Cost Share Program**

Change order to the Old Nags Head Place Stormwater Project

6. Public Hearing - Mayor Cahoon announced that the Public Hearing advertised for this meeting re: parking on septic systems will not be held and will be rescheduled after additional Planning Board review.

**7.** Public Hearing – to consider text amendments submitted by Albemarle & Associates, PE on behalf of Golasa Holdings, LLC to allow the long-term rental of units within existing hotels and motels – the Board adopted the ordinance with the additional verbiage providing for an audit to take place not less than annually and which can also be requested by the Town at any time for cause.

**8.** Update from Planning Director - Planning Director Kelly Wyatt summarized her monthly report which was well received by Board members. Comr. Brinkley confirmed that no additional costs are required for the Electric Vehicle charging stations – just a location of two parking spaces not near the Town's geothermal system.

**9.** Accessory Dwelling Units (ADU) - After discussion, it was Board consensus that additional research by staff be done re: the following:

- Survey what is out there re: existing nonconforming ADU's
- Poll existing ADU owners and what, if any, issues they have had
- Review available lots in terms of where they are, what size, and how many there are
- Review how to incentivize property owners to go from short-term to long-term rentals
- Obtain enforcement history from other towns that allow ADU's now

**10.** Hazard Mitigation Plan Update Committee – The Board appointed Comr. Megan Lambert and Planning Board member David Thompson to the Regional Hazard Mitigation Plan Update Committee.

**11.** Committee Reports

Comr. Brinkley - the Septic Health Advisory Committee meeting is being scheduled for April; Jennette's Pier update concerning wind turbines was forwarded to Board members; the first Town Multi-Family Ordinance Working Group meeting took place on March 25<sup>th</sup> with the next meeting scheduled for April 15<sup>th</sup>.

Mayor Pro Tem Siers – he attended the March 21<sup>st</sup> Dare County Tourism Board meeting; Manager Garman attended the Dare County Housing Task Force meeting and will be reporting on that today.

Comr. Lambert – the next Government Education Access Channel Committee mtg will take place end of April.

Mayor Cahoon – It was Board consensus that the Mayor send a letter to the NC Rules Commission on behalf of the Board re: Jockey's Ridge and the rules concerning the area of environmental concern (AEC). Mayor Cahoon also encouraged comments from the public to be forwarded to the Commission prior to their meeting on Monday, April 8<sup>th</sup>. The next CRC meeting is in Dare County on April 24-25 for anyone interested in attending.

**12.** Traffic Control Map amendment – The Board adopted the ordinance amending the Traffic Control Map re: *No Parking Between Signs – Tow Away Zone* on Oneto Lane and Gallery Row as presented.

**13.** Town Attorney - Mayor Cahoon confirmed with Attorney Leidy that the status of the lawsuit with the State re: local zoning regulations and affordable housing will be discussed in Closed Session.

**14.** Town Manager Garman - Town Engineer David Ryan provided an update on the new Public Services Facility construction: Final site work is in progress in the Admin Building – Both the Admin and the Water Distribution buildings have been energized. Occupation of the Admin Building is being targeted for the last week of April to be followed for the Water Distribution building within the first couple of weeks in May.

**15.** Town Manager Garman - Town Manager Garman provided the following update concerning the brush/bulk yard operations: Office space will be provided for the attendant to the brush/bulk yard; it will be easier for the public to utilize the yard; the site would be open five days/week instead of the current three days/week, to close on Wednesdays and be open on Saturdays. Manager Garman wanted to make sure the Board and the public were aware of the planned modifications to these operations.

**16.** Town Manager Garman – He provided an update on the meeting of the Dare County Housing Task Force, they adopted a mission statement, there is a dedicated page to this effort. Discussions about target

markets and what is trying to be accomplished; the group talked about the towns and what barriers might be in place and if legislative action is necessary. They also spoke of examples from Colorado; they have shared the Colorado information to everyone. The Chair is working to provide more structure for the meetings and may be hiring a consultant; the Task Force meets the third Tuesday of each month.

**17.** Mayor Cahoon – The Board passed a motion to appoint Mayor Cahoon to represent the Town as the NCLM Board of Directors Voting Delegate.

**18.** Comr. Brinkley – Contamination has occurred in the area of Buxton’s Old Lighthouse Beach at the site of the former Navy and Coast Guard Station. It was Board consensus that a letter be prepared on behalf of the Board requesting assistance from federal legislators.

**19.** Comr. Brinkley – He appreciated former Mayor Muller speaking concerning the red light running issue. He appreciates the Police Department’s strong enforcement of the law/violators and he thanked the Police Dept Administrative Assistant for providing information concerning this issue on social media. He also noted that unless things have changed since he was a member of law enforcement, in Administrative Court/Traffic Court proceedings, officers would be unable to obtain a reduction or alter a District Attorney ruling.

**20.** Mayor Cahoon – He encouraged nominations for both the Town’s Lightkeeper (honoring those that are living) and Nags Header (honoring those who have passed) Awards – due to the Town by May 1<sup>st</sup>.

**21.** Closed / Open Sessions - The Board entered Closed Session to discuss an honorarium, to consult with the Town Attorney re: pending State litigation under attorney/client privilege; and to discuss the possible acquisition of property located at 4222 S Croatan Highway at 10:40 a.m. The Board re-entered Open Session at 11:26 a.m.

**22.** Adjournment - The Board adjourned to the FY 24/25 Budget Workshop. The time was 11:27 a.m.