



***DRAFT* MINUTES
TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
RECESSED MEETING
WEDNESDAY, MAY 21, 2024**

The Nags Head Board of Commissioners met at the Board Room located at 5401 S Croatan Highway, Nags Head, North Carolina on Wednesday, May 21, 2024 at 10:30 a.m. for a Recessed Meeting.

Board members Present: Mayor Ben Cahoon; Mayor Pro Tem Michael Siers; Comr. Kevin Brinkley; Comr. Bob Sanders (arrived at 10:34 a.m.); and Comr. Megan Lambert

Board members Absent: None

Others present: Town Manager Andy Garman; Attorney John Leidy; Amy Miller; Kelly Wyatt; David Ryan; Perry Hale; Randy Wells; Nancy Carawan; Joe Costello; Brittany Phillips; Roberta Thuman; and Town Clerk Carolyn F. Morris

CALL TO ORDER

Mayor Cahoon called the meeting to order at 10:30 am. He noted that Comr. Sanders is running a few minutes late and is expected shortly. A moment of silent meditation was followed by the Pledge of Allegiance.

ADOPTION OF AGENDA

MOTION: Mayor Pro Tem Siers made a motion to approve the May 21st agenda as presented. The motion was seconded by Comr. Brinkley which passed 4 – 0 (Comr. Sanders was not present.).

RECOGNITION

PROCLAMATION – National Public Works Week

Mayor Cahoon read the Proclamation declaring May 19 – 25, 2024 as National Public Works Week as follows:

“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."

MOTION: Mayor Pro Tem Siers made a motion to adopt the Proclamation declaring May 19 – 25, 2024 as National Public Works Week as presented. The motion was seconded by Comr. Brinkley which passed 4 – 0 (Comr. Sanders was not present.).

Public Services Director Nancy Carawan spoke praising the behind the scenes work that the Public Services staff does to keep Nags Head as awesome as it is – she specifically thanked the staff for all that they do with a "can do" attitude.

Board members echoed Director Carawan's sentiments and thanked the employees of the Public Services Department for everything they do.

Comr. Sanders arrived at 10:34 a.m.

PUBLIC COMMENT

Attorney Leidy opened Public Comment at 10:36 a.m. There was no one present who wished to speak during Public Comment.

CONSENT AGENDA

The Consent Agenda consisted of the following items:

- 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
- Consideration of resolution in support of NC Resilient Coastal Communities Program Grant Application 2024 – 2025

MOTION: Comr. Brinkley made a motion to approve the Consent Agenda as presented. The motion was seconded by Mayor Pro Tem Siers which passed unanimously.

The *Use of Town Parks policy* and the *Use of Dowdy Park policy*, as approved, are attached to and made a part of these minutes as shown in Addendum "A".

The Resolution in support of the NC Resilient Coastal Communities Program Grant Application for 2024/2025, as adopted, read in part as follows

"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."

ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN ATTORNEY

Attorney Leidy reported that the General Assembly, earlier this month, adopted legislation that repealed the Dare County local act that was designed to exempt the affordable housing project from any type of local zoning laws. With this repeal it is now appropriate for the towns to ask for the authority for voluntary dismissal of the lawsuit that they filed.

MOTION: Mayor Pro Tem Siers made a motion to authorize the Town Attorney to voluntarily dismiss the lawsuit against the State of NC, along with the other local towns, re: the Dare County local act to exempt the affordable housing project from any type of zoning legislation [this was due to the recent legislation adopted by the General Assembly that repealed the Dare County local act]. The motion was seconded by Comr. Lambert which passed unanimously.

ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN MANAGER

Town Manager Garman had nothing new to report.

BOARD OF COMMISSIONERS AGENDA

Board members had nothing new to report.

CLOSED SESSION

Mayor Cahoon requested a Closed Session to consider applications received for the Nags Header and Lightkeeper awards.

MOTION: Mayor Pro Tem Siers made a motion to enter Closed Session to consider applications received for the Nags Header and Lightkeeper awards pursuant to GS 143-318.11(a)(2). The motion was seconded by Comr. Brinkley which passed unanimously. The time was 10:39 a.m.

OPEN SESSION

The Board re-entered Open Session at 10:44 a.m. Attorney Leidy reported that during Closed Session the Board did discuss and take action on the Nags Header and Lightkeeper awards but it is not to be disclosed at this time.

ADJOURNMENT

MOTION: Comr. Brinkley made a motion to recess to a Budget Workshop followed by a ribbon cutting at the newly constructed Epstein Street Beach Access Bathhouse. The motion was seconded by Mayor Pro Tem Siers which passed unanimously. The time was 10:45 a.m.

Carolyn F. Morris, Town Clerk

Date Approved: _____

Mayor: _____
Benjamin Cahoon