



BOC ACTIONS
WEDNESDAY, OCTOBER 2, 2024

1. Call to order - Mayor Cahoon called the meeting to order at 9 a.m. He announced a moment of silence to think of fellow North Carolinians that are in crisis mode and to send them good thoughts and support as able.
2. Agenda – The Board adopted the Oct 2nd agenda as presented.
3. Recognition

Public Services Director Carawan introduced new employees Facilities Maintenance Technician John Stewart and Sanitation Equipment Operator Steve Farrow who were welcomed by the Board to Town employment.

Town Mgr Garman introduced Fire Chief Randy Wells who was recognized by the Board for five years of svc.

4. Proclamation – The Board adopted the Proclamation concerning the upcoming Fire Prevention Week, scheduled for Oct 6 – 12, 2024. The theme is *Smoke Alarms – Make Them Work For You*. Everyone was invited to the Open House scheduled for Oct 10th at 5 pm at the Douglas Remaley Fire Station #16.
5. Comr. Brinkley Resignation - Attorney Leidy explained that the process changed since his first discussion with Comr. Brinkley concerning Comr. Brinkley's move out of Town. Attorney Leidy's recent discussion with the State Board of Elections indicated that when someone moves to another municipality or election district with the intention of remaining, that person shall be considered to have lost their place of residence in the prior municipality.

Comr. Brinkley stated that this was not how he saw his term playing out but knew that this was best for his family to take advantage of this opportunity. Mayor Cahoon, with great sadness, accepted Comr. Brinkley's resignation. Comr. Brinkley left the Board meeting after a brief recess.

6. Public Comment - David Elder, Nags Head resident and Planning Board member; he spoke concerning the multi-family ordinance stating that the process was difficult to follow; it was difficult for him to let people in his area know how it was moving forward as it wasn't clearly moving and information wasn't accessible; he doesn't feel that there is any reason to not split the ordinance and have the Small Multi-family move forward and the Large Multi-family to be considered at a later time.

7. Consent Agenda - The Consent Agenda was approved as presented and consisted of the following:
Budget Amendment #4 to FY 24/25 Budget
Tax Adjustment Report
Approval of minutes
Seventh amendment to Verizon lease of Town Hall monopole
Great Trails State Program Grant application for multi-use path engineering
Resolution authorizing execution of NC-DEQ grant contract for the June St Beach Access

Consideration of Capital Project Fund ordinance amendments:

- Amendment #5 to Capital Project Fund (General) for Public Services Complex
- Amendment #3 to Capital Project Fund (Water) for AMI and Public Services Complex

Modification to Rules of Procedure re: time allotted for speakers

Resolution accepting NC-DEQ Local Assistance for Stormwater Infrastructure Investments (LASII) funding offer; Authorization for Town Manager to execute contract with McAdams

Request for Public Hearing – for Special Use/Site Plan Review for construction of a 2-story, 8-BR dormitory
Request for Public Hearing – for various amendments to the UDO within SPD-C, Village for new use EMS Stn

8. Public Hearing to consider a zoning map amendment request submitted by Chris Greening of Coastal Bluewater Capital, LLC, as authorized by property owner Mazzi, LLC to rezone the property located at 0 W. Satterfield Landing Road, Lot 2a-1r of the Charles Sineath Subdivision, (Parcel # 005618002) from C-3, Commercial Services to C-2, General Commercial. This is the vacant property west of TW's Bait and Tackle.

Mayor Pro Tem Siers was recused from this item as he had a conflict of interest. The Board adopted the ordinance amending the zoning map for Lot 2a-1r of the Charles Sineath Subdivision from C-3 Commercial Services to C-2 General Commercial as presented which includes various findings and a consistency statement.

9. Planning Director - Planning Director Kelly Wyatt summarized her monthly Planning Dept report which was well received.

10. From Sep 4th Board meeting – Multi-Family Dwelling Ordinance - Town Manager Andy Garman explained that the Board of Commissioners conducted a public hearing on the draft multi-family ordinance at its Sep 4th meeting. Based on extensive public comments received at the public hearing, the Board of Commissioners scheduled a workshop which was held on Sep 18th. The Board unanimously adopted the multi-family ordinance as presented - to include the required findings.

11. Committee Reports

Mayor Cahoon – He and Town Manager Garman attended a NCLM legislative business session in Rocky Mount – Mayor Cahoon is hopeful that some of the issues brought forward, such as getting houses off the beach, will be included for possible legislation consideration.

Mayor Pro Tem Siers – Dare County Housing Task Force – some great sessions have taken place; He anticipates a public announcement to be made soon by the Housing Task Force Chair, Donna Creef.

Comr. Lambert – Government Access Channel Committee – Public Information Officer Roberta Thuman attended the recent meeting with Comr. Lambert; more updates to follow in the coming months re: the Film Festival; she reported on the Board of Education Forum recently held and the upcoming Dare County Board Forum sponsored by the League of Women Voters.

Former Comr. Brinkley's committees - Mayor Cahoon noted that Comr. Brinkley represented the Town on the Septic Health Advisory Committee and the Jennette's Pier Advisory Committee. He stated that Comr. Lambert had shown interest in the Septic Health Advisory Committee. The Board appointed Comr. Lambert to replace Comr. Brinkley as Board representative on the Town's Septic Health Advisory Committee.

Personnel Grievance Panel – The Board reappointed Tina Adderholdt to another 3-year term on the Personnel Grievance Panel, pending her acceptance.

Board of Adjustment – The Board reappointed Alice Coffey to another 3-year term on the Board of Adjustment, pending her acceptance.

12. Estuarine Shoreline Management Project Areas 1 and 2 Engineering and Design – The Board passed motions to:

- Adopt the resolution authorizing Town Manager Garman to execute the contract with NC-DEQ for the Estuarine Shoreline Management Project grant as presented,
- Authorize the Town Manager to enter into a contract with McAdams for ESMP areas 1 and 2 at the Nags Head Woods Preserve & Villa Dunes Drive and W Soundside Road, as presented,
- Approve the associated budget amendment for the \$40,000 local portion of the grant as presented.

13. Fire Truck purchase – The Board passed a motion to authorize the Town Manager to enter into a contract with Atlantic Emergency Solutions for the Pierce Custom Pumper fire truck purchase as presented.

14. Application to NC-DEQ Division of Water Infrastructure for Septic Health Project Grant; Consideration of revised Septic Health Loan Policy – The Board passed motions to:

- Adopt the resolution authorizing application to NC-DEQ for the Septic Health Project grant as presented,
- Approve the extension of the loan payment time to up to five (5) years as provided for in the updated Septic Health Loan Policy.

15. Stormwater Master Plan process/public engagement – The Board passed a motion to authorize the Town Manager to execute the planning proposal with McAdams in the amount of \$208,000 as presented to begin the Stormwater Master Plan process.

16. Town Manager Garman – Engineer David Ryan introduced Beth Sciaudone and Ayse Karanci of Moffat & Nichol who provided a summary of the Annual Beach Condition Survey results – The Board passed motions to:

- Approve the additional fall beach condition survey and to authorize Town Manager execution of the change orders for McKim & Creed and Moffat & Nichol as presented.
- Approve Capital Project Ordinance #12 to transfer funds for the surveying and monitoring line item as presented.

17. Town Manager Garman - Town Engineer David Ryan provided an update on the Public Services Facility construction. Staff is currently operating out of the new fleet bays and servicing the Town fleet; Solar Panels are now online; the former Public Works office building was recently demolished.

18. Town Manager Garman – The Board approved the Statewide Mutual Aid Agreement for 2023 as presented.

19. Mayor Cahoon – Upcoming election - Mayor Cahoon spoke of the resolution the Board adopted a couple of years ago entitled: *A Resolution Showing Appreciation And Support For Dare County Elections Staff And Precinct Workers*. He cited from the resolution: "... the Dare County Board of Elections ensures that these elections are free, fair, accurate, convenient and accessible to all voters in Dare County ...".

20. Mayor Cahoon – Vacant BOC seat - Mayor Cahoon reported that between now and the Nov 6th Board meeting a process will be determined on filling the Board of Commissioners seat now vacant due to Comr. Brinkley's resignation earlier in today's meeting. Information will be provided on the process at the Nov 6th Board meeting.

21. Adjournment - The Board recessed to the Board Retreat on Friday, Oct 18th at 8:30 am at the Public Services Dept. The time was 11:30 a.m.