



MINUTES
TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
EMERGENCY MEETING
SATURDAY, MARCH 21, 2020

The Nags Head Board of Commissioners met in the Board Room of the Nags Head Municipal Complex located at 5401 S Croatan Highway in Nags Head, North Carolina on Saturday, March 21, 2020 at 4:30 p.m. for an Emergency Meeting.

Board members Present: Mayor Ben Cahoon; Mayor Pro Tem Michael Siers; Comr. Renée Cahoon; Comr. Webb Fuller; and Comr. Kevin Brinkley

Board members Absent: None

Others present: Town Manager Cliff Ogburn; Attorney Ben Gallop; Andy Garman; Roberta Thuman; Phil Webster; Randy Wells; Amy Miller; Meade Gwinn; Jim Morris; Bill Rigley; and Town Clerk Carolyn Morris

CALL TO ORDER

Mayor Cahoon called the Emergency Meeting to order at 4:30 p.m. A brief moment of silence was followed by the pledge of allegiance.

PUBLIC NOTICE

The public notice for this emergency meeting read in part as follows:

“Notice is hereby given that the Nags Head Board of Commissioners has called an emergency meeting to be held today, Saturday, March 21, 2020 at 4:30 pm at the Nags Head Board of Commissioners Meeting Room located at 5401 S. Croatan Hwy. Nags Head, NC. The purpose of the meeting is for 1) discussion of the Town's response to COVID 19; 2) discussion of recent restrictions imposed on access to the Town; 3) consideration of additional restrictions that may be taken by other authorities that impact the Town; and 4) actions that need to be taken in relation to items 1), 2) and/or 3).”

Mayor Cahoon confirmed with Attorney Ben Gallop that the provisions for emergency meetings - six hours notice and meeting discussion limited to the reasons for calling the emergency meeting – were met. The reasons for this emergency meeting are:

- to discuss the Town’s response to the Corona Virus-19 pandemic
- to discuss recent restrictions imposed on access to the Town
- to consider additional restrictions that may be taken by other authorities that impact the Town
- to consider any actions that may need to be taken in response to the above items

Mayor Cahoon spoke of the recent Governor's Order to allow first responders and others that need to be at work to have the needed day care in order to conduct their work – to allow an expansion of these types of operations which he noted may mean that the order may allow for 15 children in a day care but the Town's zoning only allows 10 - Town/staff would comply with this or any other Executive Order.

Mayor Cahoon expanded that the Board wanted to ask questions of staff and direct staff as necessary to make sure that the Town is as prepared as possible in order that the Town's citizens are protected as well as its interests.

Town Manager Ogburn provided details of the responses/actions of Town staff as a result of the Corona Virus pandemic starting when the first person in North Carolina was reported affected and Governor Cooper's first Executive Order was given:

- Public Safety has been prepared – by March 6th actions plans were prepared and put into place; the hospital/nursing home were contacted; meetings and events were cancelled and parks were closed; reservations were no longer taken and staff complied with the March 16th Town Statement of Emergency proclamation re: mass gatherings to not more than 50 persons; the message to the public is that the town will continue to provide essential services – and all services as long as possible – remove services began to limit contact and comply with Governor Cooper's order of social distancing; water cutoffs were suspended, travel was suspended and any dealings with the town were moved online and away from Town Hall; a mutual aid discussion with other towns took place; Town Manager Ogburn met with the Finance Officer this past week to confirm a watchful eye is on the budget revenue for now and up to June 30th; restrictions are now in place so that only essential purposes are being addressed; ocean rescue and a discussion of plan for patrolling the beaches this summer is necessary; projects have been delayed; Seven million is currently in Fund Balance and he is more concerned about the impact on next year's budget; staff will continue to do whatever possible to maintain essential services; public has heeded the town's requests and foot traffic has diminished greatly; staff continues to maintain services for as long as possible and works toward keeping staff healthy.

Comr. Renée Cahoon confirmed with Town Manager Ogburn that travel/training has been suspended and she suggested that the Town's 401K contribution to each employee is a discretionary item; she also suggested eliminating the charge card fee for those customers paying their bills. Staff is to verify the legality of eliminating this fee.

Comr. Fuller asked about the position of School Resource Officer when there is no school in session at this time; Comr. Brinkley pointed out, and confirmed with Town Manager Ogburn, that the School Resource Officer is a Police Officer position and even when not performing that duty that position still has police officer duties.

Comr. Fuller asked if Town Manager Ogburn had considered furloughs for employees who no longer have jobs especially with the reduced foot traffic at Town Hall; Town Manager Ogburn indicated that he has not considered furloughs for any positions.

Comr. Fuller stated he recently attended a meeting of the Dare County Tourism Board (DCTB); their staff are working with the DCTB to identify ways to save resources/money which he has not seen coming from the Town. He would like the Board of Commissioners and Town staff to be more engaged especially concerning the Town's financial picture. He said that while he supports Public Safety needing to do more he feels that there are a lot of people at Town Hall that have less to do than they normally do at this time and if not a furlough, then maybe a reduction in the work week.

Comr. Fuller expressed concern that so many businesses/residents are suffering because of the lack of business.

Mayor Cahoon confirmed that Town Manager Ogburn will be bringing to the March 25th Board workshop information re: the Town's financial picture – he asked Board members to share any suggestions they have with the Town Manager prior to the meeting.

Mayor Cahoon asked Board members of their concerns re: Corona Virus emergency:

Comr. Fuller – While the Division of Emergency Management has responded well to his inquiries, he has issues with the entry point issue: his white re-entry priority card did not work – property owners are unable to get to their houses. The Control Group is advisory and Nags Head makes its own decisions.

Mayor Cahoon explained that the Town did its own Statement of Emergency, separate from Dare County's; additions to the Dare County declaration was to restrict visitors and then non-resident property owners; the Town's Statement of Emergency was not updated. Nags Head is within the confines of Dare County and DC is manning the borders.

Mayor Cahoon asked Attorney Gallop if there was a way to allow visitors to Nags Head in to Dare County; Attorney Gallop said that the deputies are acting in Dare County authority – he stated that the County proclamation would have to be modified in order to allow Nags Head visitors through. He also noted that the courts are closed at this time.

It was Board consensus that 1) Town Manager Ogburn provide a fiscal report, in response to reduced revenues, to the March 25th Workshop/meeting; 2) Attorney Gallop provide an electronic meeting policy for Board consideration at the March 25th Workshop/meeting; and 3) Mayor Cahoon ask Dare County if there is a mechanism to allow non-resident property owners, who may have been in the middle of a project when they were barred from entry, and whose property may be in a compromised state, to finish what they were doing – and to do so without adding excessively to the deputies' burdens at the County checkpoints.

ADJOURNMENT

In response to Comr. Renée Cahoon, Town Manager Ogburn stated that staff has made sure that the Town has Zoom capability for upcoming meetings as necessary.

Mayor Cahoon noted the Board's workshop on Wednesday, March 25, 2020 at 9 am. He thanked everyone for attending today and appreciates that the Town is attempting to be pro-active; he appreciates everyone's efforts and their work.

MOTION: Comr. Brinkley made a motion to adjourn. The motion was seconded by Comr. Renée Cahoon which passed unanimously. The time was 5:29 p.m.

Carolyn F. Morris, Town Clerk

Date Approved: **April 15, 2020**

Mayor: _____
Benjamin Cahoon