



**TOWN OF NAGS HEAD
BOC ACTIONS
WEDNESDAY, DECEMBER 16, 2020**

1. Call to order - Mayor Cahoon called the meeting to order at 9:00 a.m.
2. Agenda - the Board approved the December 16th agenda as presented.
3. Public Comment - no comments were received.
4. The Consent Agenda was approved as presented and consisted of the following items:
 - Budget Adjustment #7 to the FY 20/21 Budget
 - Request for Public Hearing re: UDO amendment pertaining to the reduction of side yard setbacks for corner lots abutting unimproved rights-of-way
5. Water Tank Maintenance - The Board unanimously approved American Tank Maintenance, LLC as the lowest responsible bidder for the Town's water tank maintenance contract as presented.
6. Seasonal Housing - It was Board consensus to consider a housing solution with financial characteristics - at least for the time being; And to look toward a budget that would accommodate our staff with the kind of facilities that would be acceptable to them and that meets the parameters that the survey discovered. It was Board consensus that staff prepare a report detailing what and how much is needed and how the Town can help them get it - for presentation to the Board within the next few months.
7. Beach Nourishment - the Board discussed and took the following actions:

The Board approved the Engineering and Design Task Order Contract with Moffat & Nichol for the 2022 Post-Dorian Beach Nourishment Project in an amount not to exceed \$823,822.

The Board adopted the Beach Nourishment Maintenance Capital Project Ordinance - leaving out sand fencing/sprigging – in the amount of \$1,518,822.

The Board approved the Budget Amendment to approve funding for the new Beach Nourishment Capital Project Ordinance in the amount of \$3,037,644.

The Board approved and formally moved forward with the Town Sandfencing Project, as presented. Board members would like to see relative costs of the hay bales (with a more natural material rather than twine to be used) as opposed to the sandfencing, recommendations where the hay bales may be more appropriate for placement, and their impact environmentally.

The Board approved reimbursement in the Beach Grass Planting/Cost-Share Program to those oceanfront property owners who do the beach grass planting program themselves at an amount of up to \$500. The Board also appropriated \$7,000 from Unappropriated Fund Balance to make a payment to the Better Beaches Program – with details to be worked out by staff.
8. Town Attorney - Attorney Leidy spoke about the enforcement of the provisions of the Governor's Emergency Executive Orders concerning COVID-19 regulations.
9. Closed Session - The Board entered Closed Session to discuss an attorney/client privilege issue. The time was 11:53 a.m. The Board re-entered Open Session at 12:05 p.m.

- 10.** Recess/Reconvene - The Board recessed for lunch at 12:05 p.m. and reconvened at 12:50 p.m.
- 11.** Open Session - Attorney Leidy reported no actions were taken during Closed Session.
- 12.** Town Attorney - Attorney Leidy spoke of the conflict between the School of Government and the Attorney General's office concerning enforcement of the Governor's Executive Orders concerning adherence to COVID-19 regulations. Mayor Cahoon said that if staff finds it necessary to take enforcement action, then action should be taken - he is to ask the Mayors if they are also in agreement. He clarified that he is referring to action only being taken in an egregious type of situation.
- 13.** Recruitment firms - Board members heard presentations from three Town Manager Recruitment firms via the Zoom platform. The Board unanimously chose Developmental Associates to recruit the next Town of Nags Head Town Manager.
- 14.** Comr. Renée Cahoon – With a lot of new people in the area, Comr. Renée Cahoon asked that the Brush Yard Policy be included on the Town's water bill as well as on the Town's web site home page.
- 15.** Mayor Pro Tem Siers - He complimented Town staff on how well the Town looked.
- 16.** Comr. Fuller - Asked to see what other local governments are doing re: ordinances and COVID-19.
- 17.** Comr. Fuller - Requested a paper detailing Town streets/status of priorities for maintenance/repair of each - for presentation at the January Board meeting.
- 18.** Comr. Fuller - Requested that the hole in the Board Room ceiling be fixed before January meeting.
- 19.** Comr. Brinkley - He wished all Town employees a Merry Christmas and a happy/safe New Year.
- 20.** Mayor Cahoon - Mayor Cahoon is to speak more at the January Board meeting re: highlighting medical personnel/staff and the risks they continue to take during the COVID-19 pandemic.
- 21.** Mayor Cahoon - National Park Service Superintendent Dave Hallac reported that they will be mowing Park property under the power lines in S Nags Head in the near future.
- 22.** Mayor Cahoon – Dare County Manager/Attorney Bobby Outten will speak at the Town's January meeting concerning what is taking place at Avon and the Town's BN Project and alternative funding.
- 23.** Mayor Cahoon – He brought forward the letter he drafted to oceanfront property owners concerning the Beach Nourishment Project easements. Board members spoke in favor of the proposed letter and emphasized that it should not be sent out until after Christmas - and before any correspondence from the attorney is sent. Mayor Cahoon spoke in favor of the attorney taking more of a lead on this issue.
- 24.** Mayor Cahoon - Park Service Superintendent Dave Hallac offered to come to a Board meeting to discuss what they are working on and their willingness to cooperate with the Town in the south end of Nags Head - possibly for the January Board meeting.
- 25.** Adjournment - The Board adjourned at 3 pm.