



**BOC ACTIONS
RECESSED MEETING (COVID-19)
WEDNESDAY, FEBRUARY 17, 2021**

- 1.** Call to order - Mayor Cahoon called the meeting to order at 9 am. Although held at the Douglas A Remaley Fire Station #16, he noted that the Board will return to remote meetings for March.
- 2.** Agenda - the Board adopted the February 17th agenda as presented.
- 3.** Public Comment - Mayor Cahoon confirmed with the Town Clerk that no emails were received for Public Comment.
- 4.** Consent Agenda - The Consent Agenda was approved as presented and consisted of the following:
 - Budget Adjustment #11 to FY 20/21 Budget
 - Request for authorization to enter into Decentralized Wastewater Mgmt Plan services contract
- 5.** Public Hearing - to consider a Conditional Use Permit and Major Site Plan review submitted by Ralph Buxton of RDB Holdings, LLC for the construction of approximately 196 feet of new dock for Kitty Hawk Water Sports, located at 6920 S. Croatan Highway, Nags Head, NC. The property is zoned C-2, General Commercial and is located within the Commercial-Outdoor Recreational Uses Overlay District and the Ocean and Sound Waters District.

The Board passed a motion to approve the Conditional Use Permit subject to the following five conditions to include the required findings of fact:

- The use will not materially endanger the public health and safety if located where proposed and developed according to the plan as submitted.
- The use, as proposed, will not overburden the firefighting capabilities and the municipal water supply capacity of the Town as such facilities and capabilities will exist on the completion date of the conditional use for which application is made.
- The conditional use will be in harmony with the existing development and uses within the area in which it is to be located.
- Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.
- Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

6. Feb 3rd Board meeting - Discussion of sandfence installation suggestions from John Cece

It was Board consensus that in order to get as many dunes built per the dollar, that if there are areas that need sandfencing at 20' spacing, or if needed at less than 10' spacing, that staff should install at most appropriate spacing - this is in addition to taking into account those owners who don't want sandfencing.

Town Manager Sparks was asked to respond to Mr. Cece with a report of today's discussion.

7. Recycling recommendation from the Waste Reduction Task Force

The Board passed a motion to approve Recycling Alternative #2 for a curbside subscription recycling service with TFC Recycling and to authorize a subsidy of \$5 for each subscriber.

The Board passed a motion to terminate the existing contract with Bay Disposal, according to the terms of the contract, and to authorize the Manager to enter into a contract with TFC Recycling.

The Town Clerk was directed to prepare a letter to the Waste Reduction Task Force members (Kari Bakus, Ann Daisey, Meredith Fish, David Bragg, and Robert Netsch) thanking them on behalf of the Board for the good job they did with a difficult task.

8. Attorney Leidy - Attorney Leidy asked for a Closed Session re: 205 E Baltic Street litigation.

9. Comr. Renée Cahoon - The Board passed a motion to authorize four (4) hours of vacation leave, for calendar year 2021, for each employee that completes the COVID-19 vaccine protocol; to include those unable to follow the vaccine protocol as long as validated with a doctor's note; to amend Town Policy to reflect this; to take effect from this point forward.

10. Comr Renée Cahoon

Religious facilities - The Board passed a motion to address text amendments to allow religious facilities to be permitted in mixed use situations to include shopping centers and to schedule a Public Hearing, after Planning Board review, on the text amendments for the April 7th Board of Commissioners meeting.

Hotel nonconformities - The Board passed a motion to schedule a Public Hearing for the April 7th Board of Commissioners meeting to address UDO text amendments that would permit hotels as an allowable use in the CR District.

11. Closed Session - the Board passed a motion to enter Closed Session to discuss and protect attorney/client privilege, to receive an update on the 205 E Baltic Street litigation, and to consider Jan - Dec 2020 Closed Session minutes and their disposition. The time was 10:36 a.m.

12. Open Session - The Board re-entered Open Session at 11:15 a.m.

13. Adjournment - The Board passed a motion to adjourn at 11:17 a.m.